



**City Council and Planning Commission Joint Work Session
Meeting Tuesday, February 22, 2022
5:30 p.m. – Joint Work Session Meeting**

Welcome! Civic Hall will be closed to the public. Until improvements of COVID cases in Yamhill County improve meetings will be held via Zoom and live broadcast ONLY.

*You can live broadcast the City Council Meeting on cable channels Xfinity 11 and 331,
Ziply Fiber 29 or webstream here:
www.mcm11.org/live*

Joint Work Session Meeting

*You may join online via Zoom Meeting:
<https://mcminnvilleoregon.zoom.us/j/84622228114?pwd=Zkq1amdyVnVpRzJNR0Qxby9MYmZWUT09>
Zoom ID: 846 2222 8114
Zoom Password: 588283*

*Or you can call in and listen via zoom: 1-253- 215- 8782
ID: 846 2222 8114*

5:30 PM – CITY COUNCIL & PLANNING COMMISSION JOINT WORK SESSION – VIA ZOOM AND LIVE BROADCAST ONLY

1. CALL TO ORDER JOINT WORK SESSION
2. MISSING MIDDLE HOUSING CODE DISCUSSION
3. ADJOURNMENT OF JOINT WORK SESSION MEETING

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice: Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702 or Claudia.Cisneros@mcminnvilleoregon.gov.

STAFF REPORT

DATE: February 22, 2022
TO: Mayor and City Councilors, Planning Commissioners
FROM: Heather Richards, Planning Director
SUBJECT: Joint CC/PC Work Session – Proposed Residential Design and Development Standards for Missing Middle Housing and More

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.



HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM)

Create diverse housing opportunities that support great neighborhoods.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is a joint City Council / Planning Commission work session about a residential design and development standards code amendment package that staff has been working on with consultants and the planning commission for the past two years to satisfy the requirements of HB 2001 (2019 legislative session), and community interest in housing design and development standards that allow for a greater variety of housing types to serve the housing needs of McMinnville, built in such a way that it reflects the aesthetic values and sense of place of McMinnville.

Background:

Background on Legislative and State Processes

In 2019, the Oregon Legislature passed House Bill 2001 (HB 2001), a bill that will result in changes to the types of housing that are allowed to be constructed in residential areas in cities across the state of Oregon (Please see Attachment 1). HB 2001 requires cities of certain sizes to allow “middle housing” in areas and properties that allow for the development of detached single-family dwellings. Middle housing is defined in HB 2001 as including duplexes, triplexes, quadplexes (fourplexes), cottage clusters, and townhouses. More specifically, HB 2001 requires that large cities, or those with a population over 25,000 (which includes McMinnville), shall allow the development of the following:

- “All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings” and
- “A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.”

Cities that fall within the large city category are required to adopt land use regulations and Comprehensive Plan amendments to address HB 2001 by June 30, 2022. Understanding that infrastructure capacity may result in difficulties with allowing an expanded range of housing types in areas of cities that historically only allowed for single-family dwellings, HB 2001 was drafted to include a process to allow cities to identify infrastructure deficiency issues and request extensions to address those issues. Extension requests to address infrastructure deficiency issues were required to be submitted to the Department of Land Conservation and Development (DLCD) by June 30, 2021. The City evaluated its infrastructure for deficiencies, but determined that any infrastructure deficiencies were not significant enough under the parameters set out in OAR 660-046-0300 *et seq* to request an extension from DLCD.

As part of the state-wide implementation of HB 2001, the Department of Land Conservation and Development (DLCD) led a rulemaking process that resulted in clarifications to the HB 2001 language and more specifically prescribes the requirements that cities must follow relative to the allowance of the middle housing types. The rulemaking process was recently finalized, and the final version of the rules was adopted by the Land Conservation and Development Commission (LCDC) on December 9, 2020. These rules were adopted as Oregon Administrative Rules (OAR) Chapter 660, Division 46. The adopted rules, as well as a copy of HB 2001, are attached to this staff report. (Please see Attachment 2).

The rulemaking process resulted in the creation of minimum standards that medium and large cities must follow to allow middle housing types. The rules also created a “model code”, which would apply directly in cities that do not implement their own development code and Comprehensive Plan amendments prior to the deadlines established in HB 2001.

Background on Local Work in Support of HB 2001

In preparation for the implementation of HB 2001, the McMinnville Planning Department began work on the creation of development and design standards for the housing types that are described in HB 2001 and commonly referred to as middle housing types. This work was included on the Planning Department and Planning Commission work plans beginning in 2018 through the current fiscal year, and was generally referred to as the Residential Development and Design Standards project.

The McMinnville Planning Department began the Residential Development and Design Standards project with a focus on the implementation of McMinnville’s Great Neighborhood Principles (GNP). As stated in McMinnville Comprehensive Plan Policy 187.10, the GNP are intended to “...guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value...”. The GNPs include two principles that are specific to housing, which are as follows:

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.
12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

The GNP section of the McMinnville Comprehensive Plan also includes Proposal 46.00, which states that “The City shall develop development codes that allow for a variety of housing types and forms, and

shall develop site and design requirements for those housing types and form.” The development of the Residential Development and Design Standards will assist the City in implementing Proposal 46.00.

From May 2019 to December 2019, the Planning Department worked with a consultant to develop an initial first draft of potential Residential Development and Design Standards, which again were intended to provide development and design standards for middle housing types. The scope of this work was also to begin work on the creation of standards that would allow for the middle housing types that were eventually to be required in HB 2001, but to do so in a manner that would be consistent and compatible with McMinnville’s existing neighborhoods and development characteristics.

The Planning Commission reviewed and provided comments on the draft Residential Development and Design Standards over the course of five work session meetings from January 2020 to July 2020. The Planning Commission reviewed the draft document in great detail, and provided comments and direction to Planning Department staff on amendments and edits to make to the draft standards within the document.

In 2020, the Planning Department also applied for and was successfully awarded two Technical Assistance Grants from DLCD to provide funding for work related to the implementation of HB 2001. One of the grants was awarded for work on the local code amendments necessary to bring the City’s development code into compliance. The second grant was awarded for an analysis of infrastructure capacity throughout the City to identify whether there were any infrastructure deficiencies that would result in a request for an extension on the implementation of HB 2001 to address those infrastructure deficiencies. The City contracted with Jacobs Engineering Group in February 2021 to undertake a review of the City’s infrastructure to determine whether the deficiencies met the parameters and thresholds established in OAR 660-046-0300 *et seq.* to request an extension from DLCD. The review concluded that the City did not meet those requirements to justify a request for an extension from DLCD. Staff presented this information to City Council on June 8, 2021.

The City’s work on code amendments to come into compliance with HB 2001 was put on hold for a short amount of time to allow time for the rulemaking process to be completed, primarily to ensure that the eventual code amendment work would not be in direct conflict with the final, adopted Oregon Administrative Rules (OARs). Once the OARs were adopted, the Planning Commission held a work session in January 2021 to review the adopted rules. Next, the Planning Department worked with the same consultant that developed the initial draft Residential Development and Design Standards to analyze that document against the adopted missing middle OARs, and provide recommendations for any updates that would be necessary to bring the draft Residential Development and Design Standards into compliance with the adopted OARs.

