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Date: October 25, 2021

To: HB 2001 Implementation Subcommittee

From: Dan Riordan, Senior Planner

Re: Draft Development Code Adoption Package

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Attached for review and discussion is the draft Development Code adoption package to implement the Middle Housing Law (HB 2001). The draft amendments draw from the Oregon Administrative Rules for HB 2001 and the Model Code prepared by the Oregon Department of Land Conservation and Development (DLCD). Wording proposed for deletion from the Development Code is shown by strike out text. Wording and graphics proposed for addition to the Development Code is shown by underlined text.

A summary of the draft Development Code changes is provided below:

- Development Code §17.1.225 (Application Contents): Revise wording to remove non-clear and objective wording for a required development transportation study and to describe the methodology. (page 3)
- Development Code §17.2.310 (Design Review Applicability): Revise wording consistent with HB 2001 that approval processes for middle housing must be the same as for single unit detached homes. (page 4 – page 6)
- Development Code §17.2.430 (Site Development Review): Clarify that the site development review process for a single unit detached dwelling also applies to middle housing consistent with HB 2001. Revise wording to remove non-clear and objective wording. (page 7 – page 8)
- Development Code §17.3.010 (Classification of Zones): Consolidate zoning districts. (page 9)
- Development Code §17.3.100 (Residential Zones): Revise to reflect consolidation of zoning districts. (page 10 – page 11)
- Development Code §17.3.120, Table 3-2 (Residential Zones Use Table): Revise table to reflect zoning district consolidation and add middle housing types. Specify that multifamily is five or more units instead of three or more as currently defined). Remove restriction on the number of duplexes within a subdivision consistent with HB 2001. (page 13 – page 16)

- Development Code §17.3.130 (Residential Zone Development Standards): Add wording for floor area ratio and add floor area ratio standards. Add minimum density requirements and delete maximum density requirements. (page 17- page 21)
- Development Code §17.3.130, Table 3-5 (Lot Dimensional Requirements – RL Zone): Add minimum and maximum lot size and lot dimension requirements in the low density residential zone. (page 22)
- Development Code §17.3.130, Table 3-6 (Lot Dimensional Requirements – RM and RH Zone): Add minimum lot size and minimum lot dimensional requirements for the medium and high density residential zones. (page 23)
- Development Code §17.3.130, Table 3-7 (Minimum Setback Requirements): Revise building setback requirements consistent with DLCD model code. (page 24)
- Development Code §17.6.000 (Article 6 – Land Divisions): Add wording for SB 458, Middle Housing Land Divisions. (page 27 – page 29)
- Development Code §17.7.050 (Exceptions to Lot Size, Yards, and Projections): Add wording to prohibit encroachment of projections into or over utility easements. (page 30)
- Development Code §17.8.130 (Widths and Locations of Driveway and Curb Cuts): Add DLCD Model Code wording for middle housing driveway approaches. (page 31)
- Development Code §17.8.710 (Building Design and Development Standards): Revised to include middle housing types and add DLCD Model Code wording. Delete redundant text. (pages 32 - 45)
- Development Code §17.8.515 (Off-street Parking Requirements, Table 8-4 (Parking Requirements): Add wording for minimum required off-street parking for middle housing types and add wording to allow up to 50% credit for on-street parking to satisfy required parking requirements. (pages 46 – 47)
- Development Code §17.8.520 (Reduction or Modification of Off-street Parking Requirement): Revised wording to make multifamily development near frequent transit service eligible for a 10% reduction in the off-street parking requirement. Current the reduction is only allowed for commercial and industrial uses. (page 48)
- Development Code §17.8.905 (Land Division Standards): Revise wording to remove non-clear and objective wording. (pages 49 – 52)
- Development Code §17.12.210 (Meaning of Specific Words and Terms): Revise the definitions section to add middle housing terms from the HB 2001 administrative rules and DLCD Model Code. (pages 53 – 55)