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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

PLANNING COMMISSION STAFF MEMO

TO: *Planning Commission*

FROM: *Dan Riordan, Senior Planner*

MEETING DATE: *December 21, 2020*

PROJECT TEAM: *Dan Riordan, Senior Planner; and Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Work Session: Annual HB 4006 Severe Rent Burden Meeting and Overview of HB 2002 and HB 2003 Missing Middle Housing Laws.*

ACTION REQUESTED:

☐	Ordinance	☐	Order	☐	Resolution	☐	Motion	☒	Informational
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X all that apply

ISSUE STATEMENT:

This work session includes two parts:

- **Part One:** Severe rent burden public meeting, required by Oregon House Bill 4006 (2018) to discuss
 - The causes and consequences of severe rent burden within Forest Grove
 - Barriers to reducing rent burdens
 - Possible solutions to severe rent burden
- **Part Two:** Overview of recent housing related laws adopted by the State pertaining to affordable housing and impact on the City:
 - HB 2001 (2019)
 - HB 2003 (2019)

BACKGROUND:

This memo provides background information for Planning Commission work session on December 21st. The memo is divided into the following sections:

- Overview of Oregon House Bill 4006 (2018)
- Overview of Oregon House Bill 2001 (2019)
- Overview of Oregon House Hill 2003 (2019)
- City Actions to Promote Affordable Housing
- Definitions of Key Affordable Housing Related Terms

Oregon House Bill 4006 (2018)

The Oregon legislature adopted several laws over the past two years addressing housing costs and housing needs. The first bill adopted by the legislature is House Bill 4006 (HB 4006). This bill focuses on severe rent burden in communities throughout the state. HB 4006 defines rent burdened cities as cities with a population of more than 10,000 persons where more than 25% of renter households pay more than 50% of their household income on rent. The Oregon Department of Housing and Community Services (OHCS) identifies the City of Forest Grove as being a severely rent burdened city (Attachment A). Based on OHCS data, 34.6% of renter households in Forest Grove experience severe rent burden. This means 1,126 households in Forest Grove pay more than 50% of their household income on rent. In contrast, the severe rent burden in Cornelius is approximately 17.8% and in Hillsboro it is 18.3%.

The intent of HB 4006 includes:

- Increase local awareness of rent burden causes and potential solutions to encourage local jurisdictions to take steps and/or communicate support needed to address severe rent burden in the community.
- Collect housing related information to better understand the effectiveness of solutions; and
- Assist cities in housing planning efforts through technical assistance grants.

HB 4006 requires that severe rent burden cities hold at least one public meeting to discuss rent burden causes and consequences, barriers to reducing rent burden, and potential solutions. This will be part of the discussion during the work session on December 21st.

It is up to cities to decide how best to approach the public meeting. Due to the ongoing pandemic the meeting for 2020 is being conducted as a work session with the Planning Commission. This provides an opportunity to televise the meeting on the local government cable access channel for greater public outreach.

Oregon House Bill 2001 (2019)

In 2019, the Oregon legislature adopted House Bills 2001 and 2003. HB 2001 is known as the missing middle housing bill (Attachment B). Middle housing types are defined as duplexes, triplexes, fourplexes and cottage clusters. For cities with a population of more than 1,000 persons the City must allow duplexes on any lot that allows a single family detached home. In short, HB 2001 does away with single family detached residential zoning since middle housing types must be allowed in areas that allow for single family detached homes.

Cities in the Portland regional urban growth boundary, including Forest Grove, must amend their development codes to implement the laws. The Oregon Department of Land Conservation and Development was been working on a model code that cities can use to comply with HB 2001. The model code was approved by the Oregon Land Conservation and Development Commission earlier

this month and is attached for reference (Attachment C). The model code is attached only to show the breadth of what the code addresses.

In adopting local rules, cities must consider ways to increase the affordability of middle housing, including, but not limited to:

- Waiving or deferring system development charges.
- Adopting property tax exemptions
- Assessing a construction tax to fund financial incentives for middle housing types

HB 2001 provides for an infrastructure-based time extension request (IBTER) to delay applying the HB 2001 rules to areas lacking infrastructure. An IBTER provides an opportunity to resolve the infrastructure before middle housing types are allowed in residential zones. An IBTER must apply to a defined area and include and plan to address infrastructure issues. The City received a grant from the Oregon Department of Land Conservation and Development for consulting assistance leading to an IBTER for qualifying areas in the Westside planning area north of David Hill Road and west of Thatcher Road.

Oregon House Bill 2003 (2019)

House Bill 2003 is a companion bill to HB 2001. HB 2003 requires that cities adopt housing production strategies to implement adopted housing needs analysis (Attachment D). In general, housing production strategies must identify/contextualize the housing need, include a narrative of how housing producers and consumers were engaged in preparing the housing production strategy, identification of specific actions, measures, and policies for housing needs in an adopted housing capacity analysis, and narrative describing how equitable outcomes will be met. Equitable outcomes include location of housing, fair housing, housing choice, housing options for persons experiencing homelessness. The City must also describe how the city is supporting and creating opportunities for affordable rental and homeownership opportunities, and a description of how the city is stabilizing housing including mitigating gentrification and physical displacement of existing residents due to investment and redevelopment.

HB 2003 also directed the Oregon Department of Housing and Community Services to prepare Regional Housing Needs Analysis (RHNA) for groups of counties and cities within the counties throughout the state. A chart showing data from the RHNA for Forest Grove is attached (Attachment E). For comparison comparable to data from the City's 2019 Housing Needs Analysis (HNA) is attached (Attachment F).

City Affordable Housing Incentives

The City adopted several policies and programs to promote construction and retention of affordable housing (Attachment G). These programs are summarized on the Attachment and include:

- System development charge deferrals to occupancy for affordable housing projects

- Vertical Housing Development zone
- Non-profit Corporation Low Income Housing Property Tax Exemption
- Density bonus of 20 units per acre in the Town Center and Community Commercial zones for housing affordable to households with incomes at or below 60% of area median income.

In addition to the programs noted on the attachment, the City amended the planned development section of the Development Code to require a variety of housing types such as duplexes and townhomes.

In addition to the planned development amendments, the City also amended the Development Code to increase permissible residential densities within the Community Commercial zone. The amendment increased permissible densities from 20 units per net acre to 30 units per net acre. Since the amendment was adopted, close to 400 apartments have been built or are under construction including the Forestplace Apartments and the Reserve at Fernhill apartment project located southwest of the Quince Street and Pacific Highway intersection.

Definitions

For context, and to ensure a common understanding of term used in affordable housing discussions, a list of key definitions is provided below:

- **Affordable Housing** is defined in several state laws and affordable housing programs and means housing that is affordable to households at or below 80% of median household income for a defined area which is typically a county. The US Department of Housing and Urban Development provides guidance on area median income and affordability levels based on household size. To be considered affordable a household cannot spend more than 30% of household income on housing costs.
- **Extremely low income** is defined by the US Department of Housing and Urban Development. Extremely low incomes are defined as households with incomes that do not exceed the higher of the federal poverty level or 30% of area median income. The federal poverty level is \$23,850 for household with four individuals. The median household income for Washington County is approximately \$82,000 (median family income is approximately \$92,000). Using household income as the measure, incomes below \$27,000 would be within the extremely low-income category. Approximately 18% of households (1,500) in Forest Grove are within the extremely low-income category.
- **Very low income** means incomes at or below 50% of area median income. For Washington County this is approximately \$45,000 per year. About 39% of households (3,300) in Forest Grove are within this category.
- **Low income** is defined in HB 2003 to mean incomes above 50% and at or below 80% of the area median income. For Washington County this means incomes between \$45,000 and \$72,000. Income are adjusted for family size so larger families have higher income limits. The median household income for Forest Grove is approximately \$64,200 or about 78% of

Washington County's median household income. About 19% of households (1,600) in Forest Grove are within the low-income category.

- **Moderate income** means income above 80% and at or below 120% of area median income. This includes incomes between \$72,000 and \$108,000. About 15% of households (1,270) in Forest Grove are within this category.
- **Needed Housing** is defined in Oregon Revised Statutes Chapter 197 and means all housing on lands zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing at price ranges and rent levels that are affordable to households with a variety of incomes, including, but not limited to, households with low incomes, very low incomes, and extremely low incomes. Need housing types include attached and detached single family housing and for both owner and renter occupancy, government assisted housing, manufactured homes, and housing for farmworkers. In practice, needed housing includes all housing types and price points. State law requires that local development standards and conditions of approval applied to needed housing must be clear and objective.
- **Regulated Affordable Housing** is defined in HB 4006 and means a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period. There about 650 regulated affordable housing units in Forest Grove.
- **Severe Rent Burden** is defined in HB 4006 and means a household that spends more than 50% of household income on gross rent for housing. Based on this definition, approximately 34% of households (1,182) in Forest Grove face severe rent burden.

ATTACHMENTS:

- A. Severe Rent Burden by City, Oregon Housing and Community Services Department
- B. House Bill 2001 Overview
- C. Model Code for Large Cities
- D. Housing Production Strategy Requirements
- E. Regional Housing Needs Analysis Data: Forest Grove
- F. Forest Grove Housing Needs Analysis (2019) Data
- G. City Actions Flyer

Severe Rent Burden in Oregon 2020

Severe rent burden by City (population >10,000): Share of households that spend more than 50 percent of income on rent

City	% Severely Rent Burdened	# Severely Rent Burdened	Total Renter Households	Population
Albany	23.0%	1,894	8,220	54,120
Ashland	34.7%	1,475	4,256	20,960
Beaverton	23.5%	4,561	19,370	98,255
Bend	26.5%	3,863	14,561	91,385
Canby	17.8%	367	2,063	16,950
Central Point	18.2%	473	2,601	18,365
Coos Bay	24.2%	677	2,795	16,700
Cornelius	17.8%	132	740	12,225
Corvallis	38.2%	4,583	12,012	58,885
Cottage Grove	35.4%	492	1,388	10,140
Dallas	30.1%	603	2,001	16,260
Eugene	35.1%	11,973	34,148	171,210
Forest Grove	34.6%	1,126	3,256	25,180
Gladstone	35.1%	578	1,646	11,905
Grants Pass	31.5%	2,265	7,180	37,485
Gresham	34.0%	6,097	17,952	111,810
Happy Valley	23.5%	230	980	21,700
Hermiston	15.1%	355	2,351	18,415
Hillsboro	18.3%	3,236	17,688	103,350
Keizer	25.9%	1,341	5,181	38,580
Klamath Falls	30.9%	1,553	5,031	22,000
La Grande	19.0%	469	2,468	13,290
Lake Oswego	24.3%	1,113	4,579	39,115
Lebanon	32.9%	1,073	3,262	17,135
McMinnville	25.0%	1,157	4,631	33,930
Medford	31.7%	4,684	14,782	81,465
Milwaukie	21.3%	747	3,509	20,535
Newberg	28.4%	822	2,899	24,045
Newport	19.2%	379	1,974	10,285
Ontario	25.1%	496	1,977	11,485
Oregon City	25.5%	1,107	4,349	35,570
Pendleton	25.0%	669	2,673	17,020
Portland	26.8%	31,713	118,444	657,100
Prineville	28.3%	495	1,749	10,220
Redmond	26.8%	1,266	4,722	30,600
Roseburg	29.7%	1,329	4,480	24,890
Salem	23.2%	6,249	26,919	167,400
Sandy	18.2%	218	1,200	11,075
Sherwood	21.9%	329	1,505	19,595
Silverton	16.7%	205	1,229	10,380
Springfield	23.2%	2,655	11,452	61,355

