



TUALATIN CITY PLANNING COMMISSION MEETING

THURSDAY, DECEMBER 17, 2020

**JUANITA POHL CENTER
8513 SW TUALATIN ROAD
TUALATIN, OR 97062**

Bill Beers, Chair
Mona St. Clair, Vice Chair
Daniel Bachhuber Mitch Greene
Alan Aplin Janelle Thompson
Ursula Kuhn

CALL TO ORDER & ROLL CALL

ANNOUNCEMENTS & PLANNING COMMISSION COMMUNICATION

COMMUNICATION FROM CITY STAFF

1. This discussion will be an introduction the Middle Housing Code Update, a continuation of both housing policy work from the Tualatin 2040 project, and pursuing compliance with House Bill 2001. The anticipated outcome of this work will include changes to the Tualatin Development Code that support housing development.

FUTURE ACTION ITEMS

ADJOURNMENT



TUALATIN DEVELOPMENT COMMISSION Staff Report

TO: Tualatin Planning Commissioners
THROUGH: Steve Koper, AICP, Planning Manager
FROM: Tabitha Boschetti, AICP, Assistant Planner
DATE: December 17, 2020

SUBJECT:

This discussion will be an introduction the Middle Housing Code Update, a continuation of both housing policy work from the Tualatin 2040 project, and pursuing compliance with House Bill 2001. The anticipated outcome of this work will include changes to the Tualatin Development Code that support housing development.

EXECUTIVE SUMMARY:

Tualatin's analysis of available housing stock and demand has demonstrated a need for additional housing development, including a wider range of housing types to address household needs and budgets. Additionally, in 2019, the Oregon Legislature adopted HB 2001, which directs counties and municipalities to expand housing choice, limiting exclusionary zoning practices that limit residential development to more expensive detached single-dwelling development. This specifically includes finding additional opportunities to permit "middle housing" types, housing options in between detached single-dwelling homes, and large multi-family developments, (e.g., duplexes, quadplexes, cottage cluster developments). HB 2001 specifically requires the City of Tualatin, as part of the Portland metropolitan region, to make changes to our development code by June 30, 2022. More background on HB 2001 can be found in the attached Code Audit Report (Attachment 1).

To better understand the specific changes needed to comply with HB 2001, the City of Tualatin successfully applied for an in-kind grant through the Department of Land Conservation and Development and is working with MIG, Inc. to identify specific code changes that enable development of middle housing. The current phase of work being presented at this meeting includes an analysis of where Tualatin's code stands today. This analysis is summarized in Attachment 1; a table of specific Tualatin Development Code sections identified for possible updates can be read in Appendix A.

Broadly, the Code Audit identifies needed changes to specific chapters for residential zones, as well as site design standards and review processes. MIG identified barriers and prohibitions applicable to all middle housing types in all residential zones. Current code also sets a longer and more complex review process for middle housing types than detached single-family development, which can further deter development of these housing types and create uncertainty for both developers and the broader community. Additional standards related to parking, residential density, and site standards such as setbacks and minimum lot size, have also been identified for future discussion.

Appendix B contains additional analysis of existing Comprehensive Plan policies; it does not reflect the ongoing Housing Element Comprehensive Plan Update (PTA 20-0004) which TPC voted to recommend at their last November meeting. MIG's recommendations were effectively applied to the descriptions of the

residential zoning districts and density descriptions in the final draft that goes before City Council on December 14, 2020, such that issues such as density and permitted housing types would be appropriately dealt with in the Tualatin Development Code and considered in this next phase of code work.

FUTURE MILESTONES:

- Middle Housing Code Concepts: January 2021
- Revised Draft Code Amendments: March 2021
- Proposed Code Amendments to City Council: May 2021

Stakeholder interviews and two broader opportunities for public review and comment are also anticipated over this timeframe.

DISCUSSION QUESTIONS:

- Did anything in the MIG Code Audit surprise you?
 - Is there anything you would like to better understand or discuss about how the Tualatin Development Code functions now and the potential recommendations?
 - Does the Code Audit raise any new ideas for how we move forward in updating the Tualatin Development Code?
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ATTACHMENTS:

- Attachment 1: MIG City of Tualatin Middle Housing Code Update: Code Audit Report
 - Appendix A: Tualatin Development Code Matrix
 - Appendix B: Comprehensive Plan Policies
 - Appendix C: Relevant Housing Needs Analysis Strategies
- Attachment 2: MIG Presentation on Code Audit



City of Tualatin Middle Housing Code Update: Code Audit

Draft | December 2020

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City of Tualatin Middle Housing Code Update: Code Audit Report

1. EXECUTIVE SUMMARY

In 2019, the Oregon Legislature adopted House Bill 2001, also known as the Middle Housing Bill. The purpose of the legislation was to expand housing options in Oregon communities in response to a deepening housing crisis across the state. Unlike conventional multi-family apartments, middle housing, defined as duplexes, triplexes, quadplexes, townhomes, and cottage cluster housing can provide opportunities for both homeownership and rental housing.

This Code Audit identifies land use regulatory barriers to development of required middle housing in Tualatin and recommends options for the City to comply with Oregon House Bill 2001 (2019) (HB 2001).¹ This project is funded by a grant from the Oregon Department of Land Conservation and Development (DLCD). The opinions in this report are those of the consultant only and do not necessarily reflect the opinion of the State of Oregon.

Summary of Key Findings

- The Code does not define all types of middle housing (i.e. cottage cluster and quadplex are missing) and groups triplexes within the definition of a "multi-family structure". For compliance with HB 2001, easier implementation, and future updating of standards, the Code should separate out housing types into their own definitions with their own standards.
- Multi-family structures are a conditional use in the RL residential zone and single family detached dwellings are an outright permitted use. Under HB 2001, a large city must apply the same approval process to middle housing as it does single family dwellings in the same zone. Multi-family structures are an outright permitted use in the RML, RMH, RH, and RH-HR residential zones. Tualatin should consider adding specific middle housing types as outright permitted uses in these zones.
- Tualatin's Code does not include clear and objective standards, conditions, or procedures regulating the siting and design of middle housing. Siting and design standards for middle housing should be the same or less restrictive than the Draft Model Code for Large Cities or the same standards applicable to single family dwellings permitted in the same zone. This is required for full compliance with HB

¹ This audit relies on a current draft of the HB 2001 requirements (8/4/20) and is subject to any refinements of the final version.

2001. The Code should also include a second pathway for discretionary review if necessary or desired by the applicant.

- Development standards such as setbacks, lot coverage, and lot size requirements are different for middle housing developments and single-family detached dwellings. For minimum compliance with HB 2001, these standards will need to match the development standards for single-family detached dwellings permitted outright in the same zone.
- Density limits are applied to the construction of duplexes, cottage clusters, triplexes, and quadplexes in nearly all residential zones. Under HB 2001, local jurisdictions are not permitted to apply density maximums for duplexes, cottage clusters, triplexes, and quadplexes. Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less.
- Off-street parking requirements for middle housing developments exceed the maximum amount local jurisdictions are allowed to require under HB 2001.
- Several residential zoning districts do not have clear and objective standards for middle housing developments including requiring an Architectural Review process to determine siting or other development standards.
- Middle housing developments are a conditional use in the Low Density Residential Zone and have more restrictive development standards than detached single-family dwellings.
- Some existing development standards for multi-family structures, while not in direct conflict with the standards in HB 2001, may present a barrier to the development of middle housing and could individually or cumulatively discourage the development of Middle Housing through unreasonable costs or delay which is prohibited by HB 2001.
- Portions of the Tualatin Comprehensive Plan, including the intent of residential zoning districts and recommended densities, will need to be revised in light of the requirements of HB 2001.

2. INTRODUCTION

In 2019, the Oregon Legislature adopted House Bill 2001, also known as the Middle Housing Bill. The purpose of the legislation was to expand housing options in Oregon communities in response to the severe housing shortage that exists across much of the state.

“Middle housing”, defined as duplexes, triplexes, quadplexes, townhomes, and cottage clusters, although historically part of the housing stock of many communities, have been omitted from local zoning regulations, particularly in areas zoned for single-family dwellings. There are several reasons for this, not the least of which were Federal lending requirements following World War II that favored exclusionary single-family zoning. Today this approach to

land planning is outmoded as the demand for entry-level homes, as well as downsizing opportunities, require a more diverse housing stock.

Purpose of the Code Audit

This Code Audit identifies land use regulatory barriers to development of required middle housing in Tualatin and recommends options for the City to comply with Oregon House Bill 2001 (2019) (HB 2001) including the removal of standards, conditions, and procedures regulating the development of middle housing that are not clear and objective. It also identifies strategies for removing barriers to the development of middle housing that are not required under HB 2001.

The report identifies two tracks for implementing middle housing code updates. The first addresses HB 2001's minimum requirements for Large and Metro Cities. The second goes beyond these minimum requirements and identifies additional opportunities to encourage development of middle housing in Tualatin. There are three appendices that provide more detailed information related to the code audit:

- **Appendix A** provides a matrix that identifies applicable standards from the Tualatin Development Code and their consistency with HB 2001;
- **Appendix B** summarizes applicable Comprehensive Plan policies and identifies potential recommendations for consistency with HB 2001; and
- **Appendix C** summarizes applicable strategies from the 2019 Housing Needs Analysis.

HB 2001 Rules for Middle Housing

HB 2001 requires Oregon cities with populations of 10,000 and over (Medium Cities) to allow a duplex on every lot that is zoned for single-family detached housing. Cities with populations of 25,000 and larger (Large Cities) and cities within the Portland Metro Area are required to allow additional or "upper-level" middle housing types (triplexes, fourplexes, townhomes, and cottage clusters). The bill also requires that local land use regulations do not cause unreasonable cost or delay in permitting middle housing.

On July 24, 2020, the Oregon Land Conservation and Development Commission (LCDC) adopted the implementing rules that cities are to use in attaining compliance with HB 2001. These rules are contained in Oregon Administrative Rules (OAR) 660, Division 46. Large cities may develop their own standards in compliance with the requirements of HB 2001. As of the date of this report, the Model Code for Large Cities, which is to provide guidance for cities with populations 25,000 and larger, was still under review by LCDC, with a draft released for public review on August 24, 2020. If Large Cities do not adopt the required code amendments by June 30, 2022, they must directly apply the Model Code for Large Cities prepared by the LCDC to development in their jurisdictions.

Under OAR 600, Division 46, cities may regulate the siting and design of middle housing, similar to detached single-family housing, including adopting regulations for natural hazards and other areas protected under State planning Goals 5 and 7.

