Primer on HB 2001 Rules









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Requirements for "Large Cities"

"Large Cities" must:

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

- AND -

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

Requirements for "Large Cities"

"Large Cities" must:

regulate siting and design of Middle Housing such that the standards don't cause "unreasonable cost and delay" to the development of middle housing.

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

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

Reasonable Siting and Design Standards

Minimum lot size, maximum density, setbacks, building height, off-street parking, front entry orientation, façade improvements, etc.

- All standards in Model Code and Minimum Compliance are vetted to be "reasonable"
- "Reasonableness" is measured by comparing the relative cost and delay of a standard applied to middle housing to the cost and delay of a standard applied to other housing types

Off-Street Parking Requirements

Generally, local governments cannot require more than one off-street parking space per unit

For Quadplexes, a local government may require up to the following off-street parking spaces:

i. For Lots of 3,000 square feet or less: one space in total;

ii. For Lots greater than 3,000 square feet and less than or equal to 5,000 square feet: two spaces in total;

iii. For Lots greater that 5,000 square feet and less than or equal to 7,000 square feet: three spaces in total; and

iv. For Lots greater than 7,000 square feet: four spaces in total.

Minimum Lot Size

Informed by development feasibility and statewide lot size analysis

~ 90% of lots in Large and Metro Cities are 5,000 SF or larger

For Triplexes:

- i. If the minimum lot size in the zone for a detached single-family dwelling is 5,000 SF or less, the minimum Lot or Parcel size for a Triplex may be up to 5.000 SF
- ii. If the minimum lot size in the zone for a detached single-family dwelling is greater than 5,000 SF, the minimum Lot size for a Triplex may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Other Siting Standards

Setbacks:

A Large City may not require setbacks greater than those applicable to detached single family dwellings in the same zone.

Height:

A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.

Lot Coverage and Floor Area Ratio:

If the Large City applies Lot coverage or floor area ratio standards, it may not establish a cumulative Lot coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.



Duplexes on each lot or parcel

Higher Level Middle Housing in areas

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

- Goal protected lands
- Infrastructure constrained lands
- Master Planned Communities
- State/Federal Regulatory Lands

"In Areas"

Two Key Approaches

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

- OR -

Performance Metric

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

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

Paths to Compliance

Model Code

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

Minimum Compliance

Apply all reasonable minimum compliance standards

Apply different minimum lot size or maximum density

- Must meet
 Performance
 Metrics
- 2. Must meet Equitable Distribution

Compliance





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Discussion

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

Paths to Compliance

(full detail)

Note: Diagrams are for illustrative purposes only and do not depict actual proportions. Actual percentages will vary between jurisdictions. Duplex and SFD only All lots or parcels that Goal-Protected Lands Triplexes - 80% Middle Housing other than permit the development Infrastructure Constrained Lands Quadplexes - 70% Duplexes allowed "in areas" of single-family Master Planned Communities Townhouses - 60% that allow single-family detached dwellings Federal or State Regulatory Lands Cottage Clusters - 50% detached dwellings Performance Metric OAR 660-046-0205(3)(b) (i.e. "Whittle Away") If a jurisdiction adopts Must demonstrate either: Minimum Lot Size & standards other than OAR Chapter 660, Maximum Density what's provided in Substantial Production of Division 046 OAR 660-046-0220 ▶ Compliance Division 046 applicable middle housing type Paths to OAR 660-046-0235(1) Compliance Alternative Siting/Design Standards OAR 660-046-0235 Local Jurisdiction does Standard(s) do not cause not act or adopts Goal-Protected Lands Lots or Parcels under the Unreasonable Cost or Delay' Infrastructure Constrained Lands Model Code wholesale required minimum size OAR 660-046-0235(2) Large Cities Model Code If adopted code for one or more Middle Housing types is not compliant with Division 046 Applies Directly to Middle

Housing types not in compliance with Division 046 OAR 660-046-0010(4)(b)