

**TO:** City of Wilsonville

**FROM:** Heather Austin, AICP, 3J Consulting, Inc.

**RE:** Development Code Audit Memo  
Housing Statutory Compliance Report

**DATE:** December 3, 2025




---

### Background and Context

In June 2025, City Council adopted the Housing Production Strategy (HPS), a document required for the City's continued compliance with Statewide Planning Goal 10 (Housing). The HPS includes seven actions the City will pursue over the next six years to help address Wilsonville's unmet housing needs. Among these is Action C, Evaluate Use of Administrative Review Processes for Residential Development, which would update the City's land use review process for residential development to process most land use applications administratively via the Class II review process.

In an effort to promote the development of a variety of housing types throughout the state, the Oregon Legislature passed Senate Bill (SB) 974 in the 2025 Session. Sections 2-5 of this bill require cities and counties to issue decisions without a public hearing on certain residential development applications, including Wilsonville's most common residential land use applications. This statutory requirement overlaps with HPS Action C.

This Code Assessment Memo has been prepared as a guide to help the City determine how to best implement HPS Action C while meeting the requirements of SB 974. This memo identifies statutorily required amendments to the Development Code resulting from SB 974, and where additional amendments would best implement HPS Action C while maintaining a clear and transparent land use review process.

A detailed inventory of City Code sections subject to SB 974 and/or Wilsonville HPS Action C is included with this memo. This inventory is meant to support discussion of preferred code updates and provide a framework for an update to the Development Code.

### Typical Residential Application Types and Review Processes

Development permit applications in Wilsonville generally fall under one of three review processes:

- **Class I Administrative Review** – Applications are processed as ministerial decisions made by the Planning Director without public hearing or public notice and are not subject to appeal or call-up. These decisions do not involve discretion on the part of the Planning Director and include applications that verify compliance with prior development approvals.
- **Class II Administrative Review** – Applications are processed as administrative decisions by the Planning Director, with public notice, subject to appeal or call-up by the Development Review Board (DRB). These decisions may involve limited discretion on the part of the Planning Director

but generally involve application of clear and objective development standards. This process is used for minor modifications to previously approved development plans, as well as for applications for new development in the City's Coffee Creek Design Overlay District.

- **Class III Quasi-Judicial Review** – Applications are processed as quasi-judicial decisions by the DRB, with public notice and a public hearing, subject to appeal or call-up by City Council. This is the City's current land use review process for applications associated with new development, including residential land use applications. State law requires the use of clear and objective standards for residential development; however, applicants may choose to request discretionary waivers to certain development standards subject to DRB review and approval. Final decisions on applications for annexation, Comprehensive Plan Map amendments, or Zone Map amendments are made by City Council.

The provisions of SB 974 are applicable to the development of housing. The goal of SB 974 is to increase housing production in cities throughout the state by making it quicker and easier to obtain local approval of residential development applications. SB 974 aims to meet this goal by amending the regulatory framework applicable to residential development applications and prioritizing efficiency in areas planned for or zoned for residential development. To do this, SB 974 requires cities to review residential land use applications in a manner similar to limited land use decisions (ORS 197.195). A limited land use decision is one that is made administratively (without a public hearing) and is based on specific criteria and standards. Per ORS 197.195, a limited land use decision process requires public notice to be mailed to all owners of property within 100 feet of the subject property to allow for a 14-day comment period. A public hearing may be conducted for an appeal of a limited land use decision.

In Wilsonville, there are several application types and review processes that are affected by the provisions of SB 974 or recommendations of HPS Action C:

- Planned Development Process

Section 3 of SB 974 requires the City to make an initial decision on a Planned Development application without a hearing through an administrative review process. The City may hold a public hearing on appeal of the initial decision. Wilsonville's Planned Development process requires four distinct phases, which are typically reviewed concurrently, but may be applied for separately at the applicant's discretion:

- 1) Zone Map Amendment (and concurrent Comprehensive Plan Map Amendment if needed)
- 2) Stage I Preliminary Plan (review of land uses)
- 3) Stage II Final Plan (review site function and layout), and
- 4) Site Design Review (review of design and materials).