Overview of HB 2001 Rules (OARs)

- Duplexes and middle housing must be allowed in “areas zoned for residential use that allow for the development of detached single-family dwellings”. “Zoned for Residential Use” is defined in the OARs as “a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.”
 - In McMinnville, this includes the R-1, R-2, R-3, and R-4 zones
- Established that density maximums cannot be applied to middle housing types.
- Minimum thresholds were established for “siting standards” that can be applied to middle housing types. These siting standards include things like minimum lot size, setbacks, height, lot coverage, and Floor Area Ratios (note that McMinnville does not currently have minimum lot coverage or Floor Area Ratios). In general, the siting standards are required to be the same as those that are applied to single family dwellings in the same zone.
- Established maximum numbers of off-street parking spaces that cities may require for middle housing types

- In general, the maximum number of off-street parking spaces that may be required is one space per dwelling unit.
- Triplexes and quadplexes include off-street parking space maximums that are based on the size of the lot in question, not based on the total number of dwelling units.
 - For triplexes, one (1) total off-street parking space may required for lots less than 3,000 square feet, two (2) total off-street parking spaces may required for lots between 3,000 and 4,999 square feet, and three (3) total off-street parking spaces may required for lots 5,000 square feet or larger.
 - For quadplexes, one (1) total off-street parking space may required for lots less than 3,000 square feet, two (2) total off-street parking spaces may required for lots between 3,000 and 4,999 square feet, three (3) total off-street parking spaces may required for lots between 5,000 and 6,999 square feet, and four (4) total off-street parking spaces may be required for lots 7,000 square feet or larger.
- Middle housing must be allowed to follow the same off-street parking surfacing, dimensional, access, and circulation standards that apply to detached single-family dwellings in the same zone.
- OARs require that large cities apply the same approval and review process to middle housing as is applied to detached single-family dwellings in the same zone. In McMinnville, detached single-family dwellings are reviewed and approved through a standard building permit review process, where basic zoning and other development standards are reviewed.

The consultant's analysis of the draft document and their recommendations for potential updates were shared with and reviewed in detail by the Planning Commission during a work session discussion in April 2021. In addition, the Planning Department held three open house webinars to share information on the adopted missing middle OARs and the draft development standards that the City was in the process of developing. Those open house webinars were held April 27, 2021 through April 29, 2021. Feedback and direction on the consultant's recommendations were provided by the Planning Commission, and incorporated into an updated draft of the Residential Development and Design Standards document. Work sessions were then conducted with the City Council and Planning Commission in August, 2021 to review the final recommendations.

Now the proposed code amendments are scheduled for its first evidentiary public hearing with the Planning Commission on March 17, 2022 with a goal of adoption by June 30, 2022. This final work session is to discuss how the final recommendations are being placed into the McMinnville Municipal Code.

Discussion:

Staff is recommending to maintain the existing residential zones, amending the allowed housing types in each zone to be compliant with HB 2001 and adopting a new chapter, 17.11 to Title 17, "Zoning Ordinance", of the McMinnville Municipal Code, entitled "Residential Design and Development Standards.

17.11	Residential Design and Development Standards (New Proposed Chapter)
17.12	R-1 Single-Dwelling Residential Zone
17.15	R-2 Single-Dwelling Residential Zone
17.18	R-3 Two-Dwelling Residential Zone
17.21	R-4 Multiple Dwelling Residential Zone
17.22	R-5 Multiple Dwelling Residential Zone

Staff is also adding Tiny Homes, Accessory Dwelling Units, Single Room Occupancy and Multi-Family Dwellings to this package of amendments to allow for more variety of housing types and consistency of design and development standards.

Overview of Residential Development and Design Standards

The Residential Development and Design Standards have been drafted to include standards for all housing types allowed in McMinnville. The housing types included in the Residential Development and Design Standards include:

- Tiny Houses
- Cottage Clusters
- Plexes (including duplex, triplex, and quadplex)
- Single Dwellings
- Townhouses
- Accessory Dwelling Units (ADU)
- Single Room Occupancy
- Apartments

In an effort to address the Great Neighborhood Principles, particularly those of Pedestrian Friendly, Accessibility, Human Scale Design, and Housing Variety, the residential development and design standards were developed with a holistic approach that focuses on a combination of site design, building form, and architectural features. These components were also considered to allow for the development of these potentially new housing types in a manner that is compatible with existing neighborhoods and housing in McMinnville. To achieve this, basic development standards are proposed for each housing type, including basic site standards such as lot size, lot width, lot depth, building setbacks, and building height. In addition to these basic development standards, more detailed design standards are proposed to be applied to all of the housing types, which are referred to as Universal Design Standards. The intent is that the application of both the Universal Design Standards and the basic site development standards will combine to result in building forms that are compatible with the existing development pattern and character of McMinnville, while still allowing the new housing types that are required by HB 2001.

The development standards are divided into two applications – subdivision and infill, and planned development. The subdivision and infill standards are compliant with the underlying zone and will provide the most consistency of development design in a neighborhood. The planned development standards are specific to each housing type individually to be used in a master-planned community. The planned development standards allow for more flexibility and diversity in terms of lot sizes, setbacks, etc. for each housing type.

Universal Design Standards Overview

The Universal Design Standards include standards related to the following:

- Façade
- Street Frontage
- Front Yard
- Alleys
- Parking
- Common Open Space
- Private Open Space
- Compatibility
- Subdivision Standards, including:
 - Partial Alleys
 - Usable Side Yard Setbacks
 - Common Greens

As discussed above, the Universal Design Standards are proposed to be applied to all of the housing types. Some of the Universal Design Standards are proposed to only apply to certain housing types, such as Private Open Space, which would apply only to Apartments. A table summarizing which Universal Design Standards would be applicable to each housing type is provided below:

Universal Design Standards Summary Table							
Universal design standards apply to each housing type marked with an "X", except where indicated as optional.							
	Tiny House	Cottage Cluster	Plex	Single Dwelling	Town-house	ADU	Apartment
Façade	X	X	X	X	X	X	X
Street Frontage	X	X	X	X	X	X	X
Front Yard	X	X	X	X	X	X	X
Alleys	X	X	X	X	X	X	X
Parking	X	X	X	X	X		X
Common OS							X
Private OS							X
Compatibility	X	X	X	X	X	X	X
Partial alley (optional)	X		X		X	X	X
Usable Site Yard Setback (optional)	X		X	X		X	X
Common Green (optional)	X	X	X	X	X	X	X

Staff is working on an informational guide that is easier to use and understand than the code language required.

The sections for each housing type are proposed to have the same components, including:

- Overview Page with:
 - Concept
 - Guiding Principles
 - Photo Examples
- Development Standards Table including:
 - Basic site development standards for Lot Width, Lot Depth, Lot Size, Setbacks, Building Height, Parking, Driveways
 - List of applicable Universal Design Standards
- Example Site Plan Page:
 - Provides example site plan (not to scale) of housing type with development standards identified
 - Provided for both development without an alley and development with an alley

Examples of these pages, as shown for the Single Dwelling housing type, are provided below:

Single Dwelling

Concept

Single dwellings are one home on a single lot, separated from adjacent dwellings by private open space in the form of side yards and backyards, and often set back from the public street with a front yard. Single dwelling standards apply to units that are larger than 400 square feet.

Single dwellings are the most common housing type in McMinnville today.

Guiding Principle

Avoid cookie-cutter appearance across multiple single dwellings in the same neighborhood by creating variety of color, form, and façade details.

Space driveways to allow for street trees and on-street parking.

Garages facing the front should be recessed to reduce their prominence on the front façade.



Single dwellings with similar porch elements provide consistency to the public realm, while still offering opportunity for variety in details.



