

18.200: ADMINISTRATIVE PROCEDURES LEGISLATIVE NOTES

The Administrative Procedure section contains three chapters: General Administrative Provisions (18.210), Zoning Administration (18.220), and Enforcement (18.230).

Administrative Procedures (18.210) is a consolidation of several chapters in the existing code: Severability (18.06), Compliance and Scope (18.08), Consistency with the Plan and Laws (18.10), Use of a Development (18.14), Pre-Existing Approvals (18.16), Certificate of Occupancy (18.18), and Official Action (18.20). Except for minor editing, there have been no changes to these chapters other than to consolidate and re-format them. Interpretation (18.12) has been eliminated here, to be replaced by a new kind of land use action, Director's Interpretation (18.340).

Zoning Administration (18.220) is the re-formatted version of the existing Administration chapter (18.40). There have been no changes to this chapter except for the elimination of 18.40.040, related to residential density transfer. This provision requires the gradual gradation of density when a property in a more intense residential zoning district is developed adjacent to a property of lower residential density when the property to be developed is in a “developing area” and the adjacent property is in an “established area.” This provision has been eliminated for several reasons:

- The map designating “developing” and “established” areas in the City has not been updated since the early 1980s. In fact, many areas once designated as “developing” now are indistinguishable from those originally designated “established.”
- Requiring densities which are significantly lower than allowed in the underlying zone is a violation of the Metro 2040 Growth Management Functional Plan, which requires the City to demonstrate that it can meet its proportionate share of regional housing units (Title 1). To demonstrate compliance with this requirement, the City calculated the potential number of units based on developing its vacant parcels within 80% or more of the maximum density allowed by the underlying zoning. The residential density transfer requirement would not permit development at the underlying density for infill sites.
- To mitigate the impacts on single-family neighborhoods of developing infill parcels which are zoned for more intense use, the consulting team has developed a set of new development standards, Design Compatibility Standards (18.720). These include the requirements for landscaped and/or masonry buffers on the property line separating higher- and lower-density residential uses and building design/orientation to reduce visual impacts.

Elimination of this section will also require the elimination of Established Area/Development Area Classifications (18.138) and modification of the Tigard Comprehensive Plan.

Enforcement (18.230) replaces the existing chapter (18.24) of the same name. There have been no changes made to this chapter other than to re-format it.