To comply with SB 974, the City should update the procedures such that the Stage I Preliminary Plan and Stage II Final Plan for residential development are each a Class II administrative review. This would also include review of any requested waivers to development standards that are included in the Planned Development Review criteria, as these are evaluated with Stage II Final Plan applications.

Converting the two stages of Planned Development (PD) review for residential development to administrative reviews will have some impact on review process and timelines. While the process of reviewing applications against the relevant Development Code criteria and making findings will remain the same, decisions will be issued upon completion of this review, shortening the overall review timeline. Any appeals of an administrative decision on a Stage I Preliminary Plan or Stage II Final Plan would be reviewed through a public hearing before the DRB.

- Comprehensive Plan Map and Zoning Map Amendments

Comprehensive Plan Map and Zone Map Amendments are decisions of the City Council. In the case of a quasi-judicial map amendment, the DRB conducts a public hearing and makes a recommendation to the City Council. For legislative amendments, Planning Commission conducts a public hearing and makes a recommendation to the City Council.

SB 974 requires residential Zone Map Amendments that result in an increase in density to be administrative decisions issued without a public hearing. The bill is not clear in how to determine an “increase in density”, but this has been interpreted by the state’s Housing Accountability and Production Office (HAPO) to mean:

- An increase in the total number of permitted housing units
- A change to the types of housing units permitted
- A decrease in the overall minimum lot size
- A reduction in development standards that limit density, such as maximum building height or FAR or minimum setbacks or off-street parking

To comply with SB 974, the City should update the Zone Map Amendment process to allow an administrative review, without a public hearing, for residential Zone Map Amendments that increase density. Even without a public hearing, SB 974 specifies that the City continues to send a Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD).

A Comprehensive Plan Map Amendment is occasionally needed with a Zone Map Amendment. Comprehensive Plan Map Amendment is not included in the provisions of SB 974. The instances in Wilsonville where a Comprhensive Plan Map Amendment would be needed prior to (or concurrent with) a Zone Map Amendment for a residential property that increases density are limited primarily to infill development. The City is not required to update its process for review of a Comprehensive Plan Map Amendment. However, the City has precedent of using an expedited hearing process whereby all Comprehensive Plan Map Amendments in the Coffee Creek Industrial Design Overlay District are reviewed only by City Council without a prior hearing and recommendation from the DRB.

The City should consider applying its expedited hearing process to residential Comprehensive Plan Map Amendments that increase density. This would support implementation of Wilsonville’s HPS Action C.

- Tentative Subdivision Plat

The subdivision of land in Wilsonville, which results in the creation of more than three lots, is currently processed through a Class III quasi-judicial land use review with a public hearing at the DRB. Partitions, which create three or fewer parcels, are processed as Class II administrative decisions. ORS 197.195(12) identifies “a tentative subdivision or partition plan” as a limited land use decision that does not require, but can allow for, a public hearing process.

Though not a specific requirement of SB 974, Wilsonville HPS Action C would support the recommendation to make subdivisions of residential land a Class II administrative decision without a public hearing. Subdivisions are most often associated with residential uses that involve land use applications subject to the requirements of SB 974. In addition, subdivisions are subject to clear,

numerical design standards that do not require decision-maker discretion. This process change to an administrative decision would allow for continued concurrent review of tentative subdivision plat applications with other residential land use applications requiring a Class II administrative review process.

- Site Design Review

All Planned Development applications require Site Design Review as the fourth review phase, which for residential development focuses on elements such as street trees and open space. Residential structures in residential zones are exempt from Site Design Review, unless requesting a waiver to one of the applicable clear and objective design standards (mixed-use residential structures are not exempted) for residential structures in residential zones found in Section 4.113 of the Code. Like subdivisions, “site [design] review” is listed as a limited land use decision in ORS 197.015(12). Because SB 974 requires updates to the Planned Development review process, updating the process for residential Site Design Review to a Class II administrative decision without a public hearing would allow for continued concurrent processing of all application components, consistent with the intent of HPS Action C.

