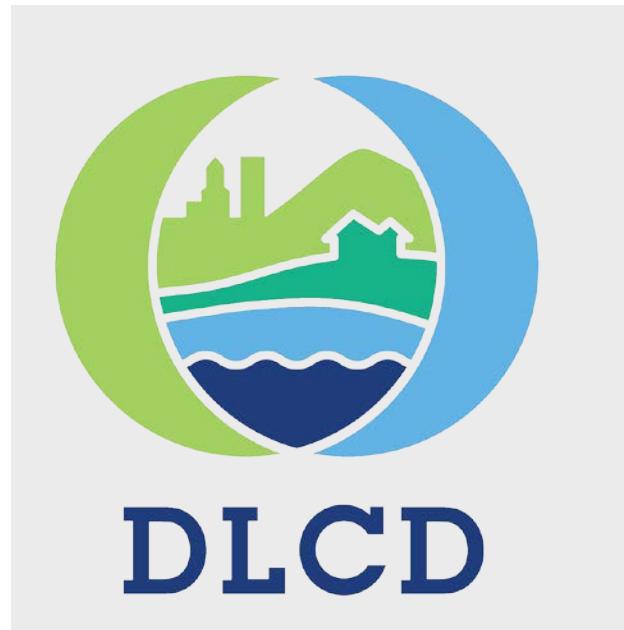


Primer on Implementation of Oregon's Middle Housing Initiative

Oregon City
May 11, 2021



Ethan Stuckmayer, Senior Planner of Housing Programs
Department of Land Conservation and Development

May 11, 2021

Oregon's 2019 Housing Initiatives

Housing Choice
(*HB 2001*)

Housing Needs and
Production (*HB 2003*)

Housing Program
Webpage:
<https://www.oregon.gov/lcd/UP/Pages/Housing-Resources.aspx>

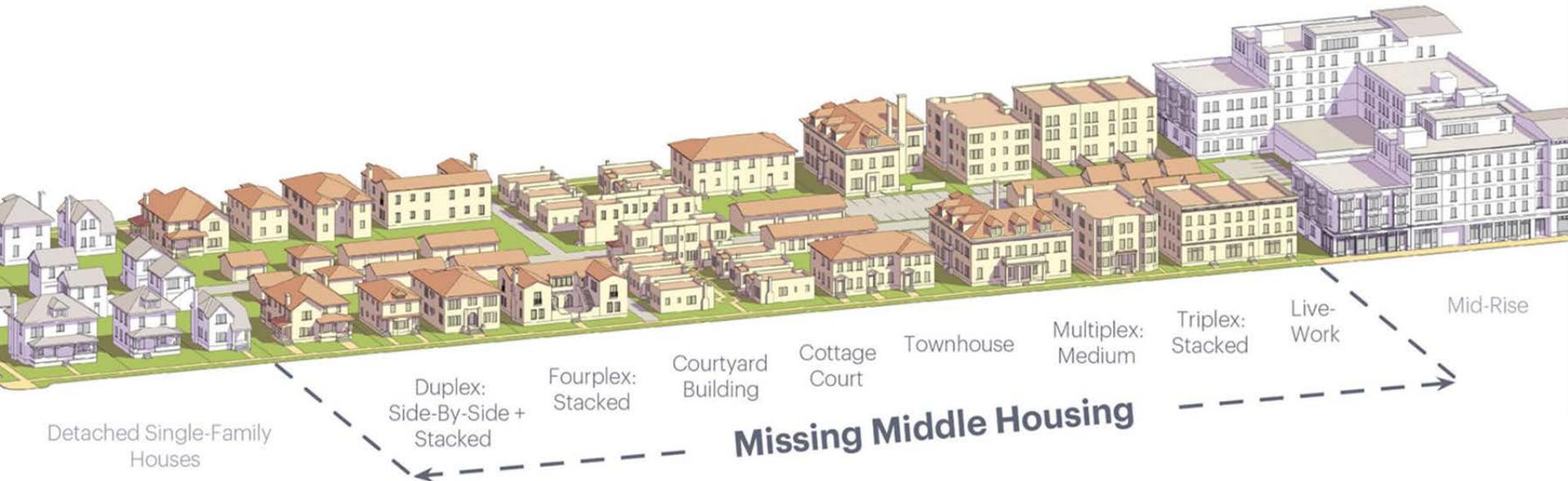
Why these bills?