St. Helens	20.5%	354	1,730	13,410
The Dalles	23.0%	549	2,387	14,820
Tigard	29.5%	2,358	7,991	53,450
Troutdale	34.3%	669	1,950	16,185
Tualatin	27.4%	1,298	4,741	27,135
West Linn	23.6%	486	2,059	25,905
Wilsonville	17.2%	873	5,079	25,635
Woodburn	27.6%	796	2,888	25,135

Source: 2014-2018 American Community Survey 5-Year Estimates, Table B25070 and

PSU Certified Population Estimates as of July 1, 2019

House Bill 2001: More Housing Choices for Oregonians

In 2019, the Oregon Legislature passed House Bill 2001, a bipartisan bill to help provide Oregonians with **more housing choices**, especially housing choices **more people can afford**.

The new law lets people build certain traditional housing types that already exist in most cities, instead of being limited to a single housing type.

House Bill 2001 requires updates of local rules that have limited what sorts of housing people could build. These limitations have led to increased housing costs.

The Need for More Diverse, Affordable Choices

People need a variety of housing choices. Today, too many Oregonians are paying too much for the housing they have and are limited to renting or buying detached single-unit homes. Meanwhile, the composition of Oregon households is shifting; more than a quarter of households today are a single person living alone.

At different times in their lives, we have different needs. Imagine what sort of housing a young adult might want or be able to afford, or think of the needs of a retired person.

The Bill: Traditional Housing Types Allowed in Most Neighborhoods Soon

Under the bill, by June 30, 2021, Oregon's medium-sized cities must allow Oregonians to build duplexes in areas zoned for single-family dwellings. Most cities already allowed duplexes in certain circumstances.

By June 30, 2022, cities in the Portland Metro region and Oregon's other largest dozen cities (those over 25,000 population), must allow people to build duplexes, triplexes, fourplexes, cottage clusters, and townhouses in residential areas.

These houses can be more affordable and meet the housing needs of many younger people, older people, and people who work hard but can't afford a large detached house of their own.

The bill also provided \$3.5 million for technical assistance to cities, and has other details. Read the bill for details: olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2001/Enrolled

Siting and Design Flexibility; Transformation Expected to be Gradual

While the bill re-legalizes certain housing types, the bill is about choices. People can still build detached single-family homes. We expect most homes in residential areas to be built as such.

Cities can set reasonable siting and design requirements on the houses, including making sure there is adequate infrastructure. The bill directs the Department of Land Conservation and Development (DLCD) to help cities figure this out.

While the law allows traditional housing types, DLCD expects the transformation of housing choices to be gradual. Cities have allowed some of these types in certain areas. Not many have been built. Local knowledge of how to build these housing types will grow over time. The building of them will depend on local housing markets.

Learn More and Sign Up to Stay Informed

www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx

Ethan Stuckmayer, Senior Housing Planner, ethan.stuckmayer@state.or.us (503) 934-0619



Before being outlawed, non-single-unit homes have long been built in our cities; this is a Salem triplex.



Large Cities Middle Housing Model Code

User's Guide:

Oregon House Bill 2001 (2019) (HB 2001) requires that "Large Cities" (defined as cities with a population of 25,000 or more and each county or city within a metropolitan service district) must allow: (1) all middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and (2) a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Middle housing, which HB 2001 defines as duplexes, triplexes, quadplexes, cottage clusters, and townhouses, provides an opportunity to increase housing supply in developed neighborhoods and can blend in well with detached single-family dwellings.

The bill allows local governments to regulate siting and design of middle housing, provided that the regulations do not, individually or cumulatively, discourage middle housing development through unreasonable costs or delay. When regulating siting and design of middle housing, Large Cities should balance concerns about neighborhood compatibility and other factors against the need to address Oregon's housing shortage by removing barriers to development and should ensure that any siting and design regulations do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay.

Large Cities may develop their own standards in compliance with the requirements of HB 2001. This model code may provide guidance toward that end. However, if Large Cities do not wish to prepare their own standards or if Large Cities do not adopt the required code amendments by June 30, 2022, they must directly apply this model code prepared by the Department of Land and Conservation Development (DCLD) to development in their jurisdictions. The model code is intended to be straightforward and implementable by Large Cities throughout the state, and is consistent with the requirements and intent of HB 2001. The model code will be adopted by reference into Oregon Administrative Rules.

To the extent they are applicable, the Administrative Rules contained in Chapter 660, Division 46 apply to and may be used to interpret this model code.

Chapter 1. Combined Standards for All Middle Housing

Sections:

- A. Purpose
- B. Definitions
- C. Applicability
- D. Relationship to Other Regulations
- E. Duplex, Triplex, and Quadplex Examples

A. Purpose

The purpose of this middle housing model code ("code") is to implement HB 2001, codified in ORS 197.758 et seq, by providing siting and design standards for middle housing developed in areas zoned for residential use that allow for the development of detached single family dwellings.

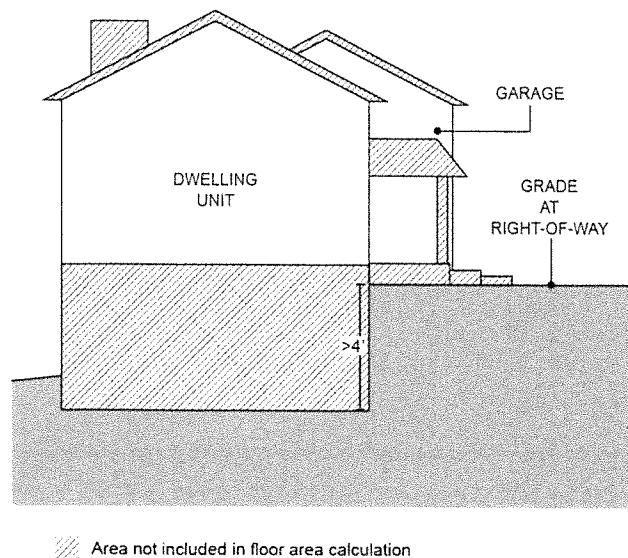
B. Definitions

The following definitions shall apply for the purposes of this code, notwithstanding other definitions in the development code:

1. "Building footprint" means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.
2. "Common courtyard" means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.
3. "Common wall" means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.
4. "Cottage" means an individual dwelling unit that is part of a cottage cluster.
5. "Cottage cluster" means a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage cluster may also be known as "cluster housing," "cottage housing," "bungalow court," "cottage court," or "pocket neighborhood."
6. "Cottage cluster project" means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

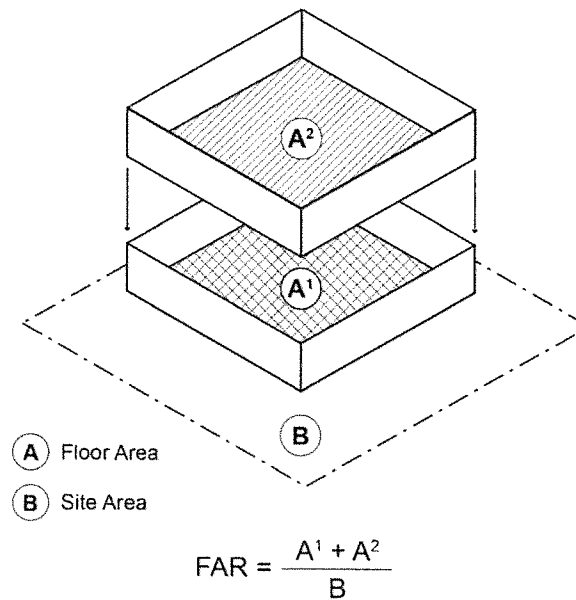
7. "Detached single family dwelling" means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single family dwellings may be constructed off-site, e.g., manufactured dwellings or modular homes.
8. "Door area" is the area of the portion of a door other than a garage door that moves and does not include the frame.
9. "Driveway approach" means the edge of a driveway where it abuts a public right-of-way.
10. "Duplex" means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU. See Figure 3 through Figure 8 in Section E for examples of possible duplex configurations.
11. "Floor area" means the total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. Floor area does not include the following (see Figure 1):
 - Areas where the elevation of the floor is 4 feet or more below the adjacent right-of-way;
 - Roof area, including roof top parking;
 - Roof top mechanical equipment; and
 - Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter.

Figure 1. Areas Excluded from Floor Area Calculation



12. "Floor area ratio (FAR)" means the amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of all buildings on a site by the total site area (See Figure 2).

Figure 2. Floor Area Ratio (FAR) Calculation



13. "Frontage" means the portion of a lot or parcel that abuts a street.
14. "Goal Protected Lands" means lands protected or designated pursuant to any one of the following statewide planning goals:
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
 - Goal 6 Air, Water, and Land Resource Quality
 - Goal 7 Areas Subject to Natural Hazards;
 - Goal 9 Economic Development;
 - Goal 15 Willamette River Greenway;
 - Goal 16 Estuarine Resources;
 - Goal 17 Coastal Shorelands; or
 - Goal 18 Beaches and Dunes.
15. "Lot or parcel" means any legally created unit of land.
16. "Middle housing" means duplexes, triplexes, quadplexes, cottage clusters, and townhouses.

17. "Quadplex" means four dwelling units on a lot or parcel in any configuration. See Figure 11 and Figure 12 in Section E for examples of possible quadplex configurations.
18. "Site area" means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.
19. "Story" means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:
 - A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50 percent of the perimeter and does not exceed twelve (12) feet above grade at any point;
 - An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two (2) feet above the floor of such space.
20. "Sufficient Infrastructure" means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
 - Connection to a public sewer system capable of meeting established service levels.
 - Connection to a public water system capable of meeting established service levels.
 - Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 - Storm drainage facilities capable of meeting established service levels for storm drainage.
21. "Townhouse" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a "rowhouse," "attached house," or "common-wall house."
22. "Townhouse project" means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.
23. "Triplex" means three dwelling units on a lot or parcel in any configuration. See Figure 9 and Figure 10 in Section E for examples of possible triplex configurations.
24. "Window area" means the aggregate area of the glass within each window, including any interior grids, mullions, or transoms.
25. "Zoned for residential use" means a zoning district in which residential dwellings are the primary use and which implements a residential Comprehensive Plan map designation. This excludes

lands zoned primarily for commercial, industrial, agricultural, public, or mixed uses, even if those zones allow for the development of detached single family dwellings.