- Variance

Variances are identified in Section 4.196 of the Code as granted by the DRB. SB 974 specifically requires variances to residential development standards to be processed as administrative decisions without a public hearing.

To comply with SB 974, the City should update the code to make variances to residential development standards a Class II administrative decision without a public hearing.

- Annexation

Annexations are not addressed by SB 974. However, reducing review process and timelines for annexation of residential land would support implementation of Wilsonville Housing Production Strategy Action C. Because Wilsonville is in Metro’s jurisdiction, annexations to the City are subject to Metro Code Chapter 3.09 Local Government Boundary Changes. The provisions of Chapter 3.09 permit an expedited decision without a public hearing, assuming the petition includes written consent of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory.

The City currently uses two public hearings to process an annexation. The preliminary hearing (with the DRB for quasi-judicial requests or the Planning Commission for legislative requests) is used to make a recommendation to City Council, the City’s annexation decision-making body. For annexation into the Coffee Creek area, annexation requests are sent directly to City Council.

The City should consider updating its annexation standards to send residential annexation requests directly to City Council, consistent with the current process for Coffee Creek Industrial Design Overlay District. Additionally, the City could decide to codify the expedited decision procedure by Metro, allowing an application for annexation of residential land to be processed without a public hearing (assuming consent thresholds are met). Both would reduce timelines for annexation of residential land, supporting the implementation of HPS Action C.

- Type C Tree Removal and Protection Plan

A Type C Tree Removal and Protection Plan is currently required for any tree removal associated with a site plan or plat that is reviewed by the DRB, as well for site development applications subject to a Class II administrative review process in the Coffee Creek Industrial Design Overlay District. Similar to other residential development standards, tree removal standards associated with residential development must be clear and objective. While not required by SB 974, in alignment with the goal of increasing housing production of Wilsonville HPS Action C, the City should consider changing the review process for Type C Tree Removal and Protection Plans associated with residential development to a Class II administrative review process, similar to site development applications in Coffee Creek.

### Appeals Process

SB 974 specifies that a public hearing may be conducted for an appeal of an administrative decision affecting a residential development process. The City currently processes appeal of an administrative Class II decision through an appeal hearing before the DRB. The provisions of SB 974 do not require a change to the City's appeal process for development decisions processed as a Class II administrative review.

### Noticing Process and Options for Public Awareness of Residential Development Applications

SB 974 and ORS 197.195 are very specific about public notice for limited land use and similar actions. The noticing buffer from the subject site is 100 feet and the timeframe for comment is 14 days. Wilsonville's current notice processing standards call for a 250-foot buffer and a 10-day period for submittal of comments for a Class II review. The City's public notice period is longer for applications requiring public hearings (20-40 days), using the same 250-foot radius.

The current noticing procedures are intended to notify neighboring landowners of the opportunity to participate in the review and decision-making process for an application. The public notice procedures in ORS 197.195 are geared more toward notifying neighboring landowners of an action that is taking place, and less toward an opportunity to participate. This difference is based on the premise that the proposed limited land use actions will be reviewed and approved based on only clear and objective standards, without the use of discretion.

The City currently uses other notification methods not specified in the Development Code to build awareness of land use applications and public hearings, including site postings, newspaper notices, and detailed application information on the City's Projects Around the City webpage. While unrelated to any required Development Code edits, the City should consider how these tools can be used during Class II administrative reviews of new development.

Consistent public notice procedures reduce confusion for land use applicants, staff and the public. For consistency, the city should consider amending the public notice buffer radius to 100 feet for all land use submittals. SB 974 requires a 14-day comment period for all residential land use submittals. The city's current notice processing standard of 10 days should be changed to 14 days for compliance with state law.