Methodology

The MIG consultant team reviewed Tualatin's Comprehensive Plan, 2019 Housing Strategy and Housing Needs Analysis, Development Code (TDC), and Zoning Map to become familiar with the existing policy context for middle housing and to assess land use regulatory barriers to such housing in Tualatin. This report evaluates Tualatin's land use regulations, contained in Chapters 31-80 of the Tualatin Development Code (TDC), for consistency with HB 2001. The following chapters from the TDC were reviewed as part of this audit:

- Chapter 31 General Provisions
- Chapter 33 Applications and Approval Criteria
- Chapter 34 Special Regulations
- Chapter 35 Nonconforming Situations
- Chapter 36 Subdividing, Partitions, and Property Line Adjustments
- Chapter 39 Use Categories
- Chapter 40 Low Density Residential Zone (RL)
- Chapter 41 Medium Low Density Residential Zone (RML)
- Chapter 42 Medium High Density Residential Zone (RMH)
- Chapter 43 High Density Residential Zone (RH)
- Chapter 44 High Density High Rise Zone (RH-HR)
- Chapter 57 Mixed Use Commercial Zone (MUC)
- Chapter 58 Central Tualatin Overlay Zone
- Chapter 73A Site Design Standards
- Chapter 73B Landscaping Standards
- Chapter 73C Parking Standards

Definitions

The analysis is based on the middle housing definitions in OAR 660, Division 46, including the adopted rules for Large Cities.

"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. Units may be located on a single Lot or Parcel, or on individual Lots or Parcels that include a common courtyard.

"Detached single-family dwelling" means a detached structure on a Lot or Parcel that is comprised of a single dwelling unit, either site built or a manufactured dwelling.

"Duplex" means two attached dwelling units on a Lot or Parcel. A local government may define a Duplex to include two detached dwelling units on a Lot or Parcel.

"Large City" means each city with a certified Portland State University Population Research Center estimated population of 25,000 or more or city with a population over 1,000 within a

metropolitan service district. This also includes unincorporated areas of counties within a metropolitan service district that are provided with urban services as defined in ORS 195.065.

"Lot or Parcel" means any legally created unit of land.

"Medium City" means each city with a certified Portland State University Population Research Center estimated population more than 10,000 and less than 25,000 and not within a metropolitan service district.

"Middle Housing" means Duplexes, Triplexes, Quadplexes, Cottage Clusters, and Townhouses.

"Model Code" means the applicable model code developed by the Department contained in OAR 660- 046-0010(4).

"Quadplex" means four attached dwelling units on a Lot or Parcel. A local government may define a Quadplex to include any configuration of four detached or attached dwelling units on one Lot or Parcel.

"Townhouse" means a dwelling unit that is part of a row of two or more attached units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent unit.

"Triplex" means three attached dwelling units on a Lot or Parcel. A local government may define a Triplex to include any configuration of three detached or attached dwelling units on one Lot or Parcel.

"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.

OTHER RELEVANT TERMS FROM THE TUALATIN DEVELOPMENT CODE

"RL" refers to the Low Density Residential Zone

"RML" refers to the Medium Low Density Residential Zone

"RMH" refers to the Medium High Density Residential Zone

"RH" refers to the High Density Residential Zone

"RH-HR" refers to the High Density High Rise Zone

"MUC" refers to the Mixed Use Commercial Zone

3. DEVELOPMENT CODE AUDIT FINDINGS

HB 2001 requires that cities allow duplexes on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. This means that Tualatin will need to permit duplexes on every lot in the RL and RML districts. The remaining middle housing types—triplexes, quadplexes, townhouses, and cottage clusters—must also be permitted in areas zoned for residential use that allow for the development of detached

single-family dwellings, but are allowed certain exceptions, including for lands that lack sufficient infrastructure. Tualatin will need to permit outright all middle housing types in the applicable residential zoning districts through the same non-discretionary review process that applies to single-family homes.

While the table below shows that almost all zones permit middle housing types outright, all zones apply at least one or more standards to middle housing types that do not comply with OAR rules.

Table 1: Permitted Uses in Zoning Districts

Middle Housing Type	RL	RML	RMH	RH	RH-HR	MUC
Duplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Triplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Quadplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Cottage Clusters	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Townhouses	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
☑ = Permitted Outright ⊖ = Conditional Use ! = One or more standards do not comply with OAR rules or intent of HB 2001						

Duplexes

Currently duplexes are permitted through the conditional use process in the RL zone. Per the state’s draft OARs, duplexes generally must be subject to the same (or less restrictive) standards as apply to single-family detached dwellings (SFD)—including standards for minimum lot size, setbacks, height, and lot coverage. In addition, duplexes must be subject to the same or less restrictive design standards as SFD, which the TDC does not currently do.

Triplexes and Quadplexes

The TDC currently classifies triplexes and quadplexes as multi-family structures and applies the same use, development, and design standards as apply to all other multi-family structures; triplex has its own definition in the TDC but quadplex does not. These housing types will need to be separated from multi-family so that separate design and development standards can be applied. The draft OARs set strict limits on the standards that can be applied to triplexes and quadplexes and in many cases, the development standards for these housing types must be the same as for single-family dwellings. The multi-family design standards in Chapter 73A are largely out of compliance with the draft OARs, however, the City does have options for how it can approach design standards for middle housing. This will be explored in further phases of the project.

Cottage Clusters

Cottage clusters are groupings of relatively small homes clustered around a shared courtyard or open space. HB 2001 specifies that the footprint of each dwelling must be limited to 900 square feet. The TDC does not have a separate definition for cottage clusters, although it may be similar to the “garden apartment” which the TDC does have a definition for. Like triplexes and quadplexes, cottage clusters will need to be separated from multi-family so that separate design and development standards can be applied. In terms of design standards, cottage clusters have a unique set of requirements because they often involve shared parking, common open spaces, and a community building. The City’s existing multi-family and single-family design standards are not geared toward this type housing, so a unique set of design standards may be needed. The draft OARs set fairly strict guidelines for what design standards can be applied.

Townhouses

The TDC has a separate definition for townhouse/rowhouses, which are currently permitted as a conditional use in the RL district and an outright permitted use in the RML, RMH, RH, RH-HR, and MUC districts. The standards for density, minimum lot size and maximum lot coverage, and the buffering standards in the residential zoning districts, will need to be revised to comply with the draft rules as some zoning district standards comply with the draft OAR while others do not. The draft rules require that townhouses are subject to the same or less restrictive design standards as SFD. The TDC requires townhouses to comply with multi-family design standards, which are more restrictive than the standards for SFDs.

Parking Standards

The City’s current off-street parking requirements will need to be revised for middle housing, as they exceed the ratios permitted by the draft OARs for some middle housing types. Generally, the City can only require one parking space per unit—the exception being triplexes and quadplexes—for which parking requirements are further restricted on smaller lots. Some parking design and landscaping standards may also need to be revised for middle housing.

Other Barriers

The TDC applies more restrictive standards for multi-family developments under condominium ownership. These standards for ownership should be removed from the TDC as they do not comply with the draft rules. The City may also want to consider revisiting lot size, lot coverage, height, and other development requirements in the RML, RMH, RH, and RH-HR zoning districts as they may be barriers to the development of middle housing. As conceptual designs for middle housing types are developed in later stages of this process, these prototypes of middle housing should be reviewed under the existing development standards in higher density residential zones to ensure that middle housing development can meet the applicable development standards.

4. COMPREHENSIVE PLAN REVIEW FINDINGS

Tualatin's Comprehensive Plan and housing policies already support a variety of housing options and the City is currently in the process of revising the Housing Element. However, some amendments to the Comprehensive Plan may be appropriate. Policies that reference specific types of housing should be expanded to include middle housing to create enabling provisions for needed code amendments. The descriptions of the residential district planning objectives will need to be updated to state that the areas are also suited for middle housing, that all middle housing types are permitted in certain residential zones, and update the average housing densities included in the Plan. Appendix B includes the full list of goals and policies in Tualatin's Comprehensive Plan that may need to be revised for consistency with the requirements of HB 2001.

5. HOUSING NEEDS ANALYSIS REVIEW FINDINGS

An adequate housing supply is essential for the economic and social health of a community. To advance housing opportunities in Tualatin, the City has developed a Housing Needs Analysis (HNA). The HNA has not been adopted yet, but is intended to guide the City in planning for future housing to meet the community's needs in the next twenty years. Key findings from the HNA include:

- Tualatin's growth will result in the demand for 1,014 new dwelling units over the 20-year planning period.
- Tualatin will need to plan for more single-family attached and multifamily dwelling units to meet City housing needs.
- Tualatin has a small deficit of land for higher density single-family and multi-family housing.
- Tualatin will need to meet the requirements of House Bill 2001.

The HNA also included recommendations to the City that would help address the above findings. These recommendations included but were not limited to ensuring an adequate supply of land is available and serviceable, supporting affordable housing, supporting a wider variety of housing types, funding tools to support residential development, and identifying redevelopment opportunities. The HNA included specific recommendations and strategies that would address the City's compliance with HB 2001 which are summarized below:

- Evaluate opportunities to increase development densities within Tualatin's existing zones by modifying the TDC.
 - Tualatin should evaluate increasing densities in the RH and RH-HR zones.
 - Tualatin should conduct an audit of the TDC to identify barriers to residential development.

- Tualatin should evaluate off-street parking requirements for multi-family housing.
- Adopt a PUD ordinance to allow flexibility in both development standards and housing types.
- Allow and encourage development of duplexes, cottage housing, townhomes, row houses, triplexes, and quadplexes in lower-density residential zones.
 - All the above listed middle housing types in the RL zone and revise the TDC to include development standards for these housing types.
 - Allow cottage cluster housings in the RML and RMH zones at appropriate densities.

Washington County is also in the process of developing a Regional Housing Needs Analysis (RHNA), with a first draft available in late December. The RHNA will involve three components: units needed to accommodate future population growth over 20 years, units that have not been produced but will be needed to accommodate current population, and units needed to house those who are currently experiencing homelessness. The RHNA will provide additional findings and guidance on housing strategies and numbers to the City.

6. NEXT STEPS

Following City review of the Draft Code Audit, the MIG consulting team will develop illustrative middle housing code concepts. The code concepts will illustrate basic form and character for middle housing types as recommended from code audit findings. The code concepts will then inform recommended amendments to the City of Tualatin Development Code in spring of 2021 for eventual compliance with HB 2001.

City of Tualatin Middle Housing Code Update: Code Audit Report

APPENDIX A: TUALATIN DEVELOPMENT CODE MATRIX (DRAFT)

The following matrix provides a list of HB 2001 requirements and elements of the Tualatin Development Code that relate to the state requirements. The matrix identifies specific issues and potential recommendations to comply with HB 2001 requirements, as well as issue ranking to help prioritize any future amendments or changes. The matrix relies on a current draft of the HB 2001 requirements (8/4/20) and is subject to any refinements of the final version.