C. Applicability

1. Applicability of Code Sections.

- a. Code sections applicable to all middle housing types are: Chapter 1, Sections A (Purpose), B (Definitions), C (Applicability), and D (Relationship to Other Regulations).
- b. Code standards applicable to specific housing types are listed below:
 - Duplexes: Chapter 2.
 - Triplexes: Chapter 3.
 - Quadplexes: Chapter 3.
 - Townhouses: Chapter 4.
 - Cottage clusters: Chapter 5.

2. Applicability by Development Type and Location.

- a. Except as specified in subsection (b) of this section (C)(2), the standards in this code allow for the following development on lots or parcels zoned for residential use that allow for the development of detached single family dwellings:
 - New duplexes and those created through conversion of existing detached single family dwellings.
 - New triplexes, quadplexes, cottage clusters, and townhouses, and those created through conversion of existing detached single family dwellings or duplexes, on lots or parcels with Sufficient Infrastructure.
- b. Exceptions. The standards in this code do not allow the following, unless otherwise permitted by the development code through clear and objective standards, criteria, and procedures:
 - On Goal Protected Lands, the creation of triplexes, quadplexes, cottage clusters, or townhouses, or the creation of more than two dwelling units on a single lot or parcel, including accessory dwelling units.
 - On lands that are not zoned for residential use, the creation of middle housing.

D. Relationship to Other Regulations

1. Conflicts. In the event of a conflict between this code and other local jurisdictional standards applicable to a middle housing development, the standards of this code control.
2. Public Works Standards. Clear and objective exceptions to public works standards granted to single family dwellings shall also be granted to duplexes.

3. Protective Measures. Middle housing shall comply with protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).

E. Duplex, Triplex, and Quadplex Examples

The following figures illustrate examples of possible configurations for duplexes, triplexes, and quadplexes. Other configurations may also be acceptable, provided the development meets the definition of duplex, triplex, or quadplex, pursuant to Section B.

Figure 3. Stacked Duplex

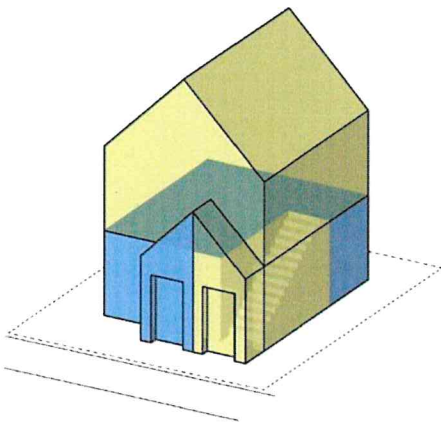


Figure 4. Side-by-Side Duplex

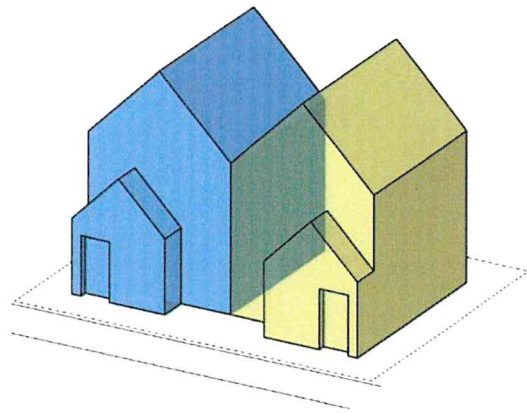


Figure 5. Duplex Attached by Breezeway

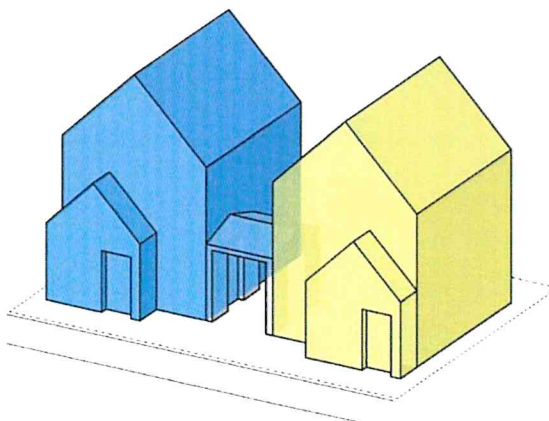


Figure 6. Duplex Attached by Garage Wall

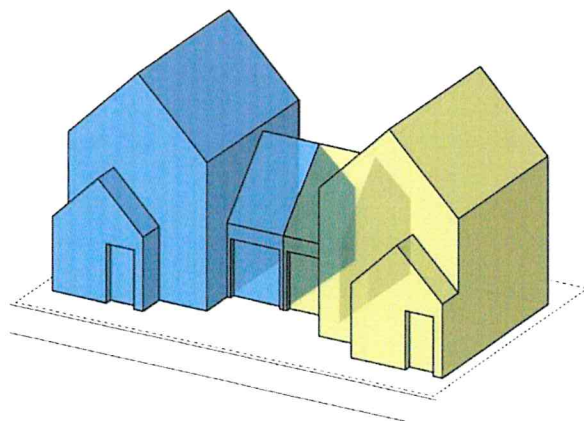


Figure 7. Detached Duplex Units Side-by-Side

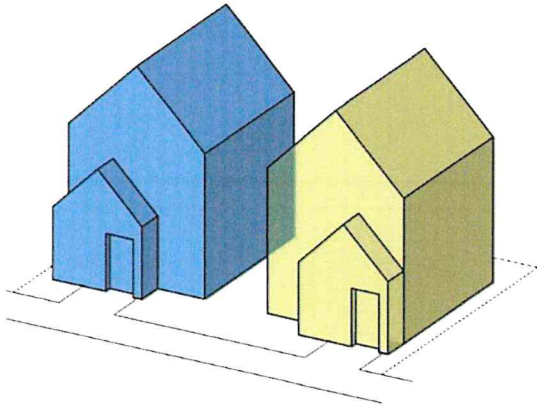


Figure 8. Detached Duplex Units Front and Back

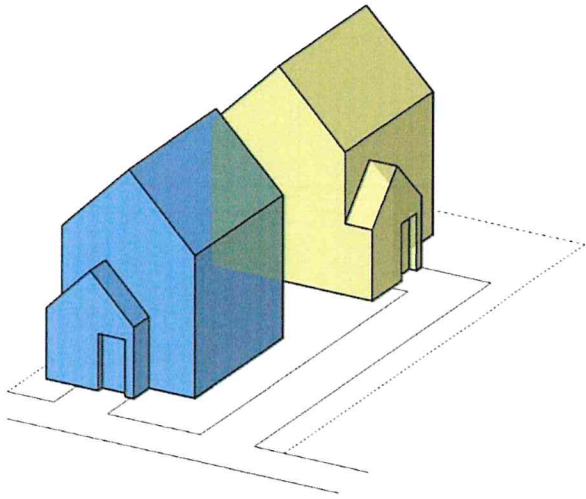


Figure 9. Attached Triplex Front and Back

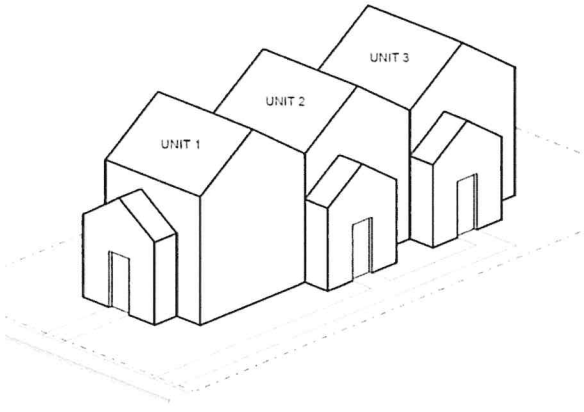


Figure 10. Attached Triplex Side-by-Side

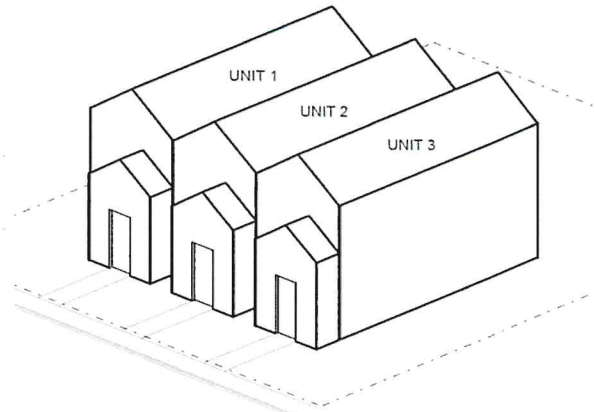


Figure 11. Stacked Quadplex

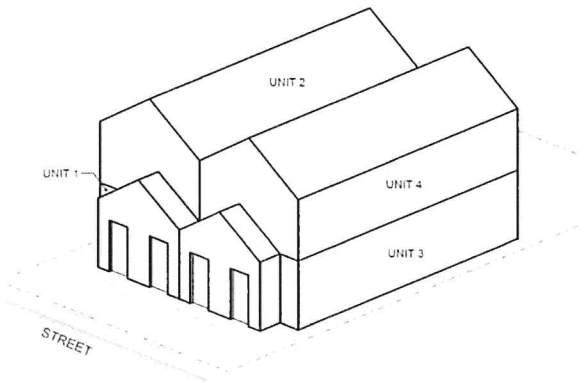
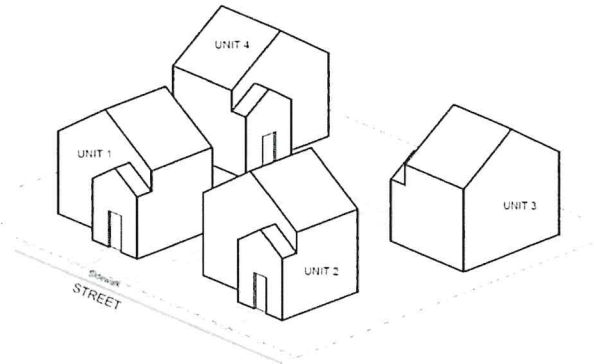


Figure 12. Detached Quadplex



Chapter 2. Duplexes

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards
- D. Duplex Conversions

A. Permitted Uses and Approval Process

Duplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single family dwellings. Duplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a duplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.