### Development Review Board Role

The City currently utilizes two DRBs, with each board meeting monthly, to review all Class III and IV quasi-judicial applications. The DRB makes decisions on Class III applications (such as variances, site design reviews and planned developments) whereas the DRB makes recommendations to City Council on Class IV applications (such as zone changes and annexations). Whereas, the Planning Commission reviews all Class IV legislative applications (such as Comprehensive Plan and Development Code text amendments) and makes recommendations to the City Council. The Planning Commission meets monthly to discuss the City's legislative land use matters.

Many cities use a single Planning Commission as both the legislative and quasi-judicial review authority. There is some benefit to having the same body that is implementing the City's legislative land use policy also applying that implemented policy directly to submitted applications. In addition, the changes to review procedures required by SB 974 and supported by Wilsonville HPS Action C will reduce the number of applications coming to a public hearing before the DRB for review.

Based on the information above, the City should consider whether they will:

1. Keep the DRB structure as-is with two review bodies;
2. Keep one DRB for all eligible quasi-judicial reviews; or
3. Eliminate the DRB and place all quasi-judicial decision-making and legislative recommendations with the Planning Commission (possibly requiring two meetings per month).

### Land Use Application Fee Structure

Wilsonville's Planning Division Fees should be evaluated in light of any changes made to review procedures to ensure they are reflective of the staff time required to process applications. Presently, applications in the Coffee Creek Industrial Design Overlay District, which are generally Class II reviews, are charged the standard application-based review fees because the staff review time and resources are generally about the same as a DRB review as opposed to a Class II review of a minor modification to an approved land use plan. There are costs associated with a public hearing, with administration and project review staff needed for each public meeting. In light of this, the City could consider separating out plan review fees from hearing fees or charging a new standalone fee if a public hearing is involved.

### Recommendations Summary

When considering the recommendations of HPS Action C, the City has an opportunity to refine the land use review process for residential development while ensuring consistency with statutory review and noticing requirements. The following recommendations are broken into three categories as follows:

#### To ensure compliance with the requirements of SB 974, the City of Wilsonville should:

- Change the residential land use review process from Class III to Class II for:
  - Stage I Preliminary Plan Planned Development Review
  - Stage II Final Plan Planned Development Review
  - Zone Map amendments that increase residential density
  - Variances and waivers to residential development standards

- Change the mailed public notice requirements for a Class II review to a 14-day period consistent with the requirements of ORS 197.195 and SB 974

Based on the recommendations of HPS Action C, the City of Wilsonville could consider:

- Applying the same expedited review process (one public hearing before City Council) that applies to the Coffee Creek Industrial Design Overlay District for:
  - Residential Comprehensive Plan Map Amendments that increase density
  - Residential annexation requests
    - Additionally, the City could also codify Metro's expedited decision procedure, allowing an application for annexation of residential land to be processed without a public hearing (assuming consent thresholds are met)
- Changing the review process from Class III to Class II for:
  - Residential tentative subdivision plats
  - Site design review process associated with a residential development application
  - Tree removal and protection plans associated with a residential development application

Accounting for the potential of the above changes to the City's development review process, for consistency and efficiency, the City of Wilsonville could also consider:

- Changing the mailed public notice requirements for Class II review and quasi-judicial public hearings to a 100-foot-buffer consistent with the requirements of ORS 197.195 and 197.797.
- Modifying the City's board structure to better align with anticipated workload by either:
  - Using a single DRB to review quasi-judicial land use applications, or
  - Eliminating the DRB and using the Planning Commission to review quasi-judicial land use applications in addition to legislative land use matters
- Evaluating the fee structure for land use applications to differentiate between minor Class II administrative review applications and applications for new residential development reviewed in a Class II process