Lots of varying widths face an open pedestrian walkway.

Single Dwelling Development Standards

SINGLE DWELLING DEVELOPMENT STANDARDS

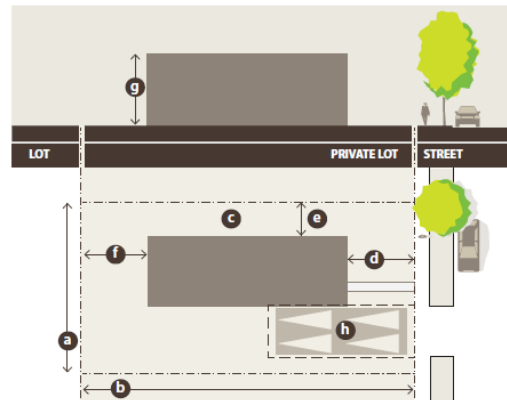
	WITH ALLEY	WITHOUT ALLEY	INFILL
a Lot width (feet)	Min. 35	Min. 45	
b Lot depth (feet)	Min. 65	Min. 65	Match existing zone, subdivision, or Planned Development overlay district.
c Lot size (square feet)	Min. 2,300	Min. 3,000	
d Front setback (feet)	Min. 15	Min. 15	Match existing ¹
e Side setback (feet)	Interior: Min. 3 ² or 7.5 Exterior: 10	Interior: Min. 3 ² or 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: Min. 15
f Rear setback (feet)	0 with garage, 20 without garage. ¹	Min. 20	Min. 20
g Building height (feet)	Max. 35	Max. 35	Max. 35
h Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is required to be located on the surface or in a garage. The front setback is specified in Parking Development and Design Standards, Garage Setback.		
Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
Off-street Parking	See McMinnville Municipal Code Chapter 17.60		
Universal Design Standards and Subdivision Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Subdivision Standards: Usable Side Yard, Through Block, and Corner Common Greens		

¹ Per McMinnville Municipal Code Section 17.54.050.

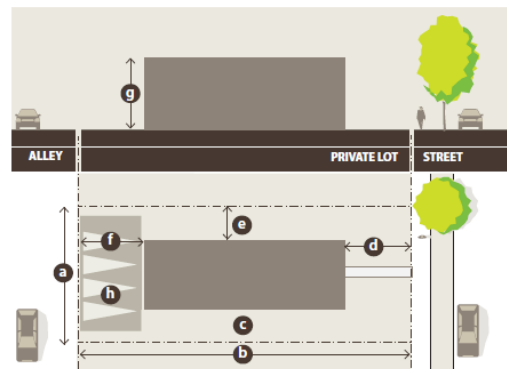
² Must meet all requirements of Usable Side Yard Subdivision standards.

³ From alley property or easement line.

Detached Single Dwelling without Alley



Detached Single Dwelling with Alley



An example Universal Design standard page of the informational guide will have the following components:

- Concept – Describes the Universal Design Standard and the purpose of the standard.
- Great Neighborhood Principle – Highlights the GNP that the standard helps to achieve.
- Design Guidelines (or Guiding Principles) – Describes the intent of the design standard and examples or best practices for how to achieve the intent of the design standard.
- Applicability (not pictured here) – Identifies which housing types the design standard applies to.
- Photo Examples
- Design Standards – Identifies specific design standards required.
- Menu of Options – Where applicable, lists of options that a builder/developer could choose from to achieve standard.

Façade

Concept

The façade faces the street, or common greens, courtyards, or other common open spaces. It should be inviting with entry structures, such as porches, front doors and windows and other human-scaled elements. When dwellings have car access from the street, paved areas and garages should not dominate.

Welcoming façades contribute to the overall character of the neighborhood, promoting a safe walkable and bikeable place.

Guiding Principles

- » Garages that do not dominate. Entrances should be more prominent than garages.
- » Pair garages where possible to maximize planting strip and potential for street trees.
- » Entrances and windows that face the street, avoid blank walls. Emphasize private, ground level entries to individual units when appropriate to the housing type, such as townhouses and plexes.
- » Building elements (lighting, repeating projects, bay windows, etc.) and private open space projections (balconies, porches, terraces, etc.) provide functional living space for residents and break up large façades.

Design Standards


- » Windows and/or doors utilizing clear glass, excluding garage doors, shall occupy a minimum of 25 percent of the total street-facing façade.
- » Except for dwellings on the flag portion of flag lots, the primary entrance shall be oriented toward the street which the dwelling faces.
- » At least one primary entrance for each structure must either:
 - » Open directly onto the street right-of-way.
 - » Be at an angle of up to 45 degrees from the street.
 - » Open on to a porch. The porch must be at least 25 square feet in area and have one entrance facing the street or have a roof.
 - » Face a central courtyard space or common open space that is adjacent to the street and abutted by dwellings on at least two sides.
 - » Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit on the corner of the building need be oriented to only one of the streets.

Principle 8 - Human Scale Design.

Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.

Principle 12 - Housing Variety.

Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.



Garage does not dominate and is recessed behind the entrance.

Residential Site and Design Review Code Amendments | City of McMinnville | Urbisworks, Inc

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Attachments:

Attachment 1: House Bill 2001

Attachment 2: Middle Housing Rules – OAR Chapter 660 Division 46 – Adopted December 9, 2020

Attachment 3: Proposed Chapter 17.11 of the McMinnville Municipal Code

80th OREGON LEGISLATIVE ASSEMBLY--2019 Regular Session

Enrolled House Bill 2001

Sponsored by Representative KOTEK; Representatives FAHEY, HERNANDEZ, MARSH,
MITCHELL, POWER, STARK, WILLIAMS, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section:

(a) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) "Middle housing" means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4) This section does not apply to:

(a) Cities with a population of 1,000 or fewer;

(b) Lands not within an urban growth boundary;

(c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;

(d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or

(e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(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 delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

SECTION 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement section 2 of this 2019 Act no later than:

(a) June 30, 2021, for each city subject to section 2 (3) of this 2019 Act; or

(b) June 30, 2022, for each local government subject to section 2 (2) of this 2019 Act.

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(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 under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

SECTION 4. (1) Notwithstanding section 3 (1) or (3) of this 2019 Act, the Department of Land Conservation and Development may grant to a local government that is subject to section 2 of this 2019 Act an extension of the time allowed to adopt land use regulations or amend its comprehensive plan under section 3 of this 2019 Act.

(2) An extension under this section may be applied only to specific areas where the local government has identified water, sewer, storm drainage or transportation services that are either significantly deficient or are expected to be significantly deficient before December 31, 2023, and for which the local government has established a plan of actions that will remedy the deficiency in those services that is approved by the department. The extension may not extend beyond the date that the local government intends to correct the deficiency under the plan.

(3) In areas where the extension under this section does not apply, the local government shall apply its own land use regulations consistent with section 3 (1) of this 2019 Act or the model ordinance developed under section 3 (2) of this 2019 Act.

(4) A request for an extension by a local government must be filed with the department no later than:

- (a) December 31, 2020, for a city subject to section 2 (3) of this 2019 Act.
- (b) June 30, 2021, for a local government subject to section 2 (2) of this 2019 Act.
- (5) The department shall grant or deny a request for an extension under this section:
 - (a) Within 90 days of receipt of a complete request from a city subject to section 2 (3) of this 2019 Act.
 - (b) Within 120 days of receipt of a complete request from a local government subject to section 2 (2) of this 2019 Act.
- (6) The department shall adopt rules regarding the form and substance of a local government's application for an extension under this section. The department may include rules regarding:
 - (a) Defining the affected areas;
 - (b) Calculating deficiencies of water, sewer, storm drainage or transportation services;
 - (c) Service deficiency levels required to qualify for the extension;
 - (d) The components and timing of a remediation plan necessary to qualify for an extension;
 - (e) Standards for evaluating applications; and
 - (f) Establishing deadlines and components for the approval of a plan of action.