Priority Key

 = no conflict  = potential conflict/lower priority  = conflict/higher priority

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
Chapter 31	General Provisions				
31.060	Definitions				
	Definitions	<ul style="list-style-type: none"> Definitions of housing types are in ORS 197.016 and ORS 197.758 	<ul style="list-style-type: none"> "Multi-Family Structure" definition incomplete for middle housing types. Characterized as a structure containing three or more dwelling units on one lot. Townhouses, duplexes, single-family dwellings, triplexes, and townhouses/rowhouses given own definitions Garden apartment defined as multi-family housing with open landscaped areas 	<ul style="list-style-type: none"> Definitions of types of housing should be consistent with ORS 197.016 and ORS 197.758. Ensure that related terms to middle housing are also included in the City's Code definitions. 	
Chapter 33	Applications and Approval Criteria				

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
33.020	Architectural Review	<ul style="list-style-type: none"> The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. Siting and design standards for middle housing must be clear and objective. Large cities may adopt an alternative approval process if approval criteria is not clear and objective 	<ul style="list-style-type: none"> Single family dwellings are subject to the Architectural Review process Type I. Approval criteria: <ul style="list-style-type: none"> SFH that are in compliance with the Clear and Objective must meet those standards (73A.110). SFH that are not compliant with the Clear and Objective standards, must meet the standards in 73A.140. Exceptions are provided for single family dwelling if proposed modifications are less than 35% of the existing footprint; no new story; less than 35% of the existing front or rear wall plane; side wall plan that abuts the side yard of an adjacent dwelling. Multi-family developments are subject to a Type III Architectural Review process. 	<ul style="list-style-type: none"> The architectural review process cannot be more restrictive than for detached single family dwelling units and there should only be clear and objective standards and procedures for regulating middle housing developments. Refer to Chapter 73A-Site Design Standards below for assessment of SFH Architectural Review approval criteria 	
33.040	Conditional Use Permit	<ul style="list-style-type: none"> The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. Large cities may adopt an alternative approval process if approval criteria is not clear and objective 	<ul style="list-style-type: none"> SFH listed as conditional uses in the base zone are subject to Conditional Use Permit Type III review. 	<ul style="list-style-type: none"> The approval criteria are required to be clear and objective for middle housing development applications. Large cities may develop an alternative approval process, if the approval criteria are not clear and objective. 	
33.060	Reinstatement of Nonconforming Use or Development	<ul style="list-style-type: none"> The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. 	<ul style="list-style-type: none"> This process allows for nonconforming uses or development to be reinstated in accordance with the development code. 	<ul style="list-style-type: none"> Non-conforming residential uses should be allowed the same provisions. 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Large cities may adopt an alternative approval process if approval criteria is not clear and objective 			
33.120	Variances and Minor Variances	<ul style="list-style-type: none"> The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. Large cities may adopt an alternative approval process if approval criteria is not clear and objective 	<ul style="list-style-type: none"> Variances are allowed for any of the residential zones and the applicable design and siting development standards. Minor variances are permitted for up to 10% variation from the required lot area and up to 20% of the required width, building coverage, setbacks, projections into required yards and height for permitted uses in RL Zones, except for Small Lot Subdivisions. Small Lot Subdivisions in RL and RML zones are allowed to request minor variances within the above parameters as well. 	<ul style="list-style-type: none"> The same allowances must apply to all middle housing types 	
Chapter 34	Special Regulations				
34.600	Accessory Dwelling Units Standards				
	Zones Permitted	<ul style="list-style-type: none"> Must be permitted in all residential zones that allow single-family dwellings. 	<ul style="list-style-type: none"> RL and RML zones 	No conflict	
	Number Permitted	<ul style="list-style-type: none"> Allow at least ADU for every lot that allows detached single-family dwellings 	<ul style="list-style-type: none"> No more than 1 ADU per lot 	No conflict	
	Size	<ul style="list-style-type: none"> Maximum size requirements allowed 	<ul style="list-style-type: none"> Cannot exceed 800 sf of gross floor area 	No conflict	
	Siting	<ul style="list-style-type: none"> Recommended that cities apply the same or less restrictive development standards to ADUs as those for other accessory buildings 	<ul style="list-style-type: none"> Cannot be located in front of the primary structure 	A City can regulate ADUs through reasonable local regulations related to siting and design. While the state does not specifically prohibit this standard, the City may	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
				want to further consider if this is a 'reasonable' standard in its RL and RML zones.	
	Design	<ul style="list-style-type: none"> Local jurisdictions may create reasonable local regulations related to siting and design 	<ul style="list-style-type: none"> Must include at least 2 residential roof design elements and four residential wall design elements 	No conflict	
	Conversions	<ul style="list-style-type: none"> Local jurisdictions may create reasonable local regulations related to siting and design 	<ul style="list-style-type: none"> No garage or former garage may be converted into an ADU 	Could be a barrier to construction of ADUs? While not specifically prohibited by the state, this criterion may need to be removed if it is not a reasonable standard related to siting and design.	
	Parking	<ul style="list-style-type: none"> Off-street parking requirements for ADUs are prohibited 	<ul style="list-style-type: none"> One paved onsite space; cannot be within 5 ft of a side or rear property line 	Remove off-street parking requirements for ADUs	
	Utilities	<ul style="list-style-type: none"> Cannot require separate utility connections for an ADU 	<ul style="list-style-type: none"> Must be served by the same water, electric, and natural gas as the primary residence 	No conflict	
	Entry	<ul style="list-style-type: none"> Local jurisdictions may create reasonable local regulations related to siting and design 	<ul style="list-style-type: none"> Door cannot be located on the same street frontage as the detached single-family residence's front door unless the door for the ADU already exists Attached ADU must be connected to the single-family residence by an internal doorway 	No conflict	
Chapter 35	Non-Conforming Situations				
35.020	Nonconforming Use	<ul style="list-style-type: none"> State regulations do not outright establish guidance on nonconforming residential uses. However, middle housing can be developed through the conversions of existing detached single-family dwelling units, which may be a non-conforming use on the existing zoning district. 	<ul style="list-style-type: none"> Any alteration or enlargement of nonconforming uses are prohibited but may continue. 	<ul style="list-style-type: none"> Provisions and clear and objective standards for the conversion of nonconforming detached single family dwelling units into middle housing types must be provided. Include or reference minimum unit 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
				requirements for townhouses and cottage clusters under the state rules.	
35.030	Nonconforming Development	<ul style="list-style-type: none"> State regulations do not outright establish guidance on nonconforming residential uses. However, middle housing can be developed through the conversions of existing detached single-family dwelling units, which may be a non-conforming use on the existing zoning district. 	<ul style="list-style-type: none"> Any alteration or enlargement of nonconforming development are prohibited but may continue. 	<ul style="list-style-type: none"> Provisions and clear and objective standards for the conversion of nonconforming detached single family dwelling units into middle housing types must be provided. Include or reference minimum unit requirements for townhouses and cottage clusters under the state rules. 	
Chapter 36	Subdividing, Partitions, and Property Line Adjustments				
36.020	Expedited Land Division	<ul style="list-style-type: none"> State requirements define townhouses as a row of two or more attached units, where each unit is located on an individual lot or parcel. The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. 	<ul style="list-style-type: none"> Per ORS 197.360(1), expedited land divisions are allowed instead of the standard review procedures. 	No conflict	
36.030	Variances and Minor Variances	<ul style="list-style-type: none"> State requirements define townhouses as a row of two or more attached units, where each unit is located on an individual lot or parcel. The same approval process must be applied to middle housing development applications as are required of 	<ul style="list-style-type: none"> Requests for a variance and minor variances for the subdivision, partition and property line adjustment must be processed as part of the applicable decision. Refer to Section 33.120 of this table for more information. 	<ul style="list-style-type: none"> The same allowances must apply to all middle housing types Consistency of this section with the state requirements is dependent on the consistency of Section 33.120 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<p>detached single-family dwellings in the same zone.</p> <ul style="list-style-type: none"> Large cities may adopt an alternative approval process if approval criteria is not clear and objective 			
36.410	Small Lot Subdivisions for RL and RML Zones	<ul style="list-style-type: none"> The same approval process must be applied to middle housing development applications as are required of detached single-family dwellings in the same zone. Large cities may adopt an alternative approval process if approval criteria is not clear and objective Lot size requirements for duplexes, cottage clusters, triplexes, or quadplexes cannot be more than what is required for single-family detached uses permitted outright in the same zone. Lot size requirements for townhomes may not be more than 1,5000 sf (OAR 660-046-0220.3) A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet. 	<ul style="list-style-type: none"> Proposed lots in the RL and RML zone that are less than 6,500 square feet require a conditional use permit. Small Lot Standards in the RL zone are as follows: <ul style="list-style-type: none"> No less than 5,000 and no more than 6,499 sf Max building coverage for lots 5,000-6,499 sf is 45%. Lots greater than 6,499 sf is 35% Min lot width: 30 ft Min lots for entire subdivision: 10 Small lots must be apart of subdivisions that have at least 7,000 sf that are necessitated by physical land constraints and cannot exceed 35% of the total number of lots in the subdivision. In cases where the small lot abuts an existing lot or is across from a lot on a local street of a city-approved or recorded subdivision or partition, smalls lots cannot be more than 500 sf smaller than the size of the abutting lot or lot across the local street. Small Lot Standards in the RML zone are as follows: 	<ul style="list-style-type: none"> Update section to reflect state lot size and dimension requirements for middle housing under OAR 660-046-0220. 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
			<ul style="list-style-type: none"> o No less than 4,500 sf o Max building coverage cannot be more than 45% o Min lot width: 30 ft o Front yard setback: minimum of 20 ft to garage and 12 ft to the house o Side yard setback: minimum of 5 ft o Corner lots: 20 ft min. to garage; 12 ft min to house where a driveway provides access to a street and 12 ft min where no driveway access exists o Rear yard setback: 15 ft min 		
36.420	Increased Density for Greenway and Natural Area Dedications in the RL zone	<ul style="list-style-type: none"> • Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) • Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220). • At least two attached townhouses are required and large cities must allow up to four attached townhouse units • Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> • Within the RL zone, small single-family lots that are smaller than 6,500 sf are permitted if land is dedicated for a Greenway or Natural Area in accordance with the set standards. 	<ul style="list-style-type: none"> • Siting and lot size minimums cannot be more restrictive than what is allowed for detached single family dwelling units. • Incorporate minimum requirements for townhouses and cottage clusters 	
Chapter 39	Use Categories				
	Household Living	<ul style="list-style-type: none"> • Definitions of housing types are in ORS 197.016 and ORS 197.758 	<ul style="list-style-type: none"> • Housing types listed as single-family dwelling, ADU, manufactured dwelling, 	Housing types should match residential living definitions in	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
			manufactured dwelling park, duplex, townhouse, multi-family structure, retirement housing facility, and residential home	ORS 197.016 and ORS 197.758	
Chapter 40	Low Density Residential Zone (RL)				
40.220	Housing Types				
	Permitted Housing Types	<ul style="list-style-type: none"> A Large City must allow for the development of Duplexes, Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. (OAR 660-046-0205) 	<ul style="list-style-type: none"> Duplex, townhouses, and multi-family structures are conditional uses. ADUs and SFH are permitted outright. 	<ul style="list-style-type: none"> Duplexes should follow the same approval process as single family uses (permitted outright). Separate out “multi family structures” into individual definitions. Outright permit triplexes, quadplexes, and cottage clusters. 	
40.300	Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220). At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> No maximum density for conditional uses. Single family homes require 6.4 units per acre 	<ul style="list-style-type: none"> Include minimum requirements for townhouses and cottage clusters 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
	Lot Size	<ul style="list-style-type: none"> Lot size requirements for duplexes, cottage clusters, triplexes, or quadplexes cannot be more than what is required for single-family detached uses. Lot size requirements for townhomes may not be more than 1,5000 sf (OAR 660-046-0220.3) A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet. 	<ul style="list-style-type: none"> Lot size for single family dwellings is 6,500 sf and for conditional uses 6,000 sf 	<ul style="list-style-type: none"> Revise lot size requirements for townhouses to match state requirements No direct conflict for other middle housing types 	
	Lot Width	<ul style="list-style-type: none"> Requirements for duplexes, cottage clusters, triplexes, or quadplexes cannot be more than what is required for single-family detached uses. 	<ul style="list-style-type: none"> 50 ft for single-family and conditional uses 	No conflict	
	Setbacks	<ul style="list-style-type: none"> Setbacks may not be greater than those applicable to detached single-family uses in the same zone. Large cities must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached. 	<ul style="list-style-type: none"> No minimum setbacks for conditional uses, setbacks determined through Architectural Review. No required front yard setback can be greater than 50 feet. 	<ul style="list-style-type: none"> Revise setback standards for middle housing to be the same or less as setbacks for single-family detached uses. Revise side setbacks for Townhouses Further consider if prototype middle housing can meet these setbacks with lot size requirements 	
	Lot Coverage	<ul style="list-style-type: none"> Lot coverage standards for duplexes cannot be more than what is required for single-family detached uses. 	<ul style="list-style-type: none"> Maximum lot coverage 45% for single family dwellings and 40% for conditional uses 	<ul style="list-style-type: none"> Revise lot coverage for middle housing types to be the same as for single-family detached uses. 	
	Height	<ul style="list-style-type: none"> Height limit may not be lower than what is required for single-family detached uses. 	<ul style="list-style-type: none"> Maximum structure height is 35 ft for all uses. May be increased to 50 ft if all setbacks are not less than 1 ½ times the height of the building 	No conflict	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
Chapter 41	Medium Low Density Residential Zone (RML)				
41.220	Housing Types				
	Permitted Housing Types	<ul style="list-style-type: none"> Definitions of housing types in ORS 197.016 and ORS 197.758 If permitted in the zone, siting and design standards for Middle Housing Types must meet State requirements in 660-046-0220. 	<ul style="list-style-type: none"> ADUs, Duplexes, Townhouses, Rowhouses, Multi-Family Structures, and Manufactured Dwelling Parks permitted outright. SFH are conditional uses. 	<ul style="list-style-type: none"> Separate out definitions for housing types instead of grouping them under multi-family structures 	
41.300	Development Standards				
	Density	<ul style="list-style-type: none"> If permitted, density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) If permitted, cottage clusters must meet a minimum density of at least 4 units per acre If permitted at least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard if cottage clusters are permitted 	<ul style="list-style-type: none"> 10 units per acre maximum for residential uses. 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Revise townhouse density standards to match state requirements Add in minimum unit requirements for townhouses and cottage clusters 	
	Lot Size	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the 	<ul style="list-style-type: none"> 1,400 sf for townhouses 	<ul style="list-style-type: none"> Remove additional requirements for multi- 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		development of Middle Housing (OAR 660-046-0210) <ul style="list-style-type: none"> Lot size requirements for townhomes may not be more than 1,5000 sf (OAR 660-046-0220.3) A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet. 	<ul style="list-style-type: none"> 10,000 sf for duplexes and multi-family structures on less than 1 acre and 4,356 sf if on more than 1 acre 20,000 sf for multi-family structures under condominium ownership 10,000 sf for all other permitted uses 	family developments under condominium ownership <ul style="list-style-type: none"> Consider reducing lot size requirements for middle housing 	
	Lot Width	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 14 ft for townhouses 75 ft for multi-family structures 100 ft for multi-family structures under condominium ownership 75 ft all other permitted uses 	<ul style="list-style-type: none"> Remove additional requirements for multi-family developments under condominium ownership 	
	Setbacks	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Large cities must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached. 	<ul style="list-style-type: none"> Tiered setbacks depending on height 20 ft minimum setback for garages Conditional use setbacks determined through Architectural Review process; maximum of 50 ft 	<ul style="list-style-type: none"> Revise townhouse requirements Further consider if prototype middle housing can meet these setbacks with lot size requirements 	
	Building Separation	<ul style="list-style-type: none"> May not be greater than those applicable to detached single-family uses in the same zone 	<ul style="list-style-type: none"> 10 ft minimum for all uses Townhouse separation determined through Architectural Review process 	<ul style="list-style-type: none"> Revise townhouse separation requirement to match separation for other uses 	
	Height	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 35 ft all uses May be increased to 50 ft if setbacks not less than 1 ½ times the height of the building 	No conflict	
	Lot Coverage	<ul style="list-style-type: none"> A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 90% for townhouse or rowhouse 40% all other permitted uses 45% conditional uses 	<ul style="list-style-type: none"> Explore increasing lot coverage allowances for middle housing since low lot coverage restrictions present a barrier to their construction 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
Chapter 42	Medium High Density Residential Zone (RMH)				
42.220	Housing Types				
	Permitted Housing Types	<ul style="list-style-type: none"> Definitions of housing types in ORS 197.016 and ORS 197.758 If permitted in the zone, siting and design standards for Middle Housing Types must meet State requirements in 660-046-0220. 	<ul style="list-style-type: none"> Duplex, townhouse, rowhouse, and multi-family structures permitted Single-family dwellings, ADUs, manufactured dwellings, and manufactured dwelling parks not permitted 	<ul style="list-style-type: none"> Separate out multi-family structure into separate housing types and definitions 	