B. Development Standards

Except as specified below, duplexes shall meet all clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, minimum and maximum lot size, minimum and maximum setbacks, and building height), unless those standards conflict with this code.

The following development standards are invalid and do not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached single family dwelling:

1. Maximum Density. The jurisdiction's pre-existing density maximums and minimum lot sizes for duplexes do not apply.
2. Setbacks. A minimum front setback of greater than 20 feet or a minimum rear setback of greater than 15 feet except for those minimum setbacks applicable to garages and carports.
3. Off-Street Parking. Any off-street parking requirement.

C. Design Standards

New duplexes shall meet all clear and objective design standards (e.g., entry orientation, window coverage, articulation, etc.) that apply to detached single family dwellings in the same zone, unless those standards conflict with this code. Facades of dwellings that are separated from the street property line by another dwelling are exempt from meeting building design standards.

Any design standards that apply only to duplexes are invalid.

D. Duplex Conversions

Conversion of an existing detached single family structure to a duplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards.

Chapter 3. Triplexes and Quadplexes

Sections:

- A. Permitted Uses and Approval Process**
- B. Development Standards**
- C. Design Standards**
- D. Triplex and Quadplex Conversions**

A. Permitted Uses and Approval Process

1. Permitted Use. Triplexes and quadplexes are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Triplexes and quadplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a triplex or quadplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a triplex or quadplex development application.

B. Development Standards

1. Applicability.
 - a. Triplexes and quadplexes shall meet:
 - The standards in subsections (2) through (7) of this section (B).
 - All other clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, lot size and dimensions, minimum and maximum setbacks, and building height), unless those standards conflict with this code and except as specified in subsections (1)(b) and (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:

- Maximum lot coverage, minimum landscape area, or minimum open space standards.
 - The jurisdiction's development standards other than those in subsections (2) through (7) of this section (B) that apply only to triplexes, quadplexes, or multifamily development.
2. Number of Units. This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units.
 3. Maximum Density. The jurisdiction's pre-existing density maximums do not apply.
 4. Setbacks. Minimum front and street side setbacks greater than 10 feet and minimum rear setbacks greater than 10 feet are invalid, except for those minimum setbacks applicable to garages and carports.
 5. Building Height. A maximum height of less than 35 feet or three (3) stories is invalid. Building height is measured in accordance with the development code.
 6. Maximum Floor Area Ratio (FAR). The maximum floor area ratio for all buildings onsite, cumulatively, is based on the minimum lot size for a detached single family dwelling in the same zone, as provided below:

Minimum Lot Size for Detached Single Family Dwellings	Maximum FAR
3,000 sf or less	1.4 to 1
More than 3,000 sf, up to and including 5,000 sf	1.1 to 1
More than 5,000 sf, up to and including 10,000 sf	0.7 to 1
More than 10,000 sf but less than 20,000 sf	0.6 to 1
20,000 sf or more	0.4 to 1

7. Off-Street Parking.
 - a. Required Off-Street Parking. The minimum number of required off-street parking spaces is:
 - i. In zones with a minimum lot size of less than 5,000 square feet, one (1) off-street parking space per development.
 - ii. In zones with a minimum lot size of 5,000 square feet or more, two (2) off-street parking spaces per development.

A credit for on-street parking shall be granted for some or all the required off-street parking as provided in subsection (b). No additional parking spaces shall be required for conversion of a detached single family dwelling to a triplex or quadplex, including those created through the addition of detached units.
 - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

C. Design Standards

1. Applicability.

- a. New triplexes and quadplexes, including those created by adding building square footage on a site occupied by an existing dwelling, shall meet:
 - The design standards in subsections (2) through (5) of this section (C); and
 - All other clear and objective design standards that apply to detached single family dwellings in the same zone, unless those standards conflict with this code and except as specified in subsection (1)(b) of this section (C).
- b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:
 - Mandates for construction of a garage or carport.
 - The jurisdiction's design standards other than those in subsections (2) through (5) of this section (C) that apply only to triplexes, quadplexes, or multifamily development.

2. Entry Orientation. At least one main entrance for each triplex or quadplex structure must meet the standards in subsections (a) and (b) below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.

- a. The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit; and
- b. The entrance must either:
 - i. Face the street (see Figure 13);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 14);
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 15); or
 - iv. Open onto a porch (see Figure 16). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.

Figure 13. Main Entrance Facing the Street

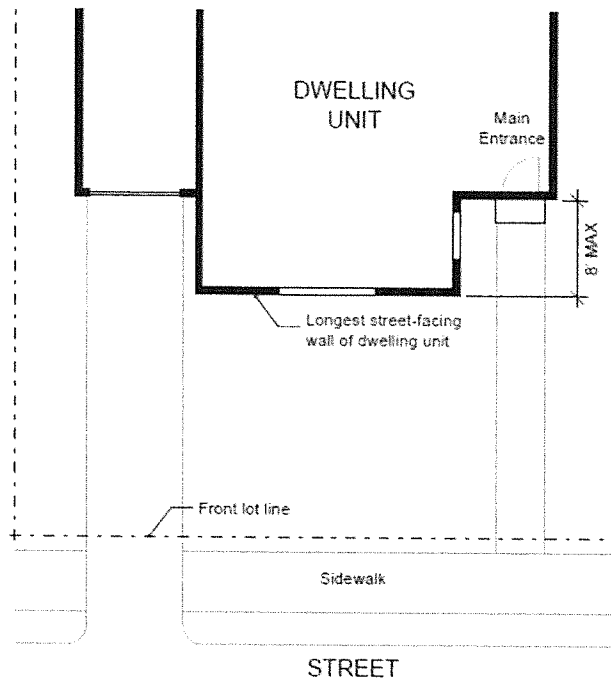


Figure 14. Main Entrance at 45° Angle from the Street

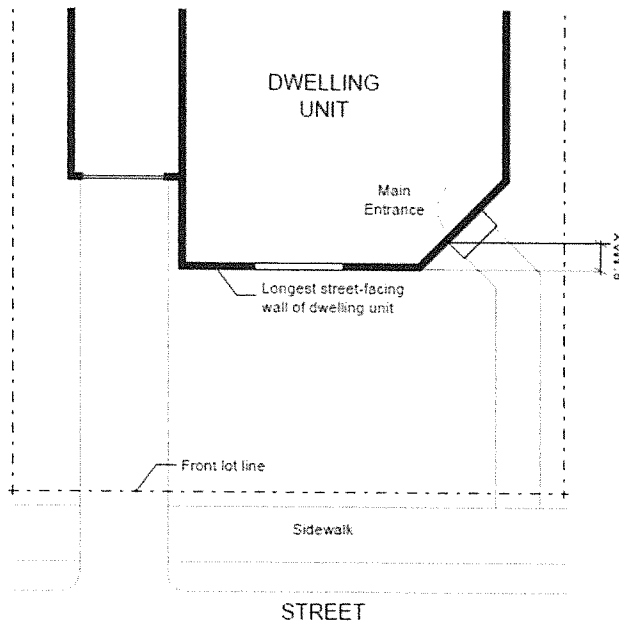


Figure 15. Main Entrance Facing Common Open Space

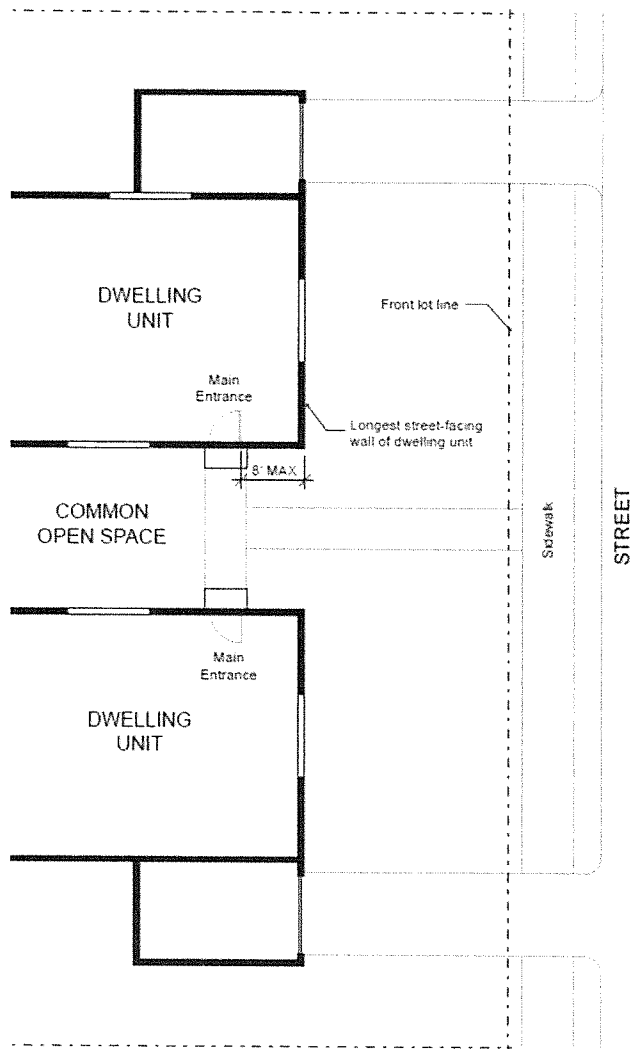
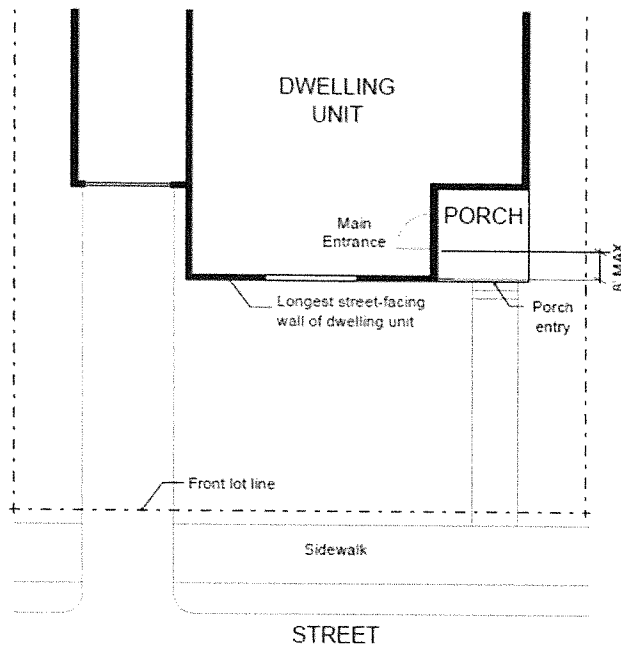
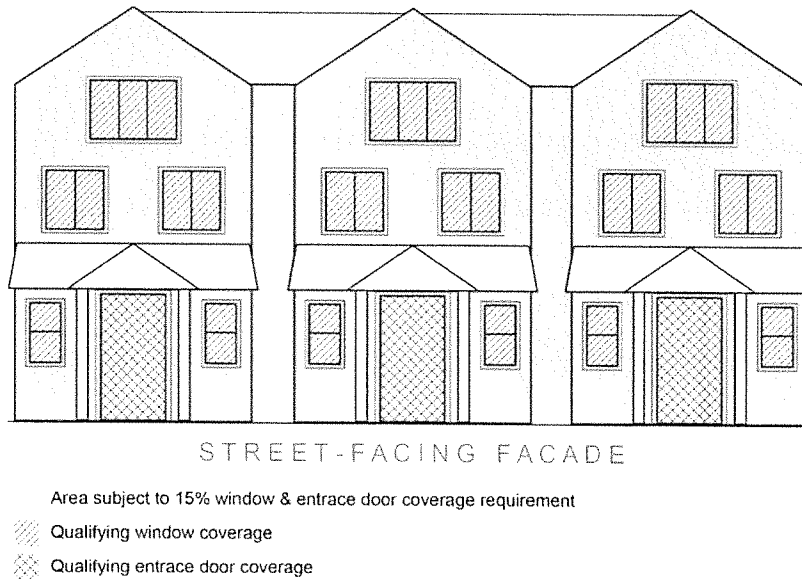