SECTION 5. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of **existing and projected** housing need by type and density range, in accordance with **all factors under** ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

- (A) Vacant lands planned or zoned for residential use;
- (B) Partially vacant lands planned or zoned for residential use;
- (C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and
- (D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity *[and need]* pursuant to subsection [(3)] **(3)(a)** of this section must be based on data relating to land within the urban growth boundary that has been collected since the last *[periodic]* review or *[five]* **six** years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) **Market factors that may substantially impact future urban residential development; and**

[(C) Demographic and population trends;]

[(D) Economic trends and cycles; and]

[(E)] **(D)** The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity *[and need]*. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period *[for economic cycles and trends]* longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or *[more]* **both** of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary[;].

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall *[monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or]* **adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable vali-**

ation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

[(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.]

(c) As used in this subsection, “authorized density level” has the meaning given that term in ORS 227.175.

(7) Using the **housing need** analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) *[The]* A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved **following the adoption of these actions**. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, *[and]* is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section **and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period**. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use, a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
- (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
- (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

(c) For the purpose of the inventory described in this subsection, “buildable lands” includes those lands described in subsection (4)(a) of this section.

SECTION 6. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:

(a) Household sizes;

(b) Household demographics in terms of age, gender, race or other established demographic category;

(c) Household incomes;

(d) Vacancy rates; and

(e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

[2] **(5) Subsection (1)(a) and (d) of this section does not apply to:**

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

[3] **(6) A local government may take an exception under ORS 197.732 to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals.**

SECTION 7. ORS 197.312, as amended by section 7, chapter 15, Oregon Laws 2018, is amended to read:

197.312. (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection[,]:

(A) "Accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

(B) **"Reasonable local regulations relating to siting and design" does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.**

(6) Subsection (5) of this section does not prohibit local governments from regulating vacation occupancies, as defined in ORS 90.100, to require owner-occupancy or off-street parking.

SECTION 8. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

[(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.]

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) The Housing and Community Services Department, in collaboration with the Department of Land Conservation and Development, shall develop a survey form on which the governing body of

a city may provide specific information related to the affordability of housing within the city, including, but not limited to:

(A) The actions relating to land use and other related matters that the governing body has taken to increase the affordability of housing and reduce rent burdens for severely rent burdened households; and

(B) The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.

(c) If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened, the department shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the Housing and Community Services Department and the Department of Land Conservation and Development within 60 days of receipt.

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

(a) Residential units.

(b) Regulated affordable residential units.

(c) Multifamily residential units.

(d) Regulated affordable multifamily residential units.

(e) Single-family *[units]* **homes**.

(f) Regulated affordable single-family *[units]* **homes**.

(g) Accessory dwelling units.

(h) Regulated affordable accessory dwelling units.

(i) Units of middle housing, as defined in section 2 of this 2019 Act.

(j) Regulated affordable units of middle housing.

SECTION 9. ORS 455.610 is amended to read:

455.610. (1) The Director of the Department of Consumer and Business Services shall adopt, and amend as necessary, a Low-Rise Residential Dwelling Code that contains all requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. The code provisions for plumbing and electrical requirements must be compatible with other specialty codes adopted by the director. The Electrical and Elevator Board, the Mechanical Board and the State Plumbing Board shall review, respectively, amendments to the electrical, mechanical or plumbing provisions of the code.

(2) Changes or amendments to the code adopted under subsection (1) of this section may be made when:

(a) Required by geographic or climatic conditions unique to Oregon;

(b) Necessary to be compatible with other statutory provisions;

(c) Changes to the national codes are adopted in Oregon; or

(d) Necessary to authorize the use of building materials and techniques that are consistent with nationally recognized standards and building practices.

(3) Notwithstanding ORS 455.030, 455.035, 455.110 and 455.112, the director may, at any time following appropriate consultation with the Mechanical Board or Building Codes Structures Board,

amend the mechanical specialty code or structural specialty code to ensure compatibility with the Low-Rise Residential Dwelling Code.

(4) The water conservation provisions for toilets, urinals, shower heads and interior faucets adopted in the Low-Rise Residential Dwelling Code shall be the same as those adopted under ORS 447.020 to meet the requirements of ORS 447.145.

(5) The Low-Rise Residential Dwelling Code shall be adopted and amended as provided by ORS 455.030 and 455.110.

(6) The director, by rule, shall establish uniform standards for a municipality to allow an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code in areas where the local jurisdiction determines that the fire apparatus means of approach to a property or water supply serving a property does not meet applicable fire code or state building code requirements. The alternate method of construction, which may include but is not limited to the installation of automatic fire sprinkler systems, must be approved in conjunction with the approval of an application under ORS 197.522.

(7) For lots of record existing before July 2, 2001, or property that receives any approval for partition, subdivision or construction under ORS 197.522 before July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code may apply the uniform standards established by the director pursuant to subsection (6) of this section. For property that receives all approvals for partition, subdivision or construction under ORS 197.522 on or after July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code must apply the uniform standards established by the director pursuant to subsection (6) of this section.

(8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

(9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.

(b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:

(A) A written explanation of the basis for the denial; and

(B) A statement that describes the applicant's appeal rights under subsection (10) of this section.

(10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:

(A) Is other than a judicial proceeding in a court of law; and

(B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.

(b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.

(c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.

(11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

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 the general welfare with respect to construction and occupancy.

(2) The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2019 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11. Section 12 of this 2019 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if:

(1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:

- (a) Middle housing, as defined in section 2 of this 2019 Act; or
- (b) An accessory dwelling unit allowed under ORS 197.312 (5); and

(2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Consumer and Business Services and the Residential and Manufactured Structures Board may take any actions before the operative date specified in subsection (1) of this section necessary to enable the commission, department or board to exercise, on or after the operative date specified in subsection (1) of this section, the duties required under sections 2, 3 and 10 of this 2019 Act and the amendments to ORS 455.610 by section 9 of this 2019 Act.

SECTION 15. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$3,500,000 for the purpose of providing technical assistance to local governments in implementing section 3 (1) of this 2019 Act and to develop plans to improve water, sewer, storm drainage and transportation services as described in section 4 (2) of this 2019 Act. The department shall prioritize technical assistance to cities or counties with limited planning staff or that commit to implementation earlier than the date required under section 3 (1) of this 2019 Act.

SECTION 16. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 20, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

.....
Bev Clarno, Secretary of State

Division 46 Middle Housing in Medium and Large Cities

Rules as adopted by the Land Conservation and Development Commission December 9, 2020

660-046-0000 Purpose

The purpose of this division is to prescribe standards guiding the development of Middle Housing types as provided in Oregon Laws 2019, chapter 639. OAR 660-046-0010 to OAR 660-046-0235 establish standards related to the siting and design of Middle Housing types in urban growth boundaries. OAR 660-046-0300 to OAR 660-046-0370 establish the form and substance of an application and the review process to delay the enactment of standards related to the siting and design of Middle Housing types in areas with significant infrastructure deficiencies.

