

## HB 2001 Key Sections

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revised 2/27/21

### Section

- 2(b) Middle housing means:  
(A) Duplexes;  
(B) Triplexes;  
(C) Quadplexes;  
(D) Cottage clusters; and  
(E) Townhouses.
- 2(2)(a) shall allow the development of all middle housing types in areas zoned for residential use that allow for the development of detached single-family detached dwellings;
- 2(2)(b) A duplex on each lot or parcel zoned for residential use.....
- 2(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delays.
- 3(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Divisions of the Department of Consumer and Business Services shall develop a model middle housing ordinance no later than December 31, 2020.
- 3(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include, but are not limited to:  
(a) Waiving or deferring system development charges;  
(b) Adopting or amending criteria for property tax exemptions .....or property tax freezes, and  
(c) Assessing a construction tax.....
- 3(5) ...the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.
- 5 ORS 197.296 is amended to read:
- 5(1)(a) The Land Conservation and Development Commission may establish a set of factors under which cities are subject to provisions of this section.
- 10(1) It is the policy of the State of Oregon to reduce to the extent practicable administrative and permitting costs and barriers to the construction of middle housing as defined in section 2 of this 2019 Act, while maintaining safety, public health and general welfare with respect to construction and occupancy.

## Division 46

- 660-046-0010 (4) For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the Commission adopts the following model Middle Housing Codes.
- b. The Large City Model Code as provided in Exhibit B.

### 660-046-0210 provisions applicable for middle housing in large cities

- (a) ...statewide goalseper -046-0010(3)
- (b) permitted uses and approval processes per 046-0215 (Same process as SF)
- (c) siting standards per 046-0220 (below)
- (d) design standards per 046-0225
- (e) middle housing conversions 046-0230
- (f) alternative site or design standards 046-0235
- (g) any siting and design standards per 046-0010(4)

### 046-0220 Siting and Design Standards

[use colors to match building type to "standard." Some standards apply to more than one type.]

	duplex	Triplex	quadplex	Townhouse Cottages
046-0120				
Min. lot size	may not require min. lot size greater than min. for SF dwelling in same zone			
		If SF 5,000sf or less. Min may be up to 5,000sf		
		If SF greater than 5,000sf. May not be greater than SF min.		
			If SF is 7,000sf or less, min. may be up to 7,000sf	
			If SF greater than 7,000sf, may not be greater than SF min.	
			1,500sf max	
			up to 7,000sf	
Density	may not apply SF dwelling maximums to development			lower of 4x SF density or 25/acre
			min. 4/acre	
Setbacks	may not require setbacks to be greater than SF dwelling in same zone			
			plus zero sideyard	
			plus perimeter less than ten feet	
Height	may not apply lower max. than SF dwelling in same zone			
			2 stories without mandatory off-street parking	
			3 stories with mandatory off-street parking	
			at least one story	
Off-street Parking per building	2 per bldg		1 per unit	1 per unit
for lot 3,00sf or less		1 per bldg	1 per bldg	
for lot 3,000 to 5,000		2 pre bldg	2 pre bldg	
for lot over 5,000		3 per bldg	3 per bldg	
for lot over 7,000			4 per bldg	
Lot coverage	may not apply lot coverage or FAR less than SF dwellings in same zone			
Exceptions for public work stds	must grant same exceptions as granted to SF dwellings			

**046-0205(4)** duplex Triplex quadplex Townhouse Cottages  
 may allow more than # dwellingson a lot including a ADU

duplex	Triplex	quadplex	Townhouse Cottages
2	4	2-4	
			2min.4max 5min
			5 or more
			8min.

must allow  
 may allow

must allow with common courtyard

**046-0235 Alternative Siting or Design Standards**

this section allows a city to proposed alternative standards ("third path") if city can demonstration existing city stds don't cause unreasonable cost or delay)

**The standards below are taken from the model code**

**046-0220 Siting and Design Standards**

	duplex	Triplex	quadplex	Townhouse Cottages
046-0120				
Min. lot size	minor differences			
Density	may not apply SF dwelling maximums to development			
	SF density x 2 (2500sf>)/3x (2500 to 5000sf) / 4x (5000sf<)			
	min. 4/acre			
Setbacks				
F/S/B	20/?/10	10/?/10	10/?/10	10/0/10 10/5/10
Height	may not apply lower max. than SF dwelling in same zone			
	PER DEVELOPMENT CODE			MAX.25 and 2 stories
Off-street Parking per building	zero			1 per unit <1000sf.....0 space >1000sf.....1 space
less than 5,000sf lot		1 per development		
for lot over 5,000		2 per developmen t		
Lot coverage	may not apply lot coverage or FAR less than SF dwellings in same zone			
		?????	??????	??????
Exceptions for public work stds	must grant same exceptions as granted to SF dwellings			

**046-0205(4)** duplex Triplex quadplex Townhouse Cottages  
 may allow more than # dwellingson a lot including a ADU

duplex	Triplex	quadplex	Townhouse Cottages
2	4	4-Jan	????? ?????