Figure 16. Main Entrance Opening onto a Porch



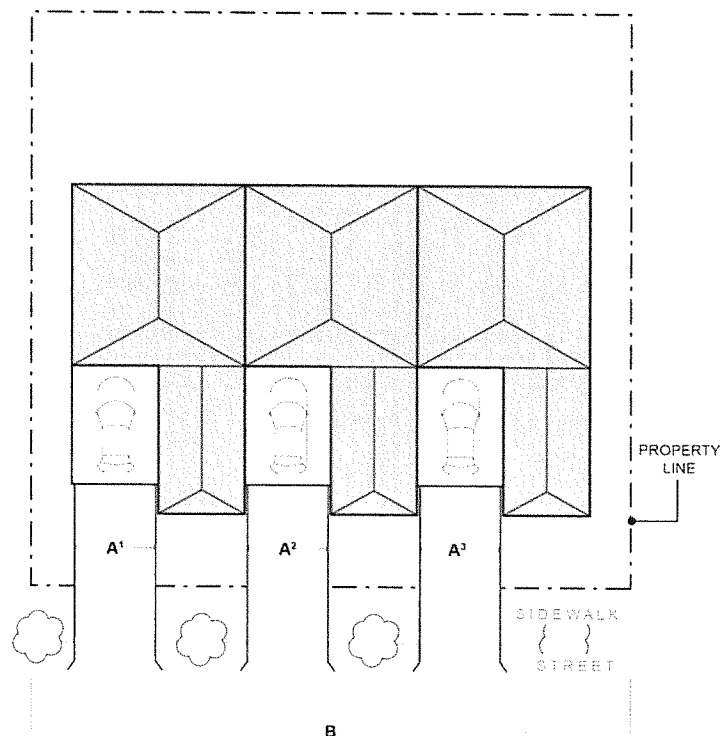
3. Windows. A minimum of 15 percent of the area of all street-facing facades must include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 17.

Figure 17. Window Coverage



4. Garages and Off-Street Parking Areas. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (a) and (b) of this subsection (C)(4).
 - a. The garage or off-street parking area is separated from the street property line by a dwelling; or
 - b. The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 18).

Figure 18. Width of Garages and Parking Areas



- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

5. Driveway Approach. Driveway approaches must comply with the following:
 - a. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 19). For lots or parcels with more than one frontage, see subsection (5)(c) of this subsection (C).

- b. Driveway approaches may be separated when located on a local street (see Figure 19). If approaches are separated, they must meet the jurisdiction's driveway spacing standards applicable to local streets.
- c. In addition, lots or parcels with more than one frontage must comply with the following:
 - i. Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see Figure 20).
 - ii. Lots or parcels with frontages only on collectors and/or arterial streets must meet the jurisdiction's access standards applicable to collectors and/or arterials.
 - iii. Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:
 - Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - One maximum 16-foot-wide driveway approach per frontage (see Figure 21).

The diagram illustrates a row of four dwelling units, each with a 'Main Entrance'. A dashed line represents the 'Front lot line'. A 'Sidewalk' runs along the 'LOCAL STREET' at the bottom. Four 'Driveway' areas are shown, each associated with a unit. Two specific setbacks are marked: (A) is the distance from the front lot line to the start of the first driveway, and (B) is the distance from the sidewalk to the start of the first driveway. The lot widths for the four units are labeled as Width X¹, Width X², Width X³, and Width X⁴ from left to right.

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Figure 20. Alley Access

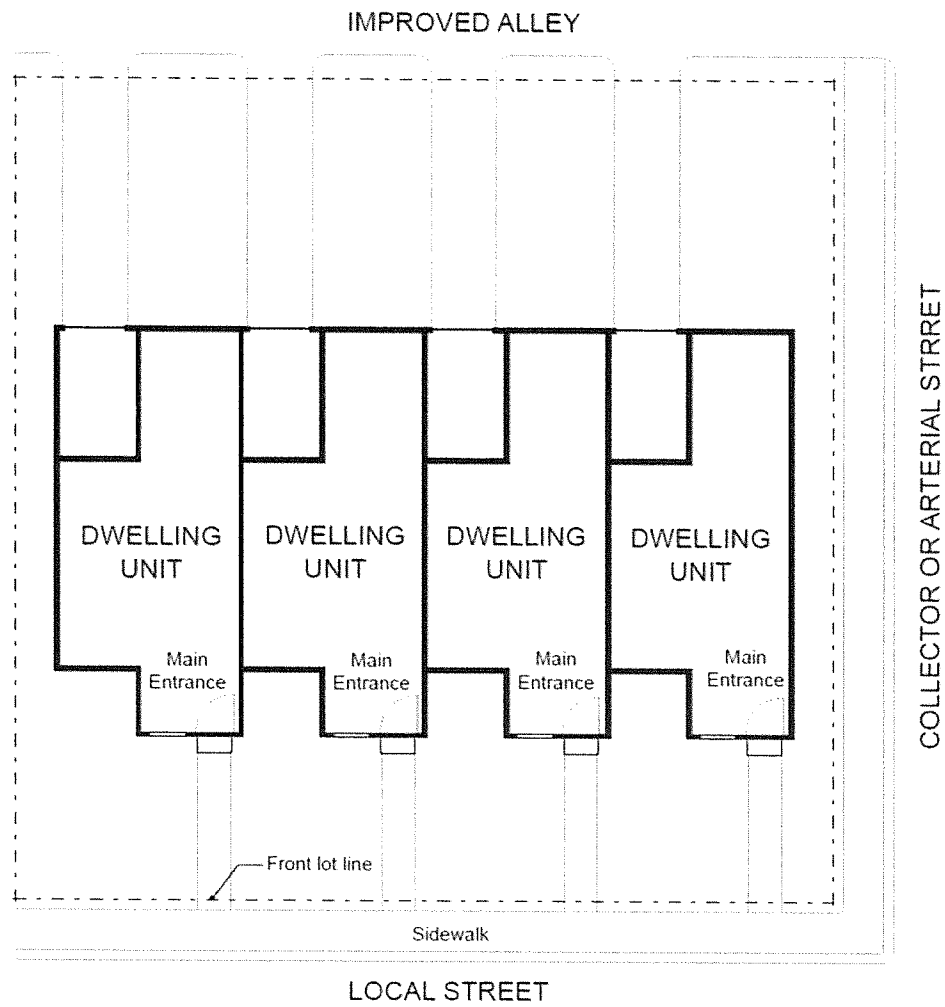
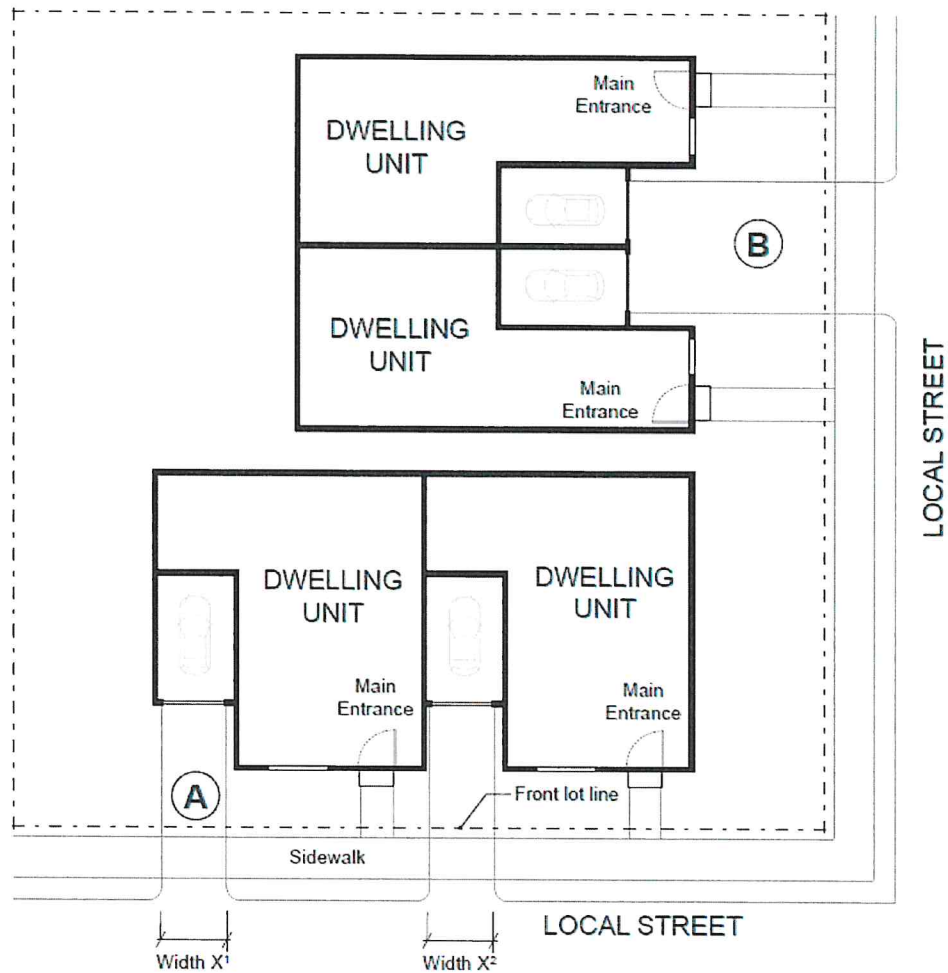


Figure 21. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

- (A)** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X_1 + X_2$); or
- (B)** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

D. Conversions to Triplex and Quadplex

Internal conversion of an existing detached single family structure or duplex to a triplex or quadplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the development code.