General lack of housing that households can afford across Oregon

Severe rent burden rates are increasing in the region

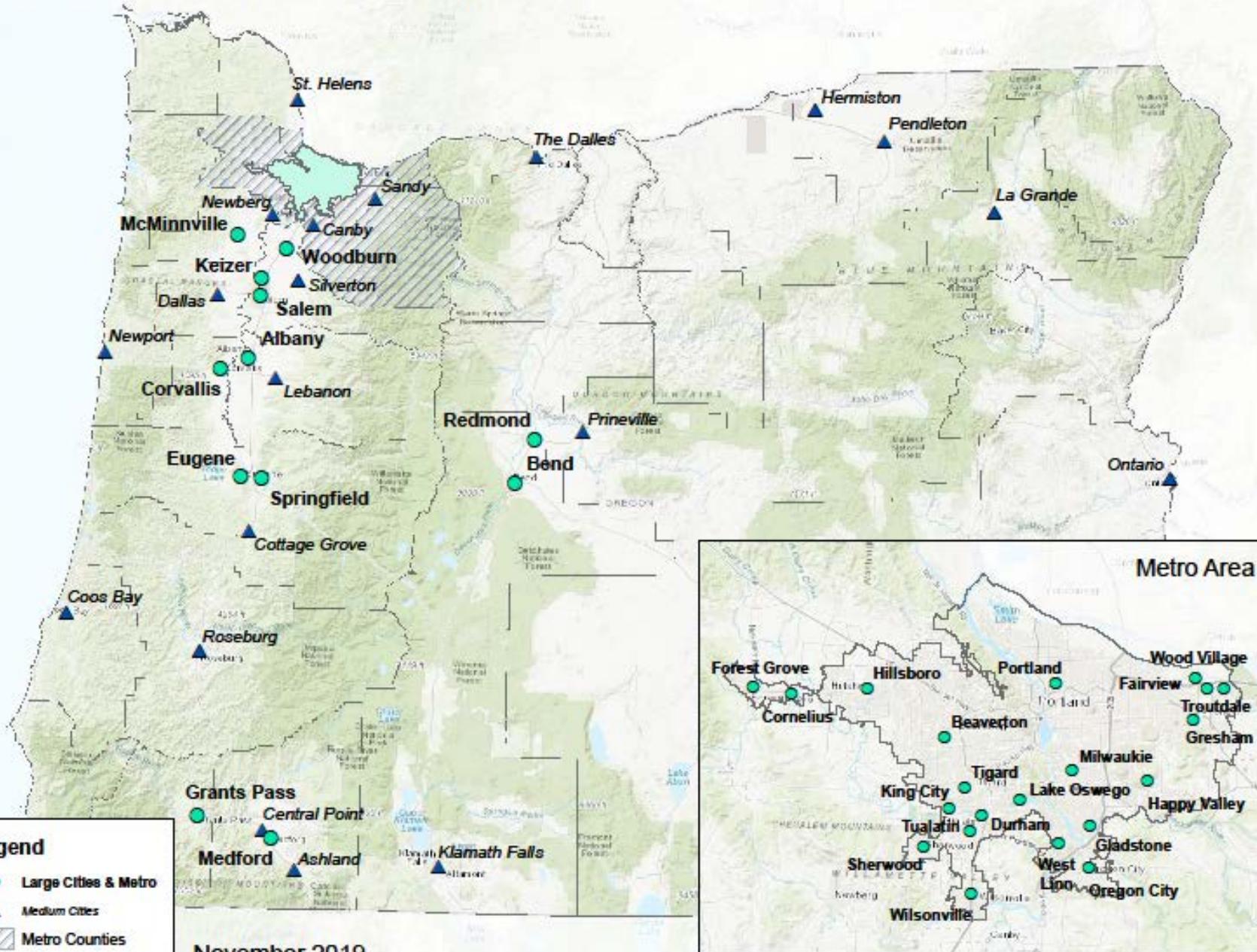
Need for more housing supply and choice

Current system perpetuates patterns of exclusion



House Bill 2001

Cities and Counties Affected by HB 2001



Legend

- Large Cities & Metro
- ▲ Medium Cities
- Metro Counties

November 2019

Requirements for “Medium Cities”

“**Medium cities**” are all Oregon cities outside the Portland Metro boundary with a population between 10,000 and 25,000.