## Inventory of City Code sections subject to SB 974 and/or Wilsonville HPS Action C

Code Citation	Code Provision	Analysis
<b>CHAPTER 2 ADMINISTRATION</b>		
<b>BOARDS AND COMMISSIONS (PUBLIC CONTRACTS?)</b>		
<b>Section 2.332.-Development Review Board Powers and Duties</b>		
(2) Applications to be reviewed by the Development Review Board...	Specifically lists subdivisions and major partitions, planned developments, site review, design review, variances and zoning map amendments.	<b>Action:</b> Remove limited land uses for residential development from the powers and duties of the DRB.
<b>CHAPTER 4 PLANNING AND LAND DEVELOPMENT</b>		
<b>ADMINISTRATION</b>		
<b>Section 4.008 Application Procedures- In General</b>		
(.02) Unique features of Wilsonville's development review process	F., G., and H. require a 4-stage review for Planned Developments: 1. Rezoning; 2. Stage 1- Preliminary Plan; 3. Stage 2- Final Plan; and 4. Site Design Review.	<b>Action:</b> Identify Stage 1- Preliminary Plan and Stage II- Final Plan as Class II Review. Subsection G. Update language referring to "zoning changed by action of City Council".
<b>Section 4.012 Public Hearing Notices</b>		
(.01) Published Notice	Notice shall be published between 10- and 21-days prior to the initial public hearing.	<b>Consider:</b> Newspaper notice is not required by the state. This is becoming a less effective (but still costly) way for cities to provide public notice. Many cities are removing this requirement from their codes to reduce timelines and expense and are using other means of providing this type of notice, such as the city's website and social media. Newspaper notice (and posting on the subject site) is still required by Metro Code 3.09.030 for annexations.
(.02) Mailed Notice for Quasi-Judicial Hearings.	Noice shall be mailed to property owners within 250 feet of the site between 20 and 40 days prior to the initial public hearing.	<b>Consider:</b> Update notice buffer to 100 feet and notice timeframe to 14 days for quasi-judicial review for consistency with limited land use buffer and timelines.
<b>Section 4.017 Withdrawal of Application</b>		
(.02) Application withdrawn within one week of submittal...	Application fee refunded less 15% administrative cost.	<b>Consider:</b> This is not identified in the fee schedule. It may not come up very often so it may not need to be addressed.
<b>Section 4.022- Appeal and Call-up Procedures.</b>		
(.01) Administrative Action Appeals.	Appeals of decisions by Planning Director on Site Development Permits are heard by Development Review Board. References two panels of the DRB.	<b>Action:</b> Remove ability of DRB to "call-up" Class II applications. <b>Consider:</b> Reference to two DRB panels.
<b>Section 4.030- Jurisdiction and Powers of Planning Director and Community Development Director.</b>		
(.01) Authority of Planning Director.	B. identifies Class II review process. B.10 identifies Class II review for Stage I and Stage II Planned Development within Coffee Creek Industrial Design Overlay District (CCIDOD). B.12 identifies Type C Tree permits within CCIDOD.	<b>Action:</b> Remove "call-up" from Class II (at least for residential projects) in subsection B. Update B.10 and B.12 to include "residential development projects" (or add new subsections with similar language to CCIDOD provisions).
<b>Section 4.031- Authority of the Development Review Board.</b>		
	The following are subject to review by the DRB: A. Planning Director may refer all Class II development applications to DRB. B. Call-ups of staff decisions. E. Variances. F. Zone Changes. H. Site design review. I. Stage I and Stage II PD applications. Annexations.	<b>Action:</b> Update Subsections A, B, E, F, H, and I to remove residential projects from DRB (or any public hearing board) review. <b>Consider:</b> Update K. to either exempt annexations from DRB (send straight to Council- may need to include this information for CCIDOD) or codify the Metro Code 3.09 provision to allow annexation of residential land without public hearing if consent thresholds are met.