Chapter 4. Townhouses

Sections

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

A. Permitted Uses and Approval Process

1. Permitted Use. Townhouses are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Townhouse structures are subject to the same approval process as that for detached single family dwellings in the same zone. Townhouse projects are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a townhouse project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. New Lots or Parcels. Creation of new lots or parcels as part of a townhouse project is subject to the applicable land division approval process.
4. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

B. Development Standards

1. Applicability.
 - a. Townhouses shall meet the standards in subsections (3), (4), and (5) of this section (B).
 - b. Townhouse projects shall meet:
 - The standards in subsections (2), (5), and (6) of this section (B).
 - Any applicable clear and objective platting standards, unless those standards conflict with this code.
 - c. The following standards are invalid and do not apply to townhouses or townhouse projects allowed by this code, except as specified in this section (B):
 - Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (6) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, landscape or open space area, or the siting or design of dwellings.
 - The jurisdiction's other development standards that apply only to townhouses and that conflict with provisions of this code.

2. Maximum Density. The maximum density for a townhouse project is as follows:
 - In zones in which the minimum lot size for detached single family dwellings is 2,500 square feet or less, townhouse projects are allowed two (2) times the allowed density for detached single family dwellings.
 - In zones in which the minimum lot size for detached single family dwellings is more than 2,500 square feet but less than 5,000 square feet, townhouse projects are allowed three (3) times the allowed density for detached single family dwellings.
 - In zones in which the minimum lot size for detached single family dwellings is 5,000 square feet or more, townhouse projects are allowed four (4) times the allowed density for detached single family dwellings.
3. Setbacks. Townhouses shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except as noted below:
 - **Front and Street Side:** Minimum front and street side yard setbacks greater than 10 feet are invalid, except those applicable to garages or carports.
 - **Rear:** Minimum rear setbacks greater than 10 feet and minimum rear setbacks greater than zero (0) feet for lots with rear alley access are invalid.
 - **Non-street Side:**
 - The minimum setback for a common wall lot line where units are attached is zero (0) feet.
 - The minimum side setback for an exterior wall at the end of a townhouse structure is five (5) feet.
4. Building Height. Townhouses shall meet the maximum building height standards that apply to detached single family dwellings in the same zone, except a maximum height of less than 35 feet or three (3) stories is invalid. Building height is measured in accordance with the development code.
5. Off-Street Parking.
 - a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a townhouse project is one (1) space per unit. Spaces may be provided on individual lots or in a shared parking area on a common tract. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
 - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
 - iv. The space must not obstruct a required sight distance area.
6. Areas Owned in Common. Common areas must be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.

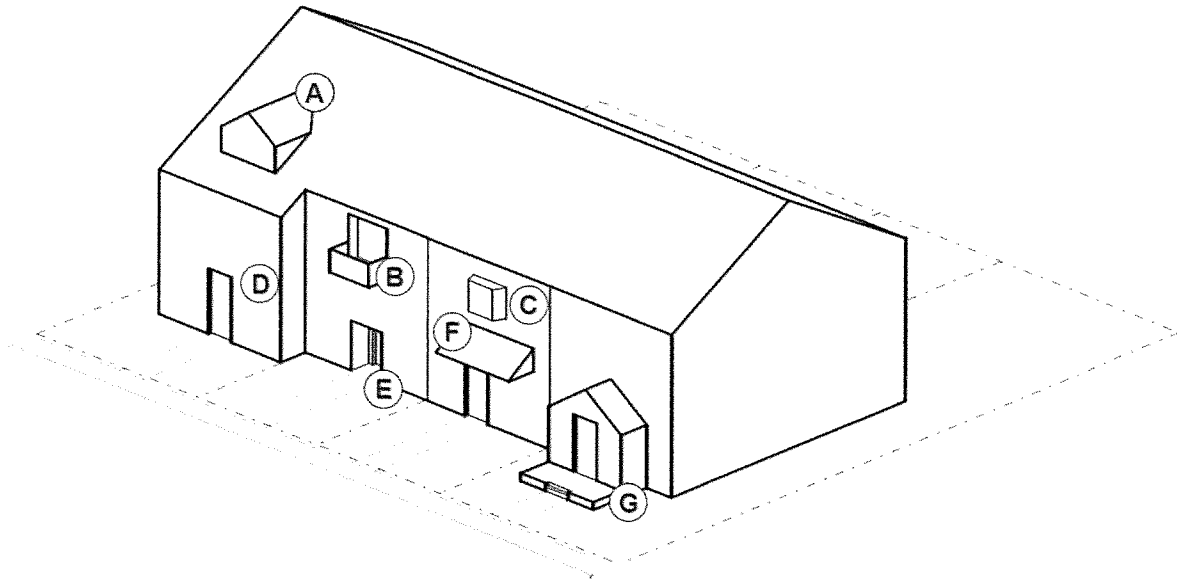
C. Design Standards

New townhouses shall meet the design standards in subsections (1) through (4) of this section (C). Mandates for construction of a garage or carport and any other design standards are invalid.

1. Entry Orientation. The main entrance of each townhouse must:
 - a. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - b. Either:
 - i. Face the street (see Figure 13);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 14);
 - iii. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - iv. Open onto a porch (see Figure 16). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.
2. Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 22):
 - a. A roof dormer a minimum of 4 feet in width, or
 - b. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
 - c. A bay window that extends from the facade a minimum of 2 feet, or
 - d. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
 - e. An entryway that is recessed a minimum of 3 feet, or
 - f. A covered entryway with a minimum depth of 4 feet, or
 - g. A porch meeting the standards of subsection (1)(b)(iv) of this section (C).

Balconies and bay windows may encroach into a required setback area.

Figure 22. Townhouse Unit Definition

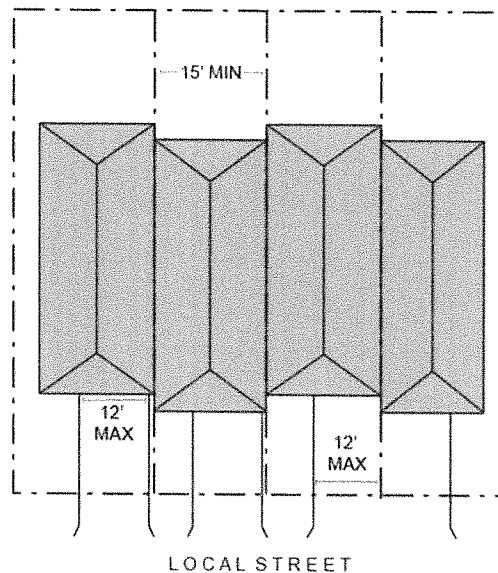


- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum of 4 feet deep
- (G) Porch, meets standards of subsection (1)(b)(iv) of section (C)

3. Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 17.
4. Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:
 - a. Garages on the front facade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 23).

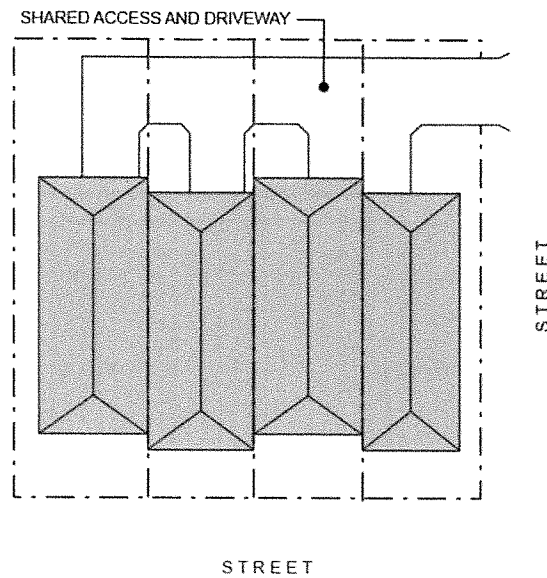
- i. Each townhouse lot has a street frontage of at least 15 feet on a local street.
- ii. A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
- iii. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
- iv. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 23. Townhouses with Parking in Front Yard



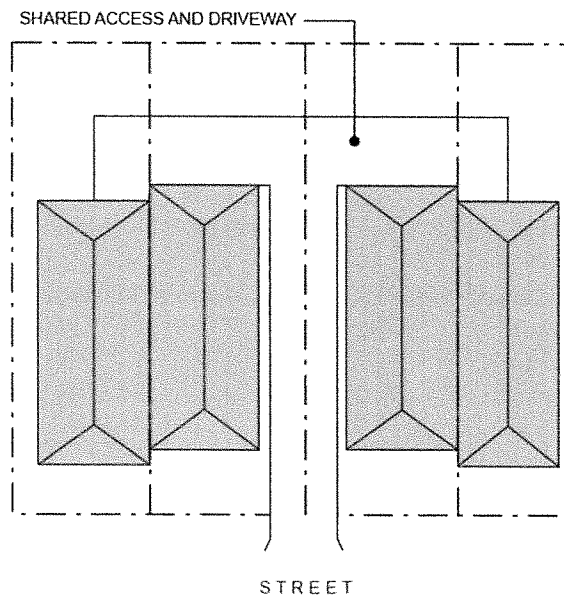
- b. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).
 - i. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 - ii. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 24.

Figure 24. Townhouses on Corner Lot with Shared Access



- iii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 25.

Figure 25. Townhouses with Consolidated Access



- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b).

Chapter 5. Cottage Clusters

Sections:

- A. Permitted Uses and Approval Process**
- B. Development Standards**
- C. Design Standards**

A. Permitted Uses and Approval Process

1. Permitted Use. Cottage cluster projects are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Cottage cluster projects are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a cottage cluster project subject to discretionary standards and criteria adopted in accordance with ORS 197.307(6), if such a process is available.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a cottage cluster development application.

B. Development Standards

1. Applicability.
 - a. Cottage clusters shall meet the standards in subsections (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):
 - Additional development standards of the applicable base zone related to the standards addressed under subsections (2) through (7) of this section (B).
 - Development standards of the applicable base zone related to lot dimensions, lot coverage, floor area ratio, landscape or open space area, or the siting or design of dwellings.
 - The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.

2. Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot size, width, and depth standards that apply to detached single family dwellings in the same zone.
3. Maximum Density. The jurisdiction's pre-existing density maximums do not apply.
4. Setbacks and Building Separation.
 - a. Setbacks. Cottage clusters shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone, except that minimum setbacks for dwellings in excess of the following are invalid:
 - Front setbacks: 10 feet
 - Side setbacks: 5 feet
 - Rear setbacks: 10 feet
 - b. Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
5. Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.
6. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
7. Off-Street Parking.
 - a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).
 - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
 - iii. The space must be a minimum of 22 feet long; and
 - iv. The space must not obstruct a required sight distance area.