42.300	Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters require a minimum density of at least 4 units/acre; must allow minimum of five units and up to eight At least two attached townhouses are required and large cities must allow up to four attached townhouse units 	<ul style="list-style-type: none"> 15 units per acre maximum for all residential uses 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Revise townhouse density standards to match state requirements Add minimum density requirements for cottage clusters Add minimum unit requirements for cottage clusters and townhouses 	
	Lot Size	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Lot sizes for townhouses may not be greater than 1,500 sf 	<ul style="list-style-type: none"> 1,400 sf for townhouse or rowhouse 10,000 sf for multi-family structure and duplex on less than 1 acre 2,904 sf per unit for multi-family structure and duplex on more than one acre 	<ul style="list-style-type: none"> Remove additional requirements for multi-family developments under condominium ownership 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
			<ul style="list-style-type: none"> 20,000 sf for multi-family structures under condominium ownership 10,000 sf for all other permitted uses 	<ul style="list-style-type: none"> Separate out middle housing types from “multi-family structures” Further explore how middle housing prototypes fit onto these lot sizes 	
	Lot Width	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 14 ft townhouse or rowhouse 75 ft multi-family structure 75 ft multi-family structure under condominium ownership 75 ft all other permitted uses 	No conflict, but remove extra requirements for condominium ownership	
	Setbacks	<ul style="list-style-type: none"> Clear and objective standards for middle housing Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> Tiered setbacks depending on height 0-20 ft front yard for townhouse/rowhouse Conditional use setbacks determined through Architectural Review process; maximum of 50 ft 20 ft setback from garage 	<ul style="list-style-type: none"> Further consider if prototype middle housing can meet these setbacks with lot size requirements Remove discretionary front yard setbacks for townhouse/rowhouse 	
	Building Separation	<ul style="list-style-type: none"> Clear and objective standards for middle housing Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 10 ft minimum for all uses For townhouses/rowhouses it is determined through Architectural Review process 	<ul style="list-style-type: none"> Remove discretionary process for townhouses/rowhouses 	
	Height	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 35 ft for all uses May be increased to 50 ft if setbacks are not less than 1 ½ times the height of the building 	No conflict	
	Lot Coverage	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 90% for townhouse/rowhouse 40% all other permitted uses 45% conditional uses 	<ul style="list-style-type: none"> Explore increasing lot coverage allowances for middle housing since low lot coverage restrictions present a barrier to their construction 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
Chapter 43	High Density Residential Zone (RH)				
43.220	Housing Types				
	Housing Types	<ul style="list-style-type: none"> If permitted in the zone, siting and design standards for Middle Housing Types must meet State requirements in 660-046-0220. 	<ul style="list-style-type: none"> Duplex, townhouse, rowhouse, and multi-family structures permitted Single-family dwelling, ADUs, manufactured dwelling, manufactured dwelling park not permitted 	No conflict	
43.300	Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> 25 units per acre maximum for residential uses 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Relatively low density maximum that could be a barrier to housing development; HNA recommends increasing to 60 Create minimum density requirements for cottage clusters Add minimum unit requirements for cottage clusters and townhouses 	
	Lot Size	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Lot sizes for townhouses may not be greater than 1,500 sf 	<ul style="list-style-type: none"> 1,400 sf townhouse/rowhouse 10,000 sf for multi-family structures on less than 1 acre 1,742 sf per unit for multi-family structures on more than 1 acre 20,000 sf for multi-family structures under condominium ownership 	<ul style="list-style-type: none"> Remove increased condominium ownership lot size requirements Revise lot size requirements for Townhouses 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
			<ul style="list-style-type: none"> 10,000 sf all other permitted uses 		
	Lot Width	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 14 ft for townhouse/rowhouse 75 ft for multi-family structures 75 ft for multi-family structures under condominium ownership 75 ft for all other permitted uses 100 ft for conditional uses 	<ul style="list-style-type: none"> Remove separate requirements for multi-family structures under condominium ownership 	
	Setbacks	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> Tiered setbacks depending on height Conditional use setbacks determined through Architectural Review process 	<ul style="list-style-type: none"> Further consider if prototype middle housing can meet these setbacks with lot size requirements 	
	Height	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 35 ft for all uses 	No conflict	
	Lot Coverage	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 90% max. for townhouse or rowhouse 45% max. for all other permitted or conditional uses 	<ul style="list-style-type: none"> Explore increasing lot coverage allowances for middle housing since low lot coverage restrictions present a barrier to their construction 	
Chapter 44	High Density High Rise Zone (RH-HR)				
44.220	Housing Types				
		<ul style="list-style-type: none"> Definitions of housing types in ORS 197.016 and ORS 197.758 	<ul style="list-style-type: none"> Duplex, townhouse, rowhouse, and multi-family structures permitted Single-family and accessory dwelling units not permitted 	<ul style="list-style-type: none"> Separate out multi-family housing into separate types and definitions 	
44.300	Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) 	<ul style="list-style-type: none"> 30 units per acre for allowed residential uses 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 		<ul style="list-style-type: none"> Relatively low maximum density, HNA recommends increasing to 60 Create minimum density requirements for cottage clusters Add minimum unit requirements for cottage clusters and townhouses 	
	Lot Size	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Lot sizes for townhouses may not be greater than 1,500 sf 	<ul style="list-style-type: none"> 10,000 sf for multi-family structures on less than 1 acre 1,452 sf per unit for multi-family structures on more than 1 acre 20,000 sf for structures under condominium ownership 10,000 sf all other permitted uses 20,000 sf for conditional uses 	<ul style="list-style-type: none"> Remove condominium ownership requirements Revise lot size requirements for Townhouses Consider smaller lot size requirements for middle housing (less than 10,000 sf) 	
	Lot Width	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 14 ft for townhouses/rowhouses 75 ft for multi-family structures 75 ft for all other permitted uses 100 ft for conditional uses 	No conflict	
	Setbacks	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> Tiered setbacks depending on height Conditional use setbacks determined through Architectural Review process 	<ul style="list-style-type: none"> Further consider if prototype middle housing can meet these setbacks with lot size requirements 	
	Height	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 4 stories for multi-family and condominium developments 64 ft maximum height 	No conflict	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
	Lot Coverage	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 45% maximum for all uses 	<ul style="list-style-type: none"> Rather restrictive for a zone that is intended to be for high density residential uses, consider increasing lot coverage maximum and remove a potential barrier to the construction of middle housing 	
Chapter 57	Mixed Use Commercial				
57.220	Housing Types				
		<ul style="list-style-type: none"> Definitions of housing types in ORS 197.016 and ORS 197.758 	<ul style="list-style-type: none"> Duplexes, townhouse/rowhouses, multi-family structures permitted Single Family Dwellings, ADUs, manufactured dwellings not permitted 	<ul style="list-style-type: none"> Separate out multi-family housing into separate types and definitions 	
57.300	Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> 25-50 units per acre for residential development 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Create minimum density requirements for cottage clusters Add in minimum unit requirements for cottage clusters and townhouses Consider increasing maximum density for other types of housing development 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
	Lot Size	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Lot sizes for townhouses may not be greater than 1,500 sf 	<ul style="list-style-type: none"> None 	No conflict	
	Setbacks	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) Large cities must allow zero-foot side setbacks for lot or parcel lines where townhouse units are attached 	<ul style="list-style-type: none"> No front or corner setbacks 0-20 ft interior side and rear setbacks, 20 ft where abutting residential zone 	<ul style="list-style-type: none"> Create clear and objective setback standards for middle housing development Revise setbacks for townhouses consistent with state requirements 	
	Height	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 20 ft minimum for all uses 70 ft maximum for all uses 	No conflict	
	FAR	<ul style="list-style-type: none"> FAR is not required for development of Middle Housing, although if required cannot be more than what is required for single family dwellings 	<ul style="list-style-type: none"> 0.5 FAR for all uses; does not apply to residential-only projects 	No conflict	
	Lot Coverage	<ul style="list-style-type: none"> Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 90% maximum for all uses 	No conflict	
Chapter 58	Central Tualatin Overlay District				
	Housing Types	<ul style="list-style-type: none"> A Large City must allow for the development of Duplexes, Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached 	<ul style="list-style-type: none"> Duplex, townhouses, and multi-family structures permitted in this overlay even if not permitted in base zone 	<ul style="list-style-type: none"> Separate out definitions of multi-family structures 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		single-family dwellings as an outright permitted use. (OAR 660-046-0205) <ul style="list-style-type: none"> If permitted in the zone, siting and design standards for Middle Housing Types must meet State requirements in 660-046-0220. 			
58.200	Central Commercial Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> 16-25 units per acre within residential sub-district 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Revise density requirements for townhouses and cottage clusters to match state requirements Add minimum unit requirements for townhouses and cottage clusters 	
	Lot Size	<ul style="list-style-type: none"> Lot size requirements for middle housing cannot be any more than what is required for single family dwellings Lot sizes for townhouses may not be greater than 1,500 sf Standards may not individually or cumulatively discourage the 	<ul style="list-style-type: none"> 5,000 sf in core area parking district 25,000 sf outside core area parking district 	<ul style="list-style-type: none"> Revise lot size requirements for townhouses Consider reducing for other middle housing types 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		development of Middle Housing (OAR 660-046-0210)			
	Lot Width	<ul style="list-style-type: none"> Lot dimension requirements for middle housing cannot be any more than what is required for single family dwellings Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 40 ft minimum 35 ft minimum on a cul-de-sac 	No conflict	
58.200	Residential High Density (RH) Development Standards				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> 16-25 units per acre 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Revise density requirements for townhouses and cottage clusters to match state requirements Add minimum unit requirements for townhouses and cottage clusters 	
	Minimum Lot Size (Block 25)	<ul style="list-style-type: none"> Lot size requirements for middle housing cannot be any more than what is required for single family dwellings Standards may not individually or cumulatively discourage the 	<ul style="list-style-type: none"> 40,000 sf 	No conflict	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		development of Middle Housing (OAR 660-046-0210)			
	Height	<ul style="list-style-type: none"> Height requirements for middle housing cannot be any more than what is required for single family dwellings Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 45 ft maximum for all uses 	No conflict	
58.200	Residential High Density High Rise (RH/HR)				
	Density	<ul style="list-style-type: none"> Density maximums may not be applied to duplexes, cottage clusters, triplexes, or quadplexes (OAR 660-046-0220) Townhouses must be allowed four times the maximum density allowed for single family dwellings in the same zone or 25 units per acre, whichever is less (OAR 660-046-0220) Cottage clusters must meet a minimum density of at least 4 units per acre At least two attached townhouses are required and large cities must allow up to four attached townhouse units Large cities must allow at least five units in a cottage cluster and up to eight cottages around a common courtyard 	<ul style="list-style-type: none"> 26-30 units per acre 	<ul style="list-style-type: none"> Remove maximum density requirements for duplexes, cottage clusters triplexes, and quadplexes Revise density requirements for townhouses and cottage clusters to match state requirements Add minimum unit requirements for townhouses and cottage clusters 	
	Lot Size (Blocks 31 and 33)	<ul style="list-style-type: none"> Lot size requirements for middle housing cannot be any more than what is required for single family dwellings Lot sizes for townhouses may not be greater than 1,500 sf Standards may not individually or cumulatively discourage the 	<ul style="list-style-type: none"> 40,000 sf 	<ul style="list-style-type: none"> Revise lot size requirements for townhouses No conflict but consider reducing for other middle housing types 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		development of Middle Housing (OAR 660-046-0210)			
	Lot Size (Block 26)	<ul style="list-style-type: none"> Lot size requirements for middle housing cannot be any more than what is required for single family dwellings Lot sizes for townhouses may not be greater than 1,500 sf Standards may not individually or cumulatively discourage the development of Middle Housing (OAR 660-046-0210) 	<ul style="list-style-type: none"> 25,000 sf 	<ul style="list-style-type: none"> Revise lot size requirements for townhouses No conflict for other middle housing types but consider reducing 	
Chapter 73A	Site Design Standards				
73A.200	Common Wall Design Standards				
	Applicability	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Applies to all duplex, townhouse, and multi-family developments in all zones Does not apply to development in the Central Design District or Mixed Use Commercial Zone 	<ul style="list-style-type: none"> Revise to include duplexes under single family design standards Revise standards for other middle housing types for consistency with standards included in Draft Model Code for Large Cities 	
	Private Outdoor Areas	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone 	<ul style="list-style-type: none"> A separate outdoor area of at least 80 sf must be attached to each ground level unit 	<ul style="list-style-type: none"> Revise outdoor area requirements for middle housing types to be the same or less than the Model Code design requirements 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 			
	Balconies	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> A minimum 48 sf balcony area must be attached to each unit above ground level This does not apply to duplexes and townhouses 	<ul style="list-style-type: none"> Revise balcony requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Entry Areas	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Private main entry must be provided as an extension of each unit Area must be separated from parking areas, minimum of 24 sf in size, and may be combined to serve more than one unit as determined by staff Does not apply to duplexes and townhouses 	<ul style="list-style-type: none"> Revise entry requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Shared Outdoor Areas	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective 	<ul style="list-style-type: none"> Minimum of 300 sf per unit or 400 sf per unit for 55+ communities 	<ul style="list-style-type: none"> Likely needs to be removed based on current draft model code OR 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Must be accessible, visible from at least two adjacent units, separated from all entryway and parking areas, controlled off-site access, provide sunny and shady areas Does not apply to developments of less than 12 units or duplexes and townhouses 	revise outdoor area requirements for middle housing types to be the same or less than the Model Code design requirements	
	Children's Play Areas	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Minimum of 150 sf per unit Must provide year-round recreation area, be accessible, visible from at least two adjacent units, separated from all entryway and parking areas, controlled off-site access, sunny and shady areas Requires surface of lawn, decks, wood chips, sand/hard surfacing materials Does not apply to duplexes and townhouses, 55+ communities, or developments of less than 12 units 	<ul style="list-style-type: none"> Likely needs to be removed based on current draft model code OR revise children's play area requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Storage	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to 	<ul style="list-style-type: none"> Enclosed storage areas are required and must be attached to the exterior of each dwelling unit (garages do not count) Minimum height of 6 ft Minimum floor area of 24 sf for one bdr, 36 sf for two bdr, 48 sf for greater than 2 bdr 	<ul style="list-style-type: none"> Revise storage requirements for middle housing types to be the same or less than the Model Code design requirements, this most likely would result in their removal 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		detached single-family structures in the same zone			
	Walkways	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> 3 ft minimum for duplexes and townhouses All other multi-family developments require minimum of 6 ft Surfaced with asphalt, concrete, or pervious surface and must meet ADA standards 	<ul style="list-style-type: none"> Revise walkway requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Accessways	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> 8 ft minimum, meet Public Works Code, made of asphalt, concrete, or a pervious surface, meet ADA standards, connect to walkway and bikeway circulation system, maintained by property owners 	<ul style="list-style-type: none"> Revise accessway requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Carports and Garages	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code 	<ul style="list-style-type: none"> 1 garage space for each duplex and townhouse All garages must be compatible with the development they serve (materials, color, etc.) 	<ul style="list-style-type: none"> Revise carport and garage requirements for middle housing types to be the same or less than the Model Code design requirements 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone			
	Safety and Security	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Private outdoor areas must be separated from shared outdoor areas Windows must be located to watch over entry areas, shared outdoor areas, parking and walkway areas Outdoor lighting system must be provided that facilitates police and resident observation Identification system must orient visitors and emergency services to the locations of units None of these standards apply to duplexes and townhouses 	<ul style="list-style-type: none"> Revise safety and security requirements for middle housing types to be the same or less than the Model Code design requirements 	
	Service, Delivery, and Screening	<ul style="list-style-type: none"> Standards for siting and design must be clear and objective Design standards for duplexes cannot be more restrictive than those applicable to detached single-family dwellings in the same zone Large cities may only implement the design standards in the Model Code for Large Cities, standards that are less restrictive than the Model Code, or the same standards applied to detached single-family structures in the same zone 	<ul style="list-style-type: none"> Postal delivery must be located and efficiently designs for residents and delivery personnel Safe pedestrian access from units to postal delivery areas Above grade and on-grade equipment such as transformers, heat pumps, or air conditions must be screen with sight obscuring fences, walls, or landscaping 	<ul style="list-style-type: none"> Revise requirements for middle housing types to be the same or less than the Model Code design requirements 	
Chapter 73B	Landscaping Standards				
73B.020	Landscape Area Standards Minimum Areas				