<b>Section 4.035- Site Development Permits.</b>		
(.03) Class II- Administrative Review.	A. 250-foot notice buffer and 10-day notice period.	<b>Action:</b> Update to 100-foot buffer and 14-day notice period.
	B. Allows Planning Director to initiate public hearing.	<b>Action:</b> Remove ability to refer Class II applications for residential development.
	D. Says a decision of the Planning Director may be "called up" to DRB.	<b>Action:</b> Remove ability to call up Class II applications for residential development.
(.04) Site Development Permit Application.	A.j. requires a list of property owners within 250 feet.	<b>Action:</b> Update to 100 feet consistent with limited land use regulations.
<b>ZONING</b>		
<b>Section 4.118- Standards Applying to all Planned Development Zones.</b>		
(.03) through (.08)	References Development Review Board as approval authority.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.125- V- Village Zone</b>		
(.05), (.06), (.07), and (.08)	References DRB as review authority. Requires compliance with Old Town Residential Design Standards Book.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
(.18) Village Zone Development Permit Process.	Requires Specific Area Plan (SAP) approval first by DRB, then a Preliminary Development Plan (PDP), also approved by the DRB, then a Final Development Plan (FDP) with DRB or Planning Director as decision maker.	<b>Action:</b> Allow SAP, PDP and FDP as Class II review for residential development.
<b>Section 4.127- Residential Neighborhood (RN) Zone.</b>		
(.09) Open Space:	References DRB as decision body.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.132- Town Center Zone.</b>		
	Mixed-use zone. Design standards and DRB as review authority.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.140.-Planned Development Regulations.</b>		
(.05) Planned Development Permit Process:	References the DRB for Stage I and Stage II approvals. (.07)D and (.09)A allow CCIDOD reviews to be Class II.	<b>Action:</b> Update to allow Class II for residential development, similar to allowances for CCIDOD.
<b>GENERAL DEVELOPMENT REGULATIONS</b>		
<b>Section 4.155- General Regulations- Parking, Loading and Bicycle Parking</b>		
(.02) General Provisions:	Lists DRB as review authority and variance-granting authority.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.176- Landscaping, Screening, and Buffering.</b>		
(.06) Plant Materials:	D. allows DRB to require mix of street trees.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
(.11) Street Trees Not Typically Part of Site Landscaping.	DRB may grant waiver or variance.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
(.12) Mitigation and Restoration Plantings.	DRB approves mitigation plan.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.177- Street Improvement Standards.</b>		
(.02)G. Interim improvement standard	DRB has authority to specify alternative interim standards.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).

(.03)B. Sidewalks	Within a PD, the DRB may...	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.179- Mixed Solid Waste and Recyclables Storage in New Multi-Family Residential and Non-Residential Buildings.</b>		
(.01) All site plans...	References DRB as review for multi-family site plans.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" (which occurs many other times in the code).
<b>Section 4.189- Non-Conforming Uses.</b>		
(.05) Enlargement and Moving.	Requires Conditional Use Permit by DRB for enlargement up to 20%.	<b>Action:</b> Update to allow Class II review for residential.
<b>Section 4.196- Variances</b>		
(.01) Where difficulties exist...	DRB may grant variances.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances to residential development standards.
<b>Section 4.197- Zone Changes and Amendments to This Code- Procedures.</b>		
(.01) The following procedure shall...	A. and B. Planning Commission shall conduct a public hearing...	<b>Action:</b> Allow Class II review of residential zone change that increases density (this is different than provisions for CCIDOD which sends zone changes straight to City Council for decision- no hearing for residential zone change that increases density).
(.02) through (.05)	Identify all Zoning Map Amendments as "quasi-judicial" with PC (or DRB) making recommendation for Council to make final decision.	
<b>Section 4.198- Comprehensive Plan Changes- Adoption by the City Council.</b>		
(.03) through (.07) All other quasi-judicial Comprehensive Plan Map Amendments...	Review by DRB, recommendation to City Council (legislative review by PC, recommendation to CC).	<b>Consider:</b> Allow Comprehensive Plan Map Amendments for residential land that increase density to go straight to City Council similar to CCIDOD process already in place.
<b>Section 4.199.30.-Lighting Overlay Zones.</b>		
(.03) Modification of Lighting Zones.	B. identifies DRB as review board to modify designated Lighting Zones as part of the Stage II, Site Design Review Process.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards. Note: 4.001 Definitions will need to be updated to support this amendment.
<b>LAND DIVISIONS</b>		
<b>Section 4.202.-General-Authorization</b>		
(.04) No person shall sell any lot...	B. requires lot size reductions by DRB or CC.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards.
(.06) New condominium developments...	Requires PD review for condominiums.	<b>Consider:</b> Update to not require public hearing for conversion of apartments to condominiums. Updates to PD provisions will also apply to condo conversions.
(.07) Condominium conversions...	Requires public hearing for conversion of apartments to condominiums.	
<b>Section 4.210.- Application Procedure.</b>		
(.01) Pre-application conference.	B. requires preparation of tentative subdivision plat for presentation to "the Planning Department and Development Review Board." C. Requires the DRB to be decision maker for subdivision (Planning Director for plat) and lists procedures for DRB review and approval.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards.
<b>Section 4.237.-General Requirements-Other.</b>		
(.06) Access	Allow DRB to waive lot frontage requirements.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards.