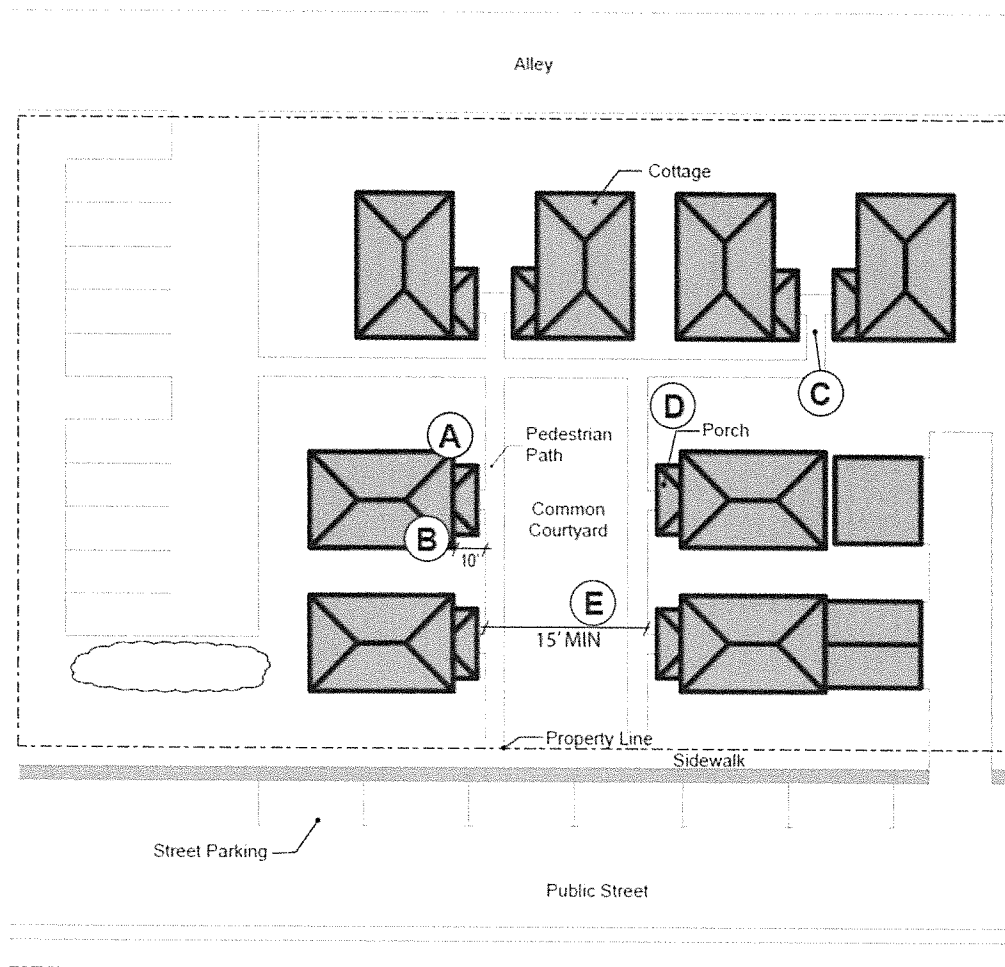
C. Design Standards

Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section (C).

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 26):
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 26):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.

- f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 26. Cottage Cluster Orientation and Common Courtyard Standards

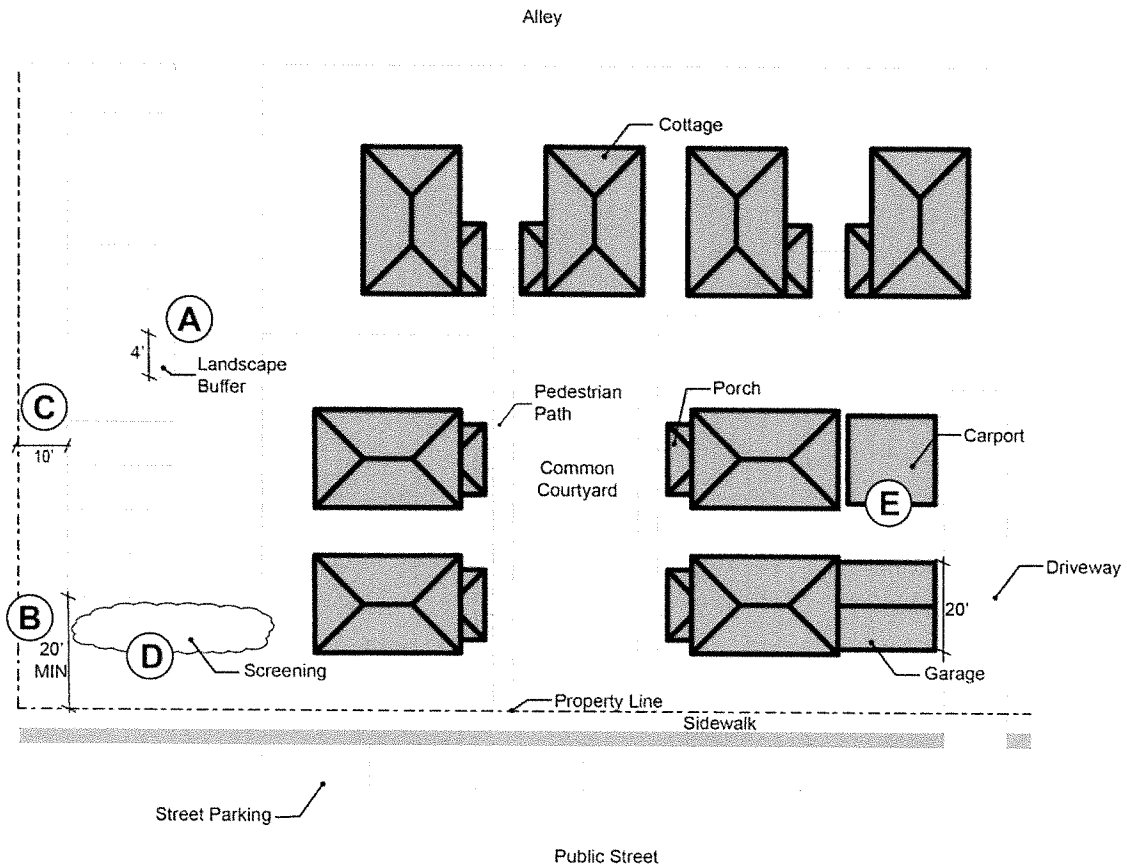


- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
 - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (B)(5).
 - b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
4. Pedestrian Access.
 - a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard;
 - ii. Shared parking areas;
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
 - b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.
6. Parking Design (see Figure 27).
 - a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
 - ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
 - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.
 - b. Parking location and access.
 - i. Off-street parking spaces and vehicle maneuvering areas shall not be located:

- Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
 - c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 - d. Garages and carports.
 - i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - iii. Individual detached garages must not exceed 400 square feet in floor area.
 - iii. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
 7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
 8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
 - b. The existing dwelling may be expanded up to the maximum height in subsection (B)(4) or the maximum building footprint in Chapter 1, subsection (B)(1); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
 - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
 - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C).

Figure 27. Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

Contextualized Housing Need

This section will include a short narrative, largely pulled from the jurisdiction's adopted Housing Needs Analysis (HNA). The findings of the city's most recent HNA should be the primary source highlighting Identified Housing Need in a Housing Production Strategy Report.

In adherence to HB 2003, Section 4(3), this section shall include consideration of:

- Socio-economic and demographic trends of a jurisdiction's population;
 - Disaggregated by race
- Measures already adopted by the city to promote the development of needed housing;
- Market conditions affecting the provision of needed housing; and
- Existing and expected barriers to the development of needed housing.

Other housing needs to respond to for Department review under section 6, subsection 2 of HB 2003.

- Housing need for those experiencing homelessness:
 - To understand the need, city may use any combination of the following:
 - Homeless counts using Point-in-time, McKinney-Vento data sets, or other local houseless population datasets.
 - Capacity of existing shelters
 - Vacancy rates
 - Change in property values or rent over time
 - Qualitative data that illustrate specific needs of the homeless population
 - Data collected by Coordinated Care Organizations (CCOs)

Because the HNA may not fully describe the housing need of a city, this section can include (to the extent possible), but is not to be limited to the following information for further contextualization of housing need:

- Percentage of housing stock that is market rate vs. subsidized;
- Units that are in the development pipeline by housing type (part of HB 4006 produced and permitted reporting);
- The proportionate population not typically accounted for in an HNA unique to city circumstances (i.e. student populations, second homeowners)
- Redevelopment rates that may impact the provision of preserving existing affordable market-rate units.

• Percentage of Rent Burdened Households (furnished by Oregon Housing and Community Services) • Housing by Tenure (owner vs renter)	
Engagement	
<i>This section describes engagement strategies employed to better understand housing needs and barriers to housing, for which audience, and what purpose. Specifically, this section should include:</i> • Brief summary of housing consumers engaged during HNA (i.e., local residents), • Brief summary of housing providers engaged during HPS development (i.e., developers, social service providers), and • Summary of specific outreach to marginalized communities. This section should also include a discussion of how the city will utilize or alter actions to directly address issues or concerns raised throughout the engagement process.	The city may also engage in other community outreach activities to better understand housing needs of specific populations. Cities are encouraged to convene a wide variety of stakeholders as part of advisory committees. Cities may engage stakeholders in any number of methods including open houses, public forums, online tools, and remote meetings.
Strategies to Accommodate Future Housing Need	
<i>This section will be comprised of a list of all the tools/policies/actions a city proposes to meet its Identified Housing Need. The tools/policies/actions that can be employed by cities can generally be categorized into seven categories:</i> • Zoning, Planning, and Code Changes • Reduce Regulatory Impediments • Financial Incentives • Financial Resources (Local, State, Federal) • Tax Exemption and Abatement • Land, Acquisition and Partnerships • Innovative Options A city may employ any number of tools/actions/policies and is not required to employ a tool/action/policy from each or all of these seven categories. However, the strategies proposed by a city must collectively respond to the city's 20-year housing need identified within the HNA.	