660-046-0010 Applicability

1. A local government that is a Medium City or Large City must comply with this division.
2. Notwithstanding section (1), a Medium or Large City need not comply with this division for:
 - a. Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;
 - b. Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and
 - c. Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.
3. A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.
 - a. Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.
 - A. Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.
 - i. Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;
 - ii. Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and
 - iii. If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.
 - B. Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective

measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

- i. Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and
 - ii. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.
- b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.
- c. Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:
 - A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and
 - B. Other hazard areas identified in an adopted comprehensive plan or development code; provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:
 - i. Increasing the number of people exposed to a hazard;
 - ii. Increasing risk of damage to property, built, or natural infrastructure; and
 - iii. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.
- d. Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.
- e. Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.
- f. Goal 15: Willamette Greenway – Pursuant to OAR 660-015-0005, Medium and Large Cities must review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Medium and Large Cities may allow and regulate the development of Middle Housing in the Willamette Greenway, provided that applicable regulations adopted pursuant to Goal 15 comply with ORS 197.307.
- g. Goal 16: Estuarine Resources – Pursuant to OAR 660-015-0010(1) and OAR chapter 660, division 17, Medium and Large Cities must apply land use regulations that protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Medium and Large Cities may prohibit Middle Housing in areas regulated to

- protect estuarine resources under Goal 16 in the same manner as the Medium or Large City prohibits detached single-family dwellings to protect estuarine resources under Goal 16.
- h. Goal 17: Coastal Shorelands – Pursuant to OAR 660-015-0010(2) and OAR 660-037-0080, local governments must apply land use regulations that protect shorelands for water-dependent recreational, commercial, and industrial uses. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 17. Local governments may apply regulations to Middle Housing that apply to detached single-family dwellings in the same zone.
 - i. Goal 18: Beaches and Dunes – Pursuant to OAR 660-015-0010(3), Medium and Large Cities must apply land use regulations to residential developments to mitigate hazards to life, public and private property, and the natural environment in areas identified as Beaches and Dunes under Goal 18. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 18 including but not limited to restrictions on use, density, and occupancy; provided the development of Middle Housing presents a greater risk to life or property than development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:
 - A. Increasing the number of people exposed to a hazard;
 - B. Increasing risk of damage to property, built or natural infrastructure; and
 - C. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.
 - 4. For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the applicable Model Code adopted in this section will be applied to A Local Government That Has Not Acted to comply with the provisions of ORS 197.758 and this division. For such Medium and Large Cities, the applicable Model Code completely replaces and pre-empts any provisions of those Medium and Large Cities' development codes that conflict with the Model Code. The Land Conservation and Development Commission adopts the following Middle Housing Model Codes:
 - a. The Medium City Model Code as provided in Exhibit A; and
 - b. The Large City Model Code as provided in Exhibit B.
 - 5. This division does not prohibit Medium or Large Cities from allowing:
 - a. Single-family dwellings in areas zoned to allow for single-family dwellings; or
 - b. Middle Housing in areas not required under this division.

660-046-0020 Definitions

As used in this division, the definitions in ORS 197.015 and ORS 197.758 et seq. apply, unless the context requires otherwise. In addition, the following definitions apply:

1. "A Local Government That Has Not Acted" means a Medium or Large City that has not adopted acknowledged land use regulations that are in compliance with ORS 197.758 and this division.
2. "Cottage Cluster" means a grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard. A Medium or Large City may allow Cottage Cluster units to be located on a single Lot or Parcel, or on individual Lots or Parcels.
3. "Department" means the Department of Land Conservation and Development.
4. "Design Standard" means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.
5. "Detached single-family dwelling" means a detached structure on a Lot or Parcel that is comprised of a single dwelling unit.
6. "Duplex" means two attached dwelling units on a Lot or Parcel. A Medium or Large City may define a Duplex to include two detached dwelling units on a Lot or Parcel.
7. "Goal Protected Lands" means lands protected or designated pursuant to any one of the following statewide planning goals:
 - a. Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;

- b. Goal 6 Air, Water and Land Resource Quality;
 - c. Goal 7 Areas Subject to Natural Hazards;
 - d. Goal 9 Economic Development;
 - e. Goal 15 Willamette River Greenway;
 - f. Goal 16 Estuarine Resources;
 - g. Goal 17 Coastal Shorelands; and
 - h. Goal 18 Beaches and Dunes.
8. "Large City" means a city with a certified Portland State University Population Research Center estimated population of 25,000 or more or a city with a population over 1,000 within a metropolitan service district. A Large City includes unincorporated areas of counties within a metropolitan service district that are provided with sufficient urban services as defined in ORS 195.065. Sufficient urban services means areas that are within an urban service district boundary.
 9. "Lot or Parcel" means any legally created unit of land.
 10. "Master Planned Community" means a site that is any one of the following:
 - a. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary that is zoned for or proposed to be Zoned For Residential Use, and which is not currently developed with urban residential uses, for which a Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan;
 - b. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary for which a Large City adopted, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan after the site was incorporated into the urban growth boundary; or
 - c. Added to the Large City's urban growth boundary after January 1, 2021 for which the Large City proposes to adopt, by resolution or ordinance, a master plan or a plan that functions in the same manner as a master plan.
 11. "Medium City" means a 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.
 12. "Middle Housing" means Duplexes, Triplexes, Quadplexes, Cottage Clusters, and Townhouses.
 13. "Model Code" means the applicable Model Code developed by the Department and contained in the exhibits in OAR 660-046-0010(4).
 14. "Quadplex" means four attached dwelling units on a Lot or Parcel. A Large City may define a Quadplex to include any configuration of four detached or attached dwelling units on one Lot or Parcel.
 15. "Siting Standard" means a standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.
 16. "Sufficient Infrastructure" means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
 - a. Connection to a public sewer system capable of meeting established service levels.
 - b. Connection to a public water system capable of meeting established service levels.
 - c. Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 - d. Storm drainage facilities capable of meeting established service levels for storm drainage.
 17. "Townhouse" means a dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent dwelling unit.
 18. "Townhouse Project" means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and the any commonly owned property.
 19. "Triplex" means three attached dwelling units on a Lot or Parcel. A Large City may define a Triplex to include any configuration of three detached or attached dwelling units on one Lot or Parcel.

20. “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.

660-046-0030 Implementation of Middle Housing Ordinances

1. Before a Medium or Large City amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the Medium or Large City must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.
2. In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a Medium or Large City must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:
 - a. Waiving or deferring system development charges;
 - b. Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and
 - c. Assessing a construction tax under ORS 320.192 and ORS 320.195.
3. When a Medium or Large City amends its comprehensive plan or land use regulations to allow Middle Housing, the Medium or Large City is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

660-046-0040 Compliance

1. A Medium or Large City may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 et seq. and the provisions of this division.
2. A Medium or Large City may request from the Department an extension of the time allowed to complete the action under subsection (1) pursuant to the applicable sections of OAR 660-046-0300 through OAR 660-046-0370.
3. A Medium City which is A Local Government That Has Not Acted by June 30, 2021 or within one year of qualifying as a Medium City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) in its entirety to all proposed Middle Housing development applications until such time as the Medium City has adopted provisions under section (1).
4. A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed development applications for that specific Middle Housing type until such time as the Large City has adopted provisions under section (1).
5. If a Medium or Large City has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the Medium or Large City’s land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court solely on procedural grounds, the Medium or Large City is deemed to have acted. Accordingly, the Medium or Large City may continue to apply its own land use regulations and comprehensive plan as they existed prior to the adoption of land use regulations or comprehensive plan amendments that were the subject of procedural remand until the first of the two options:
 - a. The Medium or Large City has adopted land use regulations or amended its comprehensive plan in response to the remand; or
 - b. 120 days after the date of the remand. If the Medium or Large City has not adopted land use regulations or amended its comprehensive plan within 120 days of the date of the remand, the Medium or Large City is deemed not to have acted under sections (3) and (4).
6. If a Medium or Large City has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the Medium or Large city’s land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an

appellate court on any substantive grounds, the Medium or Large City is deemed to have not acted under sections (3) and (4).