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
	by Use and Zone				
	Permitted uses in RL, RML, RMH, RH, and RH/HR Zones	<ul style="list-style-type: none"> Cannot require minimum landscape area for middle housing types that aren't required for single family detached uses in the same zone Standards for siting and design must be clear and objective and should not present a barrier to the construction of middle housing either cumulatively or individually 	<ul style="list-style-type: none"> No minimum area requirements 	No conflict, although middle housing is required to be an outright permitted use in the RL zone since it permits single family dwellings outright.	
	Conditional Uses in RL, RML, RMH, RH and RH/HR zones except small lot subdivisions	<ul style="list-style-type: none"> Cannot require minimum landscape area for middle housing types that aren't required for single family detached uses in the same zone Standards for siting and design must be clear and objective and should not present a barrier to the construction of middle housing either cumulatively or individually 	<ul style="list-style-type: none"> 25% of the total area to be developed 20% of the total area to be developed shall be dedicated for a fish and wildlife habitat if within the Hedges Creek Wetland Protection District 	<ul style="list-style-type: none"> Remove additional landscaping requirements for middle housing developments 	
	All uses in CO, CR, CC, CG, MUC, ML, and MG zones within Core Parking District	<ul style="list-style-type: none"> Cannot require minimum landscape area for middle housing types that aren't required for single family detached uses Standards for siting and design must be clear and objective 	<ul style="list-style-type: none"> 10% of the total area to be developed 7.5% of the total area to be developed shall be dedicated for a fish and wildlife habitat if within the Hedges Creek Wetland Protection District 	No conflict	
73B/030	Additional Minimum Landscaping Requirements for Common Wall Residential Uses				