<i>For each tool/policy/action a city proposes in this section, the city must include:</i> • Description of the strategy, • Timeline for adoption, • Timeline for implementation, and • Magnitude of impact: • Identified Housing Need being fulfilled (tenure and income); • Number of housing units that may be created, if possible; • An analysis of the income and demographic populations that will receive benefit and/or burden from the strategy, specifically: • Low-income communities • Communities of color • Other communities that have been discriminated against, according to fair housing laws; and • Time frame over which the strategy is expected to impact needed housing This section should also include a description of how each tool expands, alters, or interacts with other tools/policies/actions the city currently has in place or proposes to implement.	<i>For the purposes of prioritization, cities are encouraged to organize tools/policies/actions in one or more of the following ways:</i> • Cost (low to high), • Timeframe (short-term to long-term), or • Identified Housing Need (most need to least need) • Necessity analysis: The degree to which implementing this tool/policy/action is required in order to produce the needed housing type by income level. This section may also include a narrative explanation of why it is necessary to prioritize the HPS Report in such a manner. The city can outline jurisdictional priorities and match tools/actions/policies to specific goals.
<i>Achieving Fair and Equitable Housing Outcomes</i>	
<i>This section will include a series of questions that jurisdictions will be asked to reflect on, with regards to equitable outcomes when it comes to housing production. This will assist jurisdictions in framing their housing need, develop an appropriate engagement process going forward, and choose appropriate housing production strategies to address housing inequities. The questions are as follows:</i> ○ Location/Transportation. How is the city locating housing and transportation networks so that all residents, including protected classes identified in Federal and Oregon State Fair Housing Law, have equal access to education and occupational opportunity? ○ Fair Housing. How is your jurisdiction affirmatively furthering fair housing for all resident groups listed under the Federal and Oregon Fair Housing Laws? Affirmatively furthering fair housing means addressing: • Disproportionate housing needs • Patterns of integration and segregation • Racially or ethnically concentrated areas of poverty • Disparities in access to opportunity	

○ Opportunity Areas. How is your jurisdiction creating opportunities for marginalized communities of color and low-income communities, to live in high opportunity areas? ○ Homelessness/equitable distribution of services. How is your jurisdiction ensuring that services and shelters to support the homeless population are equitably spread throughout all neighborhoods of your city? ○ Opportunities for affordable rental housing and homeownership. How is your jurisdiction creating opportunities for both affordable rental housing and wealth creation via homeownership, especially for communities that have been historically locked out of these opportunities?	
Conclusion	
<i>This section will be a narrative illustrating next steps for jurisdictions and considerations for topics to reflect on for subsequent HPS Reports.</i> • In concluding the Housing Production Strategy Report, the city must consider the following: • Any opportunities, constraints, or negative externalities associated with adoption of the elements of proposed housing production strategies; • Actions necessary for the local government and other stakeholders to take in order to implement the proposed housing production strategy; and • Discussion of how the proposed actions, taken collectively, will increase housing options for population groups experiencing a current or projected disproportionate housing need.	The city may also consider conducting an Alternatives Analysis describing how the city came to propose a specific set of tools/actions/policies. This analysis can help cities make informed decisions on specific tools/actions/policies especially if there are intra-strategy options related to costs, regulatory standards, equity considerations, or other variables.
If this is the city's first HPS Report, how will progress be measured going forward? If this is not the city's first HPS Report, how have strategies documented in the most recent HPS been carried out? What were the results? What has worked? What hasn't? Why or why not?	N/A
A Housing Production Strategy Report must include within its index a copy of the city's most recently completed survey to meet the requirements of HB 4006 and a copy of the ORS 197.178 report, which shows all permits applied for and accepted within the year.	The city may also include any supporting documentation, research, or analysis that outlines the need for specific tools/actions/policies in the Report's index.

If there is a housing need not being addressed, what is the need, why can the city not address this need, and what has been previously attempted in terms of tools/strategies/policies?	N/A
Reflection Questions for Each Jurisdiction. These are different from the aforementioned reflection questions, above, as they help inform the reasoning behind choosing housing production strategies. : • How do the chosen housing production strategies help residents overcome discriminatory housing practices? • How do the chosen housing production strategies help residents overcome racial housing segregation? • How do the chosen strategies affirmatively further fair housing?	

Question #2: After reviewing the pathway to incorporate equity considerations and homelessness data into the HPS Report, are there any further data points and/or considerations that you feel should be added or re-organized to better reflect minimum compliance and proposed guidance that jurisdictions will need to abide by?

Question #3: A list of tools/actions/policies that a city may implement to facilitate the production of housing is being compiled at this link: https://docs.google.com/document/d/1wg091os-MPyOML3TYtKu01895xsi47ZMVOhp_18Am8E/edit. Please share this list widely with your networks. The goal is to provide as many possible housing production strategies as possible for future reference as cities begin adopting Housing Production Strategies. This list of strategies will be included in a DLCD guidance document published after rulemaking has concluded. What specific tools/actions/policies should be added to this list?

Median Family Income	New units for each of the following ...			Total Units	% of Units
	Projected Need	Under-production	Housing for the Homeless		

UGB: Estacada

+120%	228	7	0	235	38%
80-120%	86	18	0	104	17%
50-80%	74	32	1	106	17%
30-50%	47	26	2	74	12%
0-30%	48	27	18	92	15%
Total Units	482	110	20	612	100%
% of Units	79%	18%	3%	100%	

City: Fairview

+120%	244	18	0	262	32%
80-120%	92	43	0	135	16%
50-80%	79	75	1	156	19%
30-50%	50	62	4	116	14%
0-30%	51	63	42	156	19%
Total Units	516	261	47	824	100%
% of Units	63%	32%	6%	100%	

City: Forest Grove

+120%	1,466	43	0	1,509	39%
80-120%	553	105	0	658	17%
50-80%	473	184	3	660	17%
30-50%	300	151	9	460	12%
0-30%	309	154	102	565	15%
Total Units	3,100	638	115	3,853	100%
% of Units	80%	17%	3%	100%	

The owner-occupied housing forecast that's suited to meet qualifying income levels is shown in **Exhibit 3.5**.

Exhibit 3.5: Owner Occupied Housing Needs Forecast, Forest Grove, 2019-2039

Family Income Level	Upper Range of Qualifying Income	Upper Range of Home Price*	Attainable Housing Products	Estimated Distribution of Owner-Occupied Units	Projected Owner-Occupied Units Needed
High (120% or more of Median Income)	\$89,640+	\$469,000+	Standard Homes	39%	809
Upper Middle (80% to 120% of Median Income)	\$89,640	\$469,000	Small and Standard Homes, Townhomes	32%	658
Lower Middle (50% to 80% of Median Income)	\$59,760	\$359,950	Small Homes, Townhomes, Mfgd. Homes, Plexes	24%	483
Low (30% to 50% of Median Income)	\$37,350	\$224,250	ADUs, Govt. Assisted	5%	103
Very Low (less than 30% of Median Income)				0%	0
Total				100%	2,052

*Assumes 30% of income is used for mortgage payment, with 5.5% interest, 30-year term with 20% downpayment for upper middle and high income levels, and 5% downpayment for lower income levels.

The rental housing forecast that's consistent with qualifying income levels is shown in **Exhibit 3.6**.

Exhibit 3.6: Renter Occupied Housing Needs Forecast, Forest Grove, 2019-2039

Family Income Level	Upper Range of Qualifying Income	Upper Range of Monthly Rent*	Attainable Housing Products	Estimated Distribution of Owner-Occupied Units	Projected Renter-Occupied Units Needed
High (120% or more of Median Income)	\$89,640+	\$2,241+	Standard Homes, Townhomes	7%	98
Upper Middle (80% to 120% of Median Income)	\$89,640	\$2,241	Small Homes, Townhomes, Apartments	23%	316
Lower Middle (50% to 80% of Median Income)	\$59,760	\$1,494	Small Homes, Townhomes, Mfgd. Homes, Plexes, Apts.	28%	385
Low (30% to 50% of Median Income)	\$37,350	\$934	ADUs, Govt. Assisted Apts.	22%	302
Very Low (less than 30% of Median Income)	\$22,410	\$560	Govt. Assisted Apts.	20%	275
Total				100%	1,376

*Assumes 30% of income is used for rental payments.

Forecasts do not reflect group quarters units.



AFFORDABLE HOUSING INCENTIVES IN FOREST GROVE

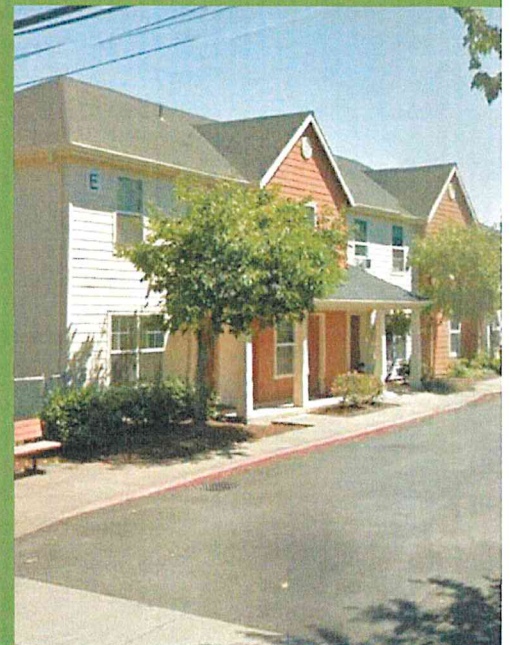


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503.992.3227
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IN RESPONSE TO PUBLIC INPUT
FROM THE AD-HOC AFFORDABLE
HOUSING COMMITTEE,

the Housing Needs
Analysis, and from
the Severe Rent
Burden meetings,
Forest Grove has
implemented
incentives to
construct quality,
attractive, and
affordable housing in
the City.





NON-PROFIT, AFFORDABLE HOUSING TAX EXEMPTION

When a non-profit organization owns housing and collects rent, property taxes must be paid unless a specific exemption is allowed. In Forest Grove, the City worked with the Forest Grove School District to exempt non-profit organizations that own property from all local ad-valorem property taxes used for affordable housing for individuals at 60% average median income (AMI) or less.

DENSITY BONUSES FOR CONSTRUCTION OF AFFORDABLE HOUSING

In the Town Center Core, Town Center Transition, and Community Commercial Zones, the City allows a density increase of 20 units per acre for projects that provide at least 20% of the units to households earning 60% AMI in Community Commercial zone and 80% AMI in the Town Center zones.

VERTICAL HOUSING TAX EXEMPTION

This tax exemption incentivizes multi-story, mixed-use development in the Vertical Housing Development Zone by exempting improvements up to 80% of their City ad-valorem property taxes. The exemption is based on the number of stories. As an added benefit to affordable housing providers, the City will also exempt the land value from taxation.

SYSTEM DEVELOPMENT CHARGE (SDC) DEFERRAL

The City understands that loans for construction and SDCs can add significant costs to a project. This can be particularly impactful to affordable housing projects which are often financed by a myriad of lenders and funders. For this reason, Forest Grove allows SDCs to be deferred from the time the Building Permit is issued prior to construction to the time the Certificate of Occupancy is issued after construction is complete.



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For complete details on the program, funding guidelines, and application materials, please visit us at:
<https://www.forestgrove-or.gov/planning/page/affordable-housing-strategy>