7. If a Medium or Large City acknowledged to be in compliance with this division subsequently amends its land use regulations or comprehensive plan, and those amendments are remanded by the Land Use Board of Appeals or an appellate court, the Medium or Large City shall continue to apply its land use regulations and comprehensive plan as they existed prior to the amendments until the amendments are acknowledged.
8. Where a Medium or Large City directly applies the Model Code in accordance with sections (3), (4) and (5), the Model Code completely replaces and pre-empted any provisions of that Medium or Large City's development code that conflict with the applicable sections of the Model Code.

660-046-0050 Eligible Local Governments

1. If a local government was not previously a Medium City and a certified Portland State University Population Research Center population estimate qualifies it as a Medium City, the local government must comply with this division within one year of its qualification as a Medium City.
2. If a local government was not previously a Large City and a certified Portland State University Population Research Center population estimate qualifies it as a Large City, the local government must comply with this division within two years of its qualification as a Large City.

660-046-0100 Purpose of Middle Housing in Medium Cities

OAR 660-046-0105 through OAR 660-046-0130 are intended to measure compliance with ORS 197.758 et seq. and Goal 10 Housing for Medium Cities.

660-046-0105 Applicability of Middle Housing in Medium Cities

1. A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.
2. OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

660-046-0110 Provisions Applicable to Duplexes in Medium Cities

1. Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Medium Cities may regulate siting and design of Duplexes, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.
3. Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.
4. Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval process provided in OAR 660-046-0115;
 - c. Siting standards provided in OAR 660-046-0120;
 - d. Design standards in Medium Cities provided in OAR 660-046-0125;
 - e. Duplex Conversions provided in OAR 660-046-0130; and
 - f. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0115 Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-007-0015, OAR 660-008-0015, and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0120 Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

1. Minimum Lot or Parcel Size: A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.
2. Density: If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.
3. Setbacks: A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.
4. Height: A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.
5. Parking:
 - a. A Medium City may not require more than a total of two off-street parking spaces for a Duplex.
 - b. Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.
6. Lot Coverage and Floor Area Ratio: Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.
7. A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Duplexes.

660-046-0125 Duplex Design Standards in Medium Cities

1. Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.
2. A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

660-046-0130 Duplex Conversions

Additions to or conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code.

660-046-0200 Purpose of Middle Housing in Large Cities

OAR 660-046-0205 through OAR 660-046-0235 are intended to measure compliance with ORS 197.758 et seq. and Goal 10 Housing for Large Cities.

660-046-0205 Applicability of Middle Housing in Large Cities

1. A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.

2. A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:
 - a. Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);
 - b. Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:
 - A. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it must allow the development of all Middle Housing types as provided in OAR 660-046-0205 through OAR 660-046-0235.
 - i. A Large City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre if located within a metropolitan service district boundary, and 15 dwelling units per net acre if located outside of a metropolitan service district boundary.
 - ii. If a proposed Middle Housing development exceeds the planned public service capacity of a Master Plan, the Large City may require the applicant demonstrate, through an amended public facility plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.
 - iii. A Large City may require a mix of two or more Middle Housing types within a Master Plan or portions of a Master Plan.
 - iv. A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks.
 - B. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes in the entire master plan area a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.
 - c. Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.
3. A Large City may:
 - a. Allow for the development of 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 as provided in OAR 660-046-0205 through OAR 660-046-0235; or
 - b. Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
 - A. Triplexes – Must be allowed on 80% of Lots and Parcels;
 - B. Quadplexes - Must be allowed on 70% of Lots and Parcels;
 - C. Townhouses - Must be allowed on 60% of Lots and Parcels; and
 - D. Cottage Clusters – Must be allowed on 70% of Lots and Parcels.

- E. A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:
 - i. The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;
 - ii. The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement;
 - iii. Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and
 - iv. The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).
- F. A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in subsection (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in subsection (2) of this section, within a Large City.
- G. Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:
 - i. At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR Chapter 660, Division 18;
 - ii. At any future Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and
 - iii. With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR Chapter 660, Division 18, for Large Cities that are not subject to the Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.
- 4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:
 - a. Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.
 - b. Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a lot, including any accessory dwelling units.
 - c. Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.
 - d. Cottage Clusters –
 - A. A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.
 - B. A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Large Cities may regulate siting and design of Middle Housing, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.
3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval processes provided in OAR 660-046-0215;
 - c. Siting standards provided in OAR 660-046-0220;
 - d. Design standards in Large Cities provided in OAR 660-046-0225;
 - e. Middle Housing Conversions provided in OAR 660-046-0230;
 - f. Alternative siting or design standards provided in OAR 660-046-0235; and
 - g. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0220 Middle Housing Siting Standards in Large Cities

1. Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.
2. The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:
 - a. Minimum Lot or Parcel Size:
 - A. For Triplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - B. For Quadplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - C. A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs A. or B.

- b. Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.
 - c. Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.
 - d. 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.
 - e. Parking:
 - A. For Triplexes, a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.
 - B. For Quadplexes, a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
 - iv. For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.
 - C. A Large City may allow on-street parking credits to satisfy off-street parking requirements.
 - D. A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.
 - E. 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.
 - F. A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.
 - f. Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.
 - g. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.
3. The following governs Large Cities' regulation of siting standards related to Townhouses:
- a. Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. 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, or less.
 - b. Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.
 - c. Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.

- d. Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.
 - e. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.
 - f. Parking:
 - A. A Large City may not require more than one off-street parking space per Townhouse dwelling unit.
 - B. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
 - C. 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.
 - g. Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse Project greater than that of a single-family detached dwelling.
 - h. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.
4. The following governs Large Cities' regulation of siting standards related to Cottage Clusters:
- a. Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:
 - A. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.
 - B. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - b. Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.
 - c. Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.
 - d. Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.
 - e. Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.
 - f. Parking:

- A. A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.
- B. A Large City may allow but may not require off-street parking to be provided as a garage or carport.
- C. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
- g. Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.
- h. Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.
- i. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Cottage Cluster development application.

660-046-0225 Middle Housing Design Standards in Large Cities

1. A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:
 - a. Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - b. Design standards that are less restrictive than those in the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - c. The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or
 - d. Alternative design standards as provided in OAR 660-046-0235.
2. A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.

660-046-0230 Middle Housing Conversions

1. Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.
2. If Middle Housing is created through the addition to, or conversion of, an existing single-family detached dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.
3. A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:
 - a. The preexisting single-family dwelling may be nonconforming with respect to the requirements of the applicable code;
 - b. The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;
 - c. The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;
 - d. The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; or
 - e. A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) below. Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. A Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:
 - a. The total time and cost of construction, including design, labor, and materials;
 - b. The total cost of land;
 - c. The availability and acquisition of land, including areas with existing development;
 - d. The total time and cost of permitting and fees required to make land suitable for development;
 - e. The cumulative livable floor area that can be produced; and
 - f. The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.