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Cannot require minimum landscape area for middle housing types that aren't required for single family detached uses in the same zone Standards for siting and design must be clear and objective 	<ul style="list-style-type: none"> All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped Duplex and townhouses may include hard surfaces in outdoor areas such as patios and storage areas as determined in the Architectural Review process 	<ul style="list-style-type: none"> Revise to say that middle housing developments are not subject to these requirements in the RL zone Revise landscaping standards based on the Draft Model Code for Large Cities 	
Chapter 73C	Parking Standards				
73C.100	Off-Street Parking Minimum/Maximum Requirements				
	Single-family, townhouses, duplexes	<ul style="list-style-type: none"> Duplexes cannot require more parking than 2 off street spaces (OAR 660-046-0120) Large cities may not require more than 1 off-street parking space per townhouse or per unit in a cottage cluster 	<ul style="list-style-type: none"> 2 spaces per unit 	<ul style="list-style-type: none"> Revise townhouse and cottage cluster requirements 	
	Multi-family dwellings in subdivisions	<ul style="list-style-type: none"> Triplexes may require 1 space for lots 3,000 sf or less; 2 spaces for lots between 3,000 sf and 5,000 sf; or 3 spaces for lots greater than 5,000 sf Quadplexes may require 1 space for lots 3,000 sf or less; 2 spaces for lots between 3,000 sf and 5,000 sf; 3 spaces for lots between 5,000 sf and 7,000 sf; or 4 spaces for lots greater than 7,000 sf 	<ul style="list-style-type: none"> 1.5 spaces per unit 	<ul style="list-style-type: none"> Revise to match state requirements for off-street parking spaces 	

Chapter Section	Title	State Requirements	Summary of Standards	Potential Recommendations	Priority
		<ul style="list-style-type: none"> Large cities may not require more than one off-street parking space per unit in a cottage cluster A large city may not apply additional minimum parking requirements to Middle Housing (OAR 660-046-0220) 			
	Multi-family dwellings in complexes with private internal driveways	<ul style="list-style-type: none"> Triplexes may require 1 space for lots 3,000 sf or less; 2 spaces for lots between 3,000 sf and 5,000 sf; or 3 spaces for lots greater than 5,000 sf Quadplexes may require 1 space for lots 3,000 sf or less; 2 spaces for lots between 3,000 sf and 5,000 sf; 3 spaces for lots between 5,000 sf and 7,000 sf; or 4 spaces for lots greater than 7,000 sf Large cities may not require more than one off-street parking space per unit in a cottage cluster A large city may not apply additional minimum parking requirements to Middle Housing (OAR 660-046-0220) 	<ul style="list-style-type: none"> 1 space/studio 1.25 space/1 bedroom 1.50 space/2 bedroom 1.75 space/ 3 bedroom in addition to garage 	<ul style="list-style-type: none"> Revise to match state requirements for off-street parking spaces 	
73C.210	Common Wall Parking Lot Landscaping Requirements				
		<ul style="list-style-type: none"> A Large city must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone 	<ul style="list-style-type: none"> Additional landscaping requirements related to setbacks, buffers, landscaped islands, etc. 	<ul style="list-style-type: none"> Remove additional parking lot landscaping requirements for middle housing in the RL zone Revise landscaping standards based on the Draft Model Code for Large Cities 	

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APPENDIX B: RELEVANT COMPREHENSIVE PLAN POLICIES (DRAFT)

The following matrix provides policies of the Tualatin Comprehensive Plan that relate to the HB 2001 state requirements. The matrix identifies policy issues and potential recommendations to comply with HB 2001 requirements. The matrix relies on a current draft of the HB 2001 requirements (8/4/20) and is subject to any refinements of the final version.

Chapter Section	Title	Policy	Potential Recommendations
Chapter 5	Residential Planning Growth		
5.010	Background		
		(4) Plan Density: <ul style="list-style-type: none">• RML–Residential Medium-Low Density: 6-10 dwelling units per acre• RMH–Residential Medium-High Density: 11-15 dwelling units per acre• RH–Residential High Density: 16-25 dwelling units per acre• RH/HR–Residential High Density/High Rise: 26-30 dwelling units per acre	<ul style="list-style-type: none">• Add language to clarify that middle housing developments are exempt from maximum density requirements or modify existing plan densities to reflect changes in the TDC.
		(5) The multi-family areas described on the Plan Map referred to in TDC Chapter 9 indicate that, wherever possible, multi-family areas were located close to the City's commercial core area where supporting commercial and transportation services are readily available. The multi-family areas are also located close to the City's arterial and collector street system and have good access to the City's park and open space system.	<ul style="list-style-type: none">• Potentially revise to "high density multi-family" instead of multi-family as compliance with HB 2001 for large cities requires duplexes, triplexes, quadplexes, cottage clusters, etc. where detached single-family dwellings are permitted.
5.030	General Objectives		

Chapter Section	Title	Policy	Potential Recommendations
		(4) Locate higher density development where it is convenient to the City's commercial core, near schools and transit corridors, adjacent to arterial and collector streets and, as much as possible, in areas with existing multi-family housing and provide residential opportunities in selected commercial areas through the Mixed Use Commercial District.	<ul style="list-style-type: none"> Potentially define "higher density development" so as not to discourage the location of middle housing development in certain residential zones.
		(7) Develop specific and enforceable design standards for multi-family developments, townhouses, manufactured homes, manufactured dwelling parks and small lot subdivisions.	<ul style="list-style-type: none"> Modify statement after implementing design standards for middle housing.
		(17) Protect wooded areas identified on the Natural Features Map found in the Technical Memorandum by requiring their preservation in a natural state, by integrating the major trees into the design of the parking lots, buildings, or landscaping areas of multi-family complexes and non-residential uses, or in low density areas through the small lot, common wall, or condominium conditional use. If it is necessary to remove a portion or all of the trees, the replacement landscape features shall be subject to approval through the Architectural Review process, except for conventional single family subdivisions.	<ul style="list-style-type: none"> Development of middle housing types should not follow Architectural Review process as it is not required for the development of detached single-family housing.
5.040	Planning District Objectives		
		(1) Low Density Residential Planning District (RL). To provide areas of the City suitable for single-family dwellings and manufactured homes. Commonwall dwelling units and small lot subdivisions may be allowed by conditional use permit. Except for retirement housing and	<ul style="list-style-type: none"> Modify the purpose of the RL zone to include middle housing types that Large Cities are required to allow wherever single family detached dwellings are permitted. Modify density maximums since they are not permitted to apply to middle housing development in large cities.

Chapter Section	Title	Policy	Potential Recommendations
		nursing and convalescent homes which shall not exceed ten dwelling units per net acre and small lot subdivisions and partitions and subdivisions affected by TDC 40.055, which shall not exceed 7.5 dwelling units per net acre, the maximum density of any residential use in this district shall not exceed 6.4 dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the District designated on the Plan Map.	
		(2) Medium-Low Density Residential Planning District (RML). To provide areas of the City suitable for commonwall dwellings such as condominiums, townhouses, duplexes, triplexes, and other multi-family dwellings. Condominiums and small lot subdivisions may be allowed by conditional use permit. Owner occupancy of dwelling units shall be encouraged. Parks for manufactured dwellings shall be allowed in those portions of the district designated on the Plan Map. Except for retirement housing and nursing and convalescent homes which shall not exceed 15 dwelling units per net acre and manufactured dwelling parks with single-wide manufactured dwellings which shall not exceed 12 dwelling units per net acre, the maximum density of any residential use shall not exceed ten dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the District designated on the Plan Map.	<ul style="list-style-type: none"> • Modify density maximums since they are not permitted to apply to middle housing development in large cities.

Chapter Section	Title	Policy	Potential Recommendations
		(3) Medium-High Density Residential Planning District (RMH). To provide areas of the City suitable for townhouses, garden apartments and condominium developments. Except for retirement housing and nursing and convalescent homes, which shall not exceed 22.5 dwelling units per net acre, the maximum density of any residential use shall not exceed 15 dwelling units per net acre. The raising of agricultural animals and the construction of agricultural structures may be allowed by conditional use permit in those portions of the district designated on the Plan Map.	<ul style="list-style-type: none"> Revise intent of District to include more middle housing types. Modify density maximums since they are not permitted to apply to middle housing development in large cities.
		(4) High Density Residential Planning District (RH). To provide areas of the City suitable for townhouses, high density garden apartments and condominium developments. Except for retirement housing and nursing and convalescent homes, which shall not exceed 37.5 dwelling units per net acre, the maximum density of any residential use shall not exceed 25 dwelling units per net acre.(5)High Density Residential/High Rise Planning District (RH-HR). To provide areas of the City suitable for high density apartment or condominium tower development to provide a maximum amount of preserved open space. Except for retirement housing and nursing and convalescent homes, which shall not exceed 45 dwelling units per net acre, the maximum density of any residential use shall not exceed 30 dwelling units per net acre.	<ul style="list-style-type: none"> Revise intent of District to include more middle housing types. Modify density maximums since they are not permitted to apply to middle housing development in large cities.

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APPENDIX C: RELEVANT HOUSING NEEDS ANALYSIS STRATEGIES

The following matrix provides strategies from the Tualatin Housing Needs Analysis that relate to the HB 2001 state requirements.