Allowance for duplexes on all lots and parcels that allow detached single family dwellings.

Requirements for “Large Cities”

By June 30, 2022

“Large Cities” must:

Allow **duplexes** on every
lot and parcel that allow
single family detached
dwellings

- AND -

Allow **triplexes,**
quadplexes, townhouse,
and cottage clusters in
areas that allow single
family detached dwellings

Requirements for “Large Cities”

By June 30, 2022

“Large Cities” must:
regulate siting and design of Middle Housing such that the standards don’t cause “unreasonable cost and delay” to the development of middle housing.

“Reasonableness” is measured by comparing the relative cost and delay of a standard applied to middle housing to the cost and delay of a standard applied to other housing types, particularly single family detached houses

State Rulemaking Process

“Large Cities” must:

update development codes and land use regulations to comply the HB 2001.

On December 9, 2020 LCDC adopted rules for Large Cities:

1. HB 2001 applicability, definitions, review process;
2. Minimum Compliance Standards; and
3. Middle Housing Model Code

Oregon Administrative Rules Chapter 660, Division 46
Middle Housing in Medium and Large Cities

Rulemaking Results

Oregon Administrative Rules Chapter 660, Division 46
Middle Housing in Medium and Large Cities

Purpose, Applicability,
Definitions, Process, etc

Minimum Compliance Standards

Rulemaking Results

Oregon Administrative Rules Chapter 660, Division 46
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Purpose, Applicability,
Definitions, Process, etc

Minimum Compliance Standards

Spectrum of Reasonable Siting and Design
Standards



Rulemaking Results

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Standards



Large Cities Model Code

Rulemaking Results

Model Code v.s. Minimum Compliance Framework

Model Code:

- Set of specific standards
- Written such that cities can apply it directly
- Modular Implementation

Minimum Compliance Standards:

- Flexibility for cities
- Defines reasonable standards
- Standard by which development codes will be measured for compliance with HB 2001 intent

Reasonable Siting and Design Standards

Siting Standards: related to the position, bulk, scale, or form of a structure

- Minimum Lot Size
- Maximum Density
- Setbacks
- Building Height
- Off-Street Parking

Design Standards: aesthetics, number, and orientation of features of a structure

- Front Entry Orientation
- Façade Improvements
- Window Glazing

“In Areas”

Duplexes allowed on each lot or parcel

Higher Level Middle Housing allowed in areas

Cities can limit Higher Level Middle Housing in the following areas:

- Goal protected lands
- State/Federal regulatory lands
- Lands without sufficient infrastructure
- Master Planned Communities

“In Areas”

Minimum Compliance Standards sets the “where” of higher level middle housing through a series of clear and objective standards

– OR –

Performance Metric

Can apply different minimum lot size or maximum density standards provided:

- 80% of lots allow Triplexes
- 70% of lots allow Quadplexes
- 70% of lots allow Cottage Clusters
- 60% of lots allow Townhomes
- Equitable distribution throughout neighborhoods

Paths to Compliance

Model Code

- Wholesale/Modular Adoption,
- Inaction, or
- Noncompliance

Minimum Compliance

Apply all reasonable minimum compliance standards

Apply different minimum lot size or maximum density

1. Must meet Performance Metrics

2. Must meet Equitable Distribution

Compliance

Implementation Logistics

Large Cities have until **June 30, 2022** to update local codes to comply with HB 2001.

DLCD offered technical assistance and funding to cities to do some of this work.

Legislature considering additional funding assistance to begin on July 1, 2021.

DLCD staff is ready and available to help with interpretation and rule related issues.

Infrastructure-Based Time Extension Requests (IBTER)

Allows additional time for implementation in areas with infrastructure limitations.

Cities will need to demonstrate the constraint and develop a plan of action and timeline to address it.

Rules adopted. Effective August 7, 2020

Large Cities Application Deadline: June 30, 2021



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Department of Land Conservation and Development

May 11, 2021

**Thank you!
Questions?**

***Please direct questions or
feedback to:
housing.dlcd@state.or.us***