Chapter 17.11

RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS
(as adopted per Ordinance XXXX, June XX, 2022)

Sections:

- 17.11.010 Purpose
- 17.11.011 Introduction to Housing Types
- 17.11.012 Zoning Table of Allowed Housing Types
- 17.11.013 Definition of Housing Types
- 17.11.014 Introduction to Development Standards Tables
- 17.11.020 Tiny Houses.
- 17.11.030 Cottage Cluster.
- 17.11.040 Accessory Dwelling Units.
- 17.11.050 Single Detached Houses.
- 17.11.060 Plexes.
- 17.11.070 Townhouses.
- 17.11.080 Single Room Occupancy.
- 17.11.090 Apartments.
- 17.11.100 Apartment Design Standards
- 17.11.110 Universal Design Standards.

17.11.010 Purpose.

The purpose of this chapter is to provide design and development standards that are broadly applicable to all residential development in residential and commercial zones.

17.11.011 Introduction to Housing Types.

- A. A housing type is not a use category. It describes a type of development that can contain a residential use.
- B. A list of allowed, limited, and prohibited housing types in residential and commercial zones is provided in Table 17.11.1. Terms and abbreviations used are defined as follows:
 - 1. Yes, allowed (Y). Housing types that are allowed.
 - 2. Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
 - 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter, which is indicated in parentheses in the first column of Table
- D. All allowed housing types may be built on site or brought to the site as a manufactured home.

Y=Yes, Allowed

17.11.012 Zoning Table of Allowed Housing Types. The table below depicts what housing type is allowed in each zone.

Zoning Table of Allowed Housing Types

Housing Types	R-1	R-2	R-3	R-4	R-5	O-R	C-1	C-2	C-3
Detached Dwelling Units									
Tiny Houses (17.11)	Y	Y	Y	Y	N	Y	N	N	N
Cottage Clusters (17.11)	Y	Y	Y	Y	N	Y	N	N	N
Accessory Dwelling Units (17.11)	Y	Y	Y	Y	N	Y	N	N	L
Single Detached Houses (17.11)	Y	Y	Y	Y	N	Y	N	N	L
Multi-dwelling Housing									
Plexes (17.11)	Y	Y	Y	Y	N	Y	N	N	L
Townhouse (17.11)	Y	Y	Y	Y	N	Y	N	N	L
Apartments (17.11)	N	N	N	L	Y	L	N	N	Y
Single Room Occupancy (Small Housing) (17.11)	Y	Y	Y	Y	N	Y	N	N	L
Single Room Occupancy (Large Housing) (17.11)	N	N	N	Y	Y	Y	N	N	Y

L=Limited, (see footnotes in housing types development standards tables)

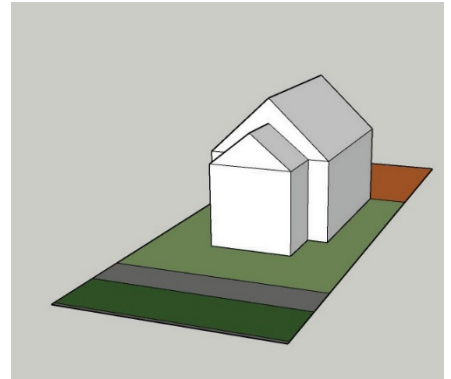
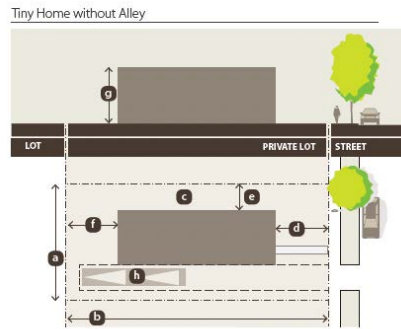
N=No, Prohibited

17.11.013 Definition of Housing Types.

Definition of Housing Types

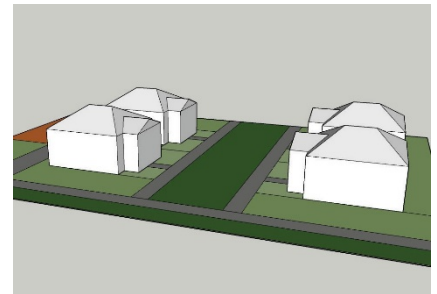
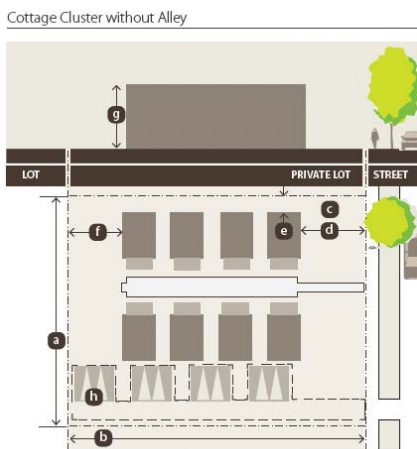
Tiny House

A Tiny House is a small permanent detached unit no more than 400 square feet.



Cottage Clusters

A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels.



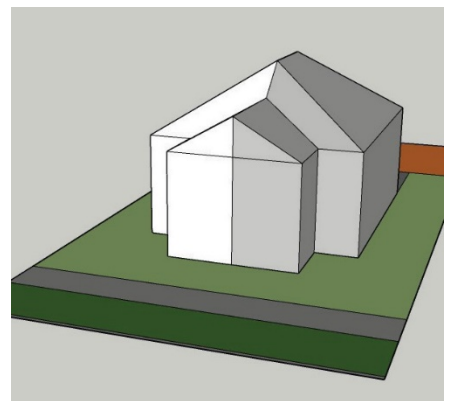
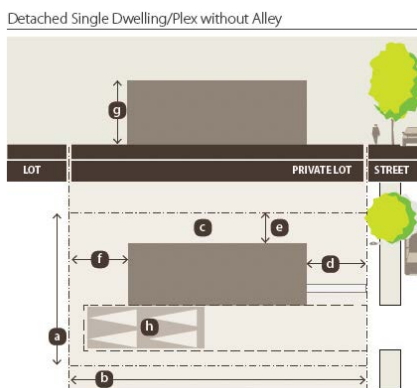
Plexes

Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units).

Duplex: Two dwelling units on a single lot, may be attached or detached

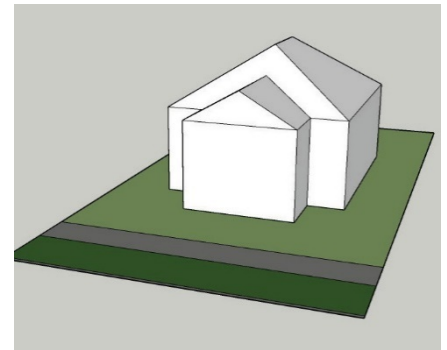
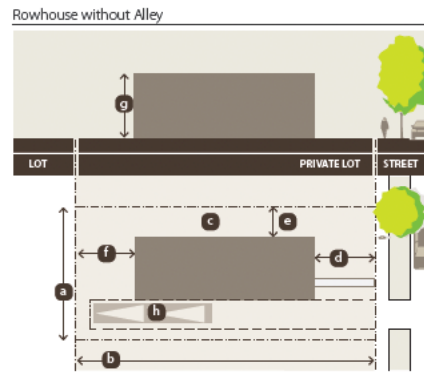
Triplex: Three dwelling units on a single lot, may be attached or detached.

Quadplex: Four dwelling units on a single lot, may be attached or detached.



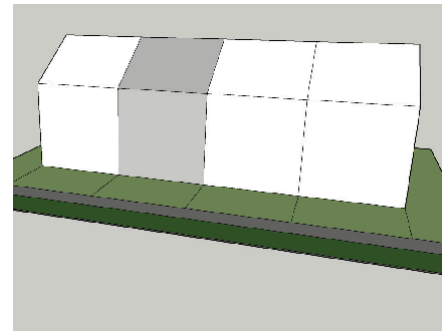
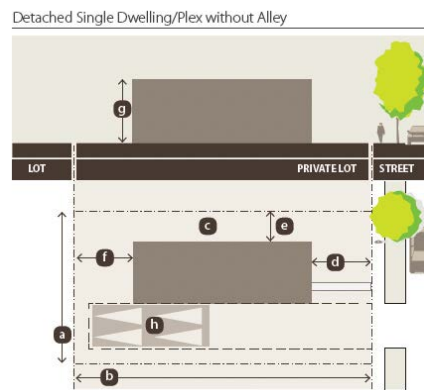
Single Dwelling

A detached building containing one dwelling unit. Single dwelling standards apply to units that are larger than 400 square feet.



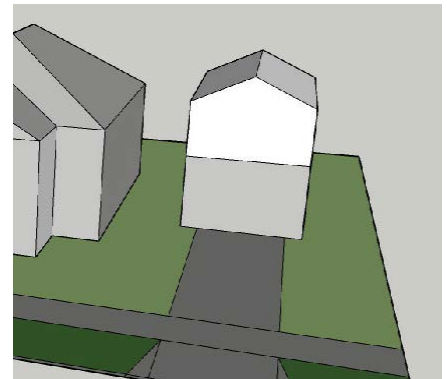
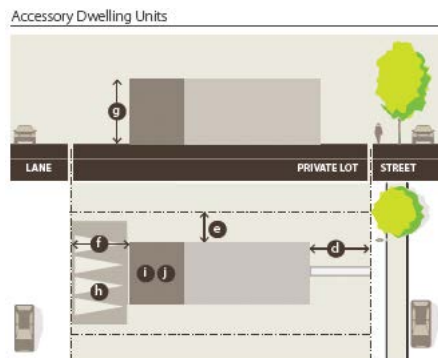
Townhouse

A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.



Accessory Dwelling Unit (ADU)

An ADU is a secondary, self-contained single- dwelling unit that may be allowed only in conjunction with a single- dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary single-dwelling. An accessory dwelling unit may be located within, attached to or detached from the primary single dwelling.



Single Resident Occupancy (SRO)

An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.



Apartments

(In order of density: Most dense to least dense)

Apartment Block

Stacked dwelling units in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.

Walk-Up Apartment

Buildings are limited to three stories, and consist of about 4 to 12 dwelling units each, accessible from a single open air stair. Individual apartment buildings are arranged around common open space and shared parking areas.

Courtyard Apartment

Attached dwelling units arranged around a courtyard, each with its own entry or other access off of the courtyard.



Apartment Block

Density Range:

Context: City center



Medium Apartment Block

Density Range:

Context: City center and along major streets served by transit



Small Apartment Block

Density Range:

Context: At the edges of low and medium density residential neighborhoods



Single Walk-up

Density Range:

Context: At the edges of low density residential neighborhoods and along major streets



2-3 Story Courtyard

Density Range:

Context: City center, low and mid-density residential neighborhoods



Single Story Courtyard

Density Range:

Context: May be integrated into low density residential neighborhoods

17.11.014 Introduction to Development Standards Tables.

- A. Each housing type has a development standards table. The table has information about minimum lot sizes, setbacks, height limitations, parking, and other relevant standards.
- B. The tables are set up to provide development standards for the housing type if used as part of a planned development, with alleys and without alleys, as well as part of a subdivision or infill in a subdivision.
- C. Development standards vary depending on the above conditions, mostly due to parking. Lot widths for homes without an alley tend to be wider to accommodate space for a driveway. Lots for homes with an alley can be narrower in width because parking is permitted directly off of the alley.
- D. The development standards for lots with or without an alley are applicable to planned developments per 17.XX.XXX.
- E. The development standards for infill are required to match those of the existing zoning and adjacent lots.

17.11.020 TINY HOUSES.

- A. **Characteristics.** A Tiny House is a small permanent detached dwelling unit no more than 400 square feet. Because tiny houses are substantially smaller than a typical single dwelling, they may provide a less expensive homeownership product than a larger single dwelling house.
- B. **Guiding Principle.** Tiny houses should each have their own private open space and be situated similarly to single dwellings by facing the primary adjacent street. Tiny houses grouped in a cluster on a single lot should follow the standards and guidelines of a Cottage Cluster.
- C. **Development Standards.** Please see Table 1 below

TABLE 1. TINY HOUSE DEVELOPMENT STANDARDS

PLANNED DEVELOPMENT			SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION/INFILL ⁽⁴⁾
a) Lot width (feet)	Min. 25	Min. 40	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 55	Min. 60	
c) Lot size (square feet)	Min. 1,400	Min. 2,100	
d) Front setback (feet)	Min. 10 ¹ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ² or 5 Exterior: 10	Interior: Min. 3 ² or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage ³	Min. 20	
g) Building height (feet)	Max. 25	Max. 25	Max. 25
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Off-street Parking	One parking space per dwelling unit		
k) Universal Design Standards and Subdivision Standards that apply	Street frontage Front yard Alleys Compatibility Façade Parking Subdivision Standards: Usable Side Yard, Through Block, and Corner Common Greens		

¹ Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

² Must meet all requirements of Usable Side Yard Subdivision standards.

³ From alley property or easement line.

⁴ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Tiny House without Alley

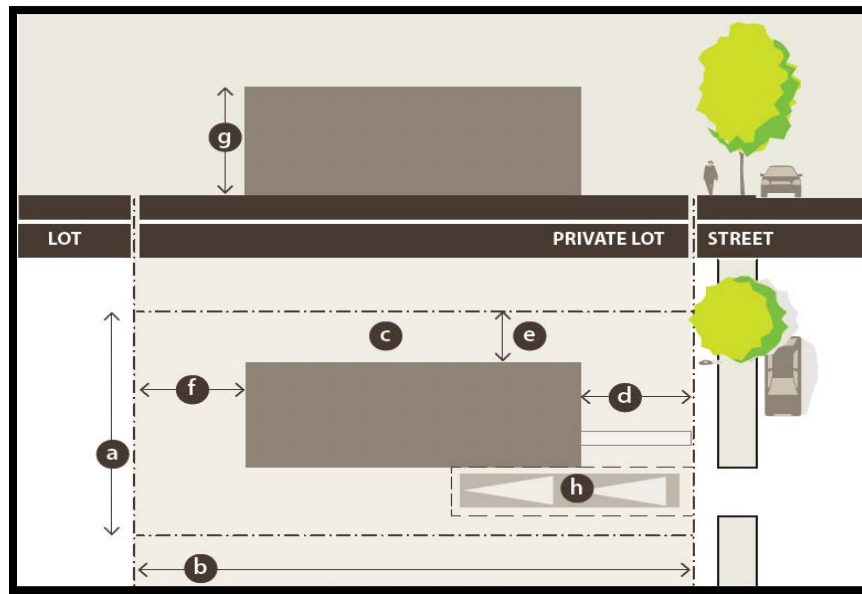