Strategy 1: Ensure an Adequate Supply of Land that is Available and Serviceable		
Goal: Ensure that sufficient land is designated and has urban services to support development so the supply is adequate for all needed housing types at the needed densities. Consider the development-ready residential land supply as part of ongoing functional planning efforts to provide necessary urban services in support of residential development.		
	Action 1.1. Evaluate opportunities to increase development densities within Tualatin’s existing zones by modifying the Development Code.	<p>Recommendation 1.1a: Tualatin should evaluate increasing densities in the residential High and Residential High Density / High Rise designations by allowing buildings that are five to eight stories tall (or higher). The City could increase densities to 60 to 100 dwelling units per acre. Alternatively, the City could allow the zoning standards to dictate the number of new dwelling units, based on standards such as building height limitations, parking requirements per unit, lot coverage ratios, setback requirements, and other zoning standards.</p> <p>Recommendation 1.1b: Tualatin should conduct an audit of the City’s Development Code to identify barriers to residential development (e.g., lot size, setbacks, and lot coverage ratio) and identify alternatives for lowering or eliminating the barriers. For example, the code audit could include these evaluating dimensional standards in all zones to understand the potential impact of development of vacant land (especially smaller or irregularly shaped lots) to identify barriers to infill development.</p> <p>Recommendation 1.1c: Tualatin should evaluate off-street parking requirements for multifamily housing to identify opportunities for reduction in parking requirements, especially for housing developed for groups who have fewer cars, such as seniors or</p>

		<p>low-income affordable housing, close proximity to transit stop, and/or additional provision of bicycle parking. The City could consider changes that allow for alternative ways to meet parking requirements or reduce (or eliminate) parking requirements:</p> <ul style="list-style-type: none"> - Requiring off-street parking, but not necessarily requiring parking garages. - Allowing some on-street parking within a set distance of the development to account for some off-street parking requirements. - Requiring less off-street parking when close (such as within ¼ mile) of a transit stop. - Requiring additional provision of bicycle parking to reduce parking requirements for the building. <p>Recommendation 1.1d: Adopt a (Planned Unit Development) PUD ordinance to allow flexibility in both development standards and housing types (subject to a maximum density) in exchange for provision of protected open space through a land use application process; this would require a hearing on the proposed development with the Planning Commission.</p>
	<p>Action 1.2. Evaluate opportunities to rezone land to provide additional opportunities for multifamily housing development.</p>	<p>Recommendation 1.2a: Identify opportunities to rezone industrial or commercial land for mixed-use that includes employment and residential uses. The City should exclude industrial sanctuary land (i.e., land in the Southwest Tualatin Concept Plan area) from this evaluation, as this land has been identified as regionally significant industrial areas.</p> <p>Recommendation 1.2b: Evaluate opportunities to rezone Residential Low Density and Residential Medium Low Density residential land for higher-density housing.</p> <p>Recommendation 1.2c: Evaluate merging the High Density zone and the High Density / High Rise zones into one zone, and evaluate increasing the maximum density and maximum height limit allowed in the revised zone, consistent with Action 1.1.</p>
<p>Strategy 2: Encourage Development of a Wider Variety of Housing Types</p>		

Goal: Allow and encourage the development of a broader diversity of housing types, including middle-density housing types and higher-density housing types.		
	Action 2.1. Allow and encourage development of duplexes, cottage housing, townhomes, row houses, and triplexes and quadplexes in lower-density residential zones.	<p>Recommendations 2.1a: Allow duplexes, triplexes, quadplexes, cottage clusters, and townhouses in the Residential Low Density residential zone. Tualatin will also need to revise the Development Code to include development standards for these housing types. As part of implementation of House Bill 2001, the Oregon Department of Land Conservation and Development (DLCD) will be developing a model code for cities to accommodate these housing types. Given that the model code may not be available before December 2020 and the deadline for adoption of policies to meet the requirement of House Bill 2001 is June 30, 2022, Tualatin should begin the process to identify changes necessary to implement HB 2001 before the model code is available.</p> <p>Recommendations 2.1b: Allow cottage cluster housing in the Medium-Low Density and Medium-High Density residential zones, at densities appropriate for the zones.</p>
	Action 2.2. Identify opportunities to increase development of commercial and residential mixed-use development.	<p>Recommendation 2.2a: Identify opportunities for more mixed-use development, either through rezoning land to a mixed-use zone and/or through redevelopment (consistent with Action 5.1).</p>
	Action 2.3. Identify opportunities to allow and support development of innovative housing types.	<p>Recommendation 2.3a: Evaluate allowing and supporting development of other housing types in Tualatin, such as single-room occupancy (more than four unrelated living in the same dwelling with shared kitchen and bathrooms); reuse of cargo containers for housing; tiny homes (dwelling units between 100 and 500 square feet); and higher amenity housing on larger lots.</p>
Strategy 5: Identify Redevelopment Opportunities		
Goal: Redevelop selected areas of Tualatin to create vibrant mixed-use districts that include new housing opportunities.		

	<p>Action 5.1. Identify districts within Tualatin with opportunities for redevelopment for housing and employment uses.</p>	<p>Recommendation 5.1a: Initiate a process to identify opportunities for redevelopment of mixed-use districts and initiate an area planning process to guide redevelopment.</p> <p>Recommendation 5.2a: Identify underutilized commercial areas that are ripe for redevelopment and work with landowners and developers to support redevelopment.</p>
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City of Tualatin Middle Housing Code Update: Code Audit Report

APPENDIX C: RELEVANT HOUSING NEEDS ANALYSIS STRATEGIES

The following matrix provides strategies from the Tualatin Housing Needs Analysis that relate to the HB 2001 state requirements.

Strategy 1: Ensure an Adequate Supply of Land that is Available and Serviceable		
Goal: Ensure that sufficient land is designated and has urban services to support development so the supply is adequate for all needed housing types at the needed densities. Consider the development-ready residential land supply as part of ongoing functional planning efforts to provide necessary urban services in support of residential development.		
	Action 1.1. Evaluate opportunities to increase development densities within Tualatin's existing zones by modifying the Development Code.	<p>Recommendation 1.1a: Tualatin should evaluate increasing densities in the residential High and Residential High Density / High Rise designations by allowing buildings that are five to eight stories tall (or higher). The City could increase densities to 60 to 100 dwelling units per acre. Alternatively, the City could allow the zoning standards to dictate the number of new dwelling units, based on standards such as building height limitations, parking requirements per unit, lot coverage ratios, setback requirements, and other zoning standards.</p> <p>Recommendation 1.1b: Tualatin should conduct an audit of the City's Development Code to identify barriers to residential development (e.g., lot size, setbacks, and lot coverage ratio) and identify alternatives for lowering or eliminating the barriers. For example, the code audit could include these evaluating dimensional standards in all zones to understand the potential impact of development of vacant land (especially smaller or irregularly shaped lots) to identify barriers to infill development.</p> <p>Recommendation 1.1c: Tualatin should evaluate off-street parking requirements for multifamily housing to identify opportunities for reduction in parking requirements, especially for housing developed for groups who have fewer cars, such as seniors or low-income affordable housing, close proximity to transit stop, and/or additional provision of bicycle parking. The City could</p>

		<p>consider changes that allow for alternative ways to meet parking requirements or reduce (or eliminate) parking requirements:</p> <ul style="list-style-type: none"> - Requiring off-street parking, but not necessarily requiring parking garages. - Allowing some on-street parking within a set distance of the development to account for some off-street parking requirements. - Requiring less off-street parking when close (such as within ¼ mile) of a transit stop. - Requiring additional provision of bicycle parking to reduce parking requirements for the building. <p>Recommendation 1.1d: Adopt a (Planned Unit Development) PUD ordinance to allow flexibility in both development standards and housing types (subject to a maximum density) in exchange for provision of protected open space through a land use application process; this would require a hearing on the proposed development with the Planning Commission.</p>
	<p>Action 1.2. Evaluate opportunities to rezone land to provide additional opportunities for multifamily housing development.</p>	<p>Recommendation 1.2a: Identify opportunities to rezone industrial or commercial land for mixed-use that includes employment and residential uses. The City should exclude industrial sanctuary land (i.e., land in the Southwest Tualatin Concept Plan area) from this evaluation, as this land has been identified as regionally significant industrial areas.</p> <p>Recommendation 1.2b: Evaluate opportunities to rezone Residential Low Density and Residential Medium Low Density residential land for higher-density housing.</p> <p>Recommendation 1.2c: Evaluate merging the High Density zone and the High Density / High Rise zones into one zone, and evaluate increasing the maximum density and maximum height limit allowed in the revised zone, consistent with Action 1.1.</p>
<p>Strategy 2: Encourage Development of a Wider Variety of Housing Types</p>		
<p>Goal: Allow and encourage the development of a broader diversity of housing types, including middle-density housing types and higher-density housing types.</p>		

	<p>Action 2.1. Allow and encourage development of duplexes, cottage housing, townhomes, row houses, and triplexes and quadplexes in lower-density residential zones.</p>	<p>Recommendations 2.1a: Allow duplexes, triplexes, quadplexes, cottage clusters, and townhouses in the Residential Low Density residential zone. Tualatin will also need to revise the Development Code to include development standards for these housing types. As part of implementation of House Bill 2001, the Oregon Department of Land Conservation and Development (DLCD) will be developing a model code for cities to accommodate these housing types. Given that the model code may not be available before December 2020 and the deadline for adoption of policies to meet the requirement of House Bill 2001 is June 30, 2022, Tualatin should begin the process to identify changes necessary to implement HB 2001 before the model code is available.</p> <p>Recommendations 2.1b: Allow cottage cluster housing in the Medium-Low Density and Medium-High Density residential zones, at densities appropriate for the zones.</p>
	<p>Action 2.2. Identify opportunities to increase development of commercial and residential mixed-use development.</p>	<p>Recommendation 2.2a: Identify opportunities for more mixed-use development, either through rezoning land to a mixed-use zone and/or through redevelopment (consistent with Action 5.1).</p>
	<p>Action 2.3. Identify opportunities to allow and support development of innovative housing types.</p>	<p>Recommendation 2.3a: Evaluate allowing and supporting development of other housing types in Tualatin, such as single-room occupancy (more than four unrelated living in the same dwelling with shared kitchen and bathrooms); reuse of cargo containers for housing; tiny homes (dwelling units between 100 and 500 square feet); and higher amenity housing on larger lots.</p>
<p>Strategy 5: Identify Redevelopment Opportunities</p>		
<p>Goal: Redevelop selected areas of Tualatin to create vibrant mixed-use districts that include new housing opportunities.</p>		
	<p>Action 5.1. Identify districts within Tualatin with opportunities for redevelopment for housing and employment uses.</p>	<p>Recommendation 5.1a: Initiate a process to identify opportunities for redevelopment of mixed-use districts and initiate an area planning process to guide redevelopment.</p> <p>Recommendation 5.2a: Identify underutilized commercial areas that are ripe for redevelopment and work with landowners and developers to support redevelopment.</p>



Middle Housing Code Update

Draft Code Audit Review

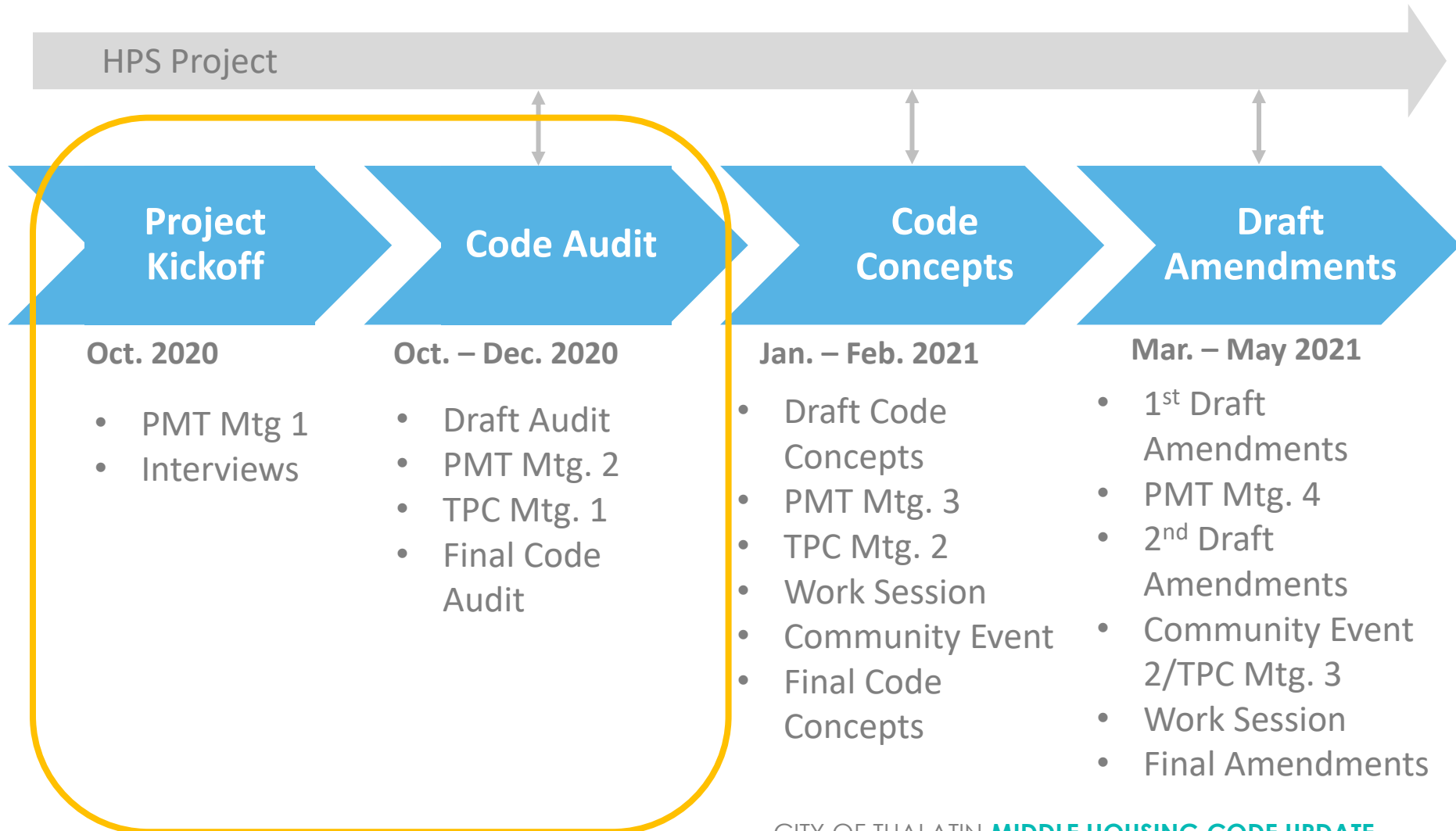
December 2020



Presentation Overview

1. Project Schedule
2. HB 2001 and Project Purpose
3. Code Audit Overview and Key Findings
4. Next Steps
5. Questions and Discussion

Project Schedule



HB 2001

- Adopted by LCDC on July 24, 2020
- Expand housing options across Oregon
- Medium Cities (10,000+): allow duplexes in zones that allow single-family detached housing
- Large Cities (25,000+): allow “upper-level” middle housing
- Local land use regs. may not cause unreasonable cost or delay
- Allows large cities to develop own standards by June 30, 2022

HB 2001

- **Duplexes:** two attached dwelling units on a Lot or Parcel.*
- **Triplexes:** three attached dwelling units on a Lot or Parcel.*
- **Quadplexes:** four attached dwelling units on a Lot or Parcel.*
- **Townhomes:** dwelling unit that is part of a row of two or more attached units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent unit.
- **Cottage Clusters:** grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet. Units may be located on a single Lot or Parcel, or on individual Lots or Parcels that include a common courtyard.

* may include any configuration of detached or attached units

Housing Needs Analysis (2019)

- Tualatin's growth will result in the demand for 1,014 new dwelling units over the 20-year planning period.
- Tualatin will need to plan for more single-family attached and multifamily dwelling units to meet City housing needs.
- Evaluate opportunities to increase development densities within Tualatin's existing zones by modifying the TDC.

Code Audit

- Identifies land use regulatory barriers to development of required middle housing.
- Recommends options for the City to comply with Oregon HB 2001.
- Appendix A: applicable standards from the Tualatin Development Code.
- Appendix B: applicable Comprehensive Plan policies.
- Appendix C: applicable strategies from the 2019 Housing Needs Analysis.

Code Audit: Key Findings

- Code should separate out housing types into their own definitions with their own standards.
- Tualatin should consider adding specific middle housing types as outright permitted uses in these zones.

Table 1: Permitted Uses in Zoning Districts

Middle Housing Type	RL	RML	RMH	RH	RH-HR	MUC
Duplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Triplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Quadplexes	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Cottage Clusters	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
Townhouses	⊖ !	☑ !	☑ !	☑ !	☑ !	☑ !
☑ = Permitted Outright ⊖ = Conditional Use ! = One or more standards do not comply with OAR rules or intent of HB 2001						

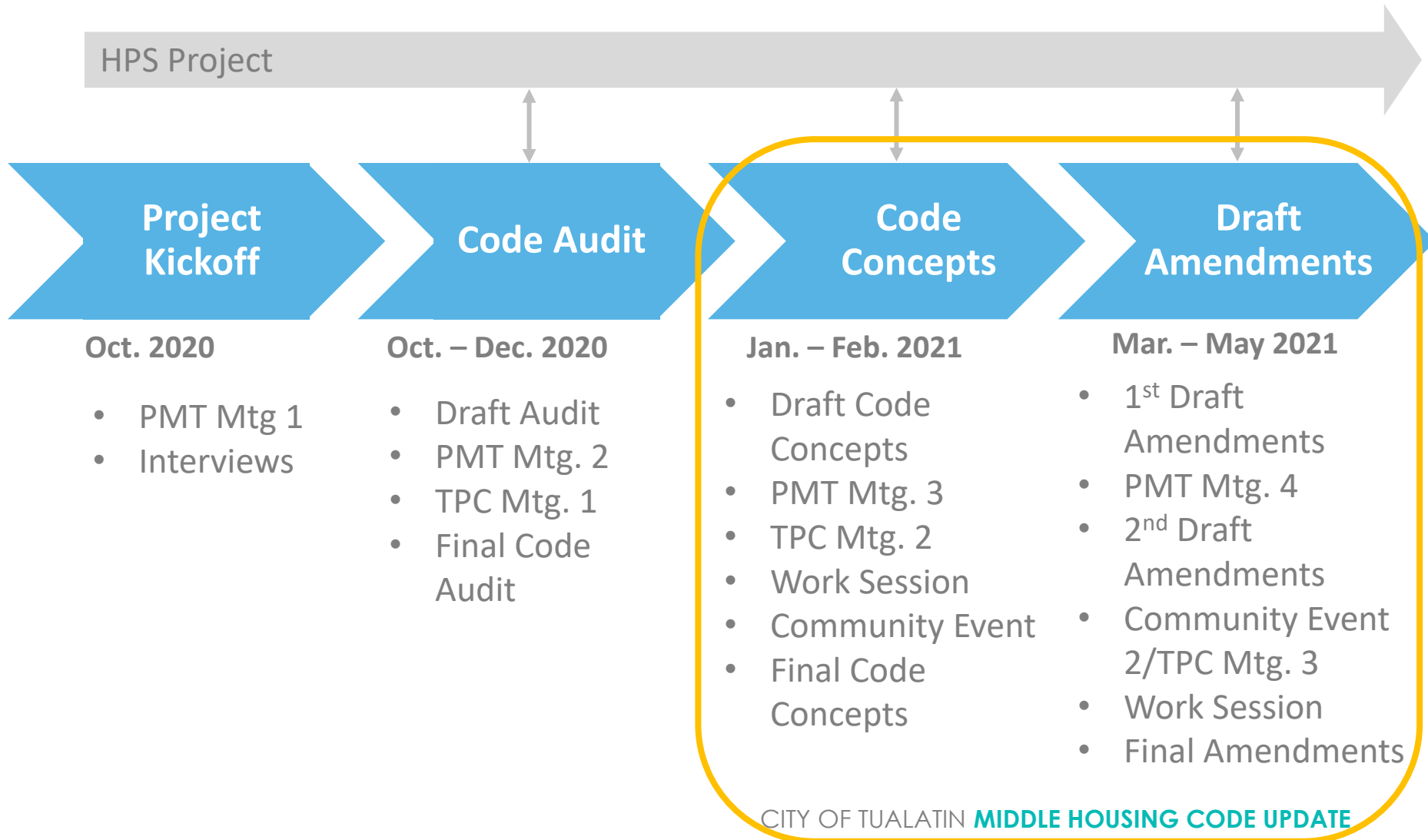
Code Audit: Key Findings

- Siting and design standards for middle housing should be the same or less restrictive than those applicable to single family dwellings permitted in the same zone.
- Standards will need to match the development standards for single-family detached dwellings permitted outright in the same zone.
- The Code should include a second pathway for discretionary review if necessary or desired by the applicant.
- Density limits are applied to the construction of duplexes, cottage clusters, triplexes, and quadplexes in nearly all residential zones.

Code Audit: Key Findings

- Middle housing developments are a conditional use in the LDR Zone and have more restrictive development standards than detached single-family dwellings.
- Some existing development standards for multi-family structures may present a barrier to the development of middle housing.
- Off-street parking requirements for middle housing developments exceed the maximum amount allowed under HB 2001.
- Several residential zoning districts do not have clear and objective standards for middle housing developments.
- Portions of the Tualatin Comprehensive Plan, including the intent of residential zoning districts and recommended densities, will need to be revised.

Next Steps



Questions and Discussion



Middle Housing Code Update

Draft Code Audit Review

December 2020