(.07) Through lots.	Allows DRB to require assurance.	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards.
(.09) Large lot land divisions.	DRB may make restriction of buildings in future street locations a matter of record.	
Section 4.270.-Variance from Land Division Standards.	DRB may authorize a variance from land division standards.	
SITE DESIGN REVIEW		
Section 4.420- Review Authority for Site Design Review.	DRB is identified as the review authority. However, (.01)1. Residential structures in residential zones are exempt from Site Design Review as long as they meet established clear and objective design and siting standards or any allowed adjustments. This exemption does not apply to mixed-use residential structures. However, an applicant may elect to have residential structures approved by the Board through Site Design Review in association with waivers from specific standards. Also, areas covered by Stage II PD (or PDP in Village Zone) require landscaping plans reviewed through DRB if landscaping on residential lots was part of overall site landscaping (25%).	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances or waivers to residential development standards.  <b>Consider:</b> SB 974 Section 3. applies to residential development on land “zoned primarily for residential use or mixed residential use or planned for residential use.” May need to expand staff-level review authority for Site Design Review to include mixed-use structures if determined by City Attorney that SB 974 is applicable in the City’s mixed use zones.
Section 4.421- Criteria and Application of Design Standards.		
(.01) The following standards...	Standards applicable to SDR (references DRB as review authority).	<b>Action:</b> Revise standards applicable to SDR so that they are clear and objective as applicable to residential development. Update to "review authority" or "Planning Director or Development Review Board".
(.03) The Board shall...	Applies the purpose section as additional criteria and standards.	<b>Consider:</b> The purpose section is not a review standard typically and should not apply directly to site development. Consider revising to apply just to nonresidential uses.
(.05) The Board may attach...	References attaching conditions but requires the DRB to consider "the effects of this action on the availability and cost of needed housing."	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" for variances to residential development standards. <b>Consider:</b> Is "the effects of this action on the availability and cost of needed housing" clear and objective?
TREE PRESERVATION AND PROTECTION		
Section 4.610.00- Application Review Procedure.		
(.03) Reviewing Authority.	B. Type C. requires review by DRB if development includes a site plan review or plat (subdivision).	<b>Action:</b> Update to "review authority" or "Planning Director or Development Review Board" or specify where Class II review applies.
ANNEXATION AND URBAN GROWTH BOUNDARY AMENDMENTS		
Section 4.700-Procedures Relating to the Processing of Requests for Annexation and Urban Growth Boundary Amendments.		
(.01) through (.05)	Quasi-judicial requests are reviewed by DRB and legislative requests by PC with recommendation to CC (except in CCIDOD, which is straight to CC).	<b>Consider:</b> Allow residential annexations to go straight to Council like CCIDOD. -OR- Consider adopting Metro Expediated Decisions (Metro Code 3.09.045) to exempt residential annexations from public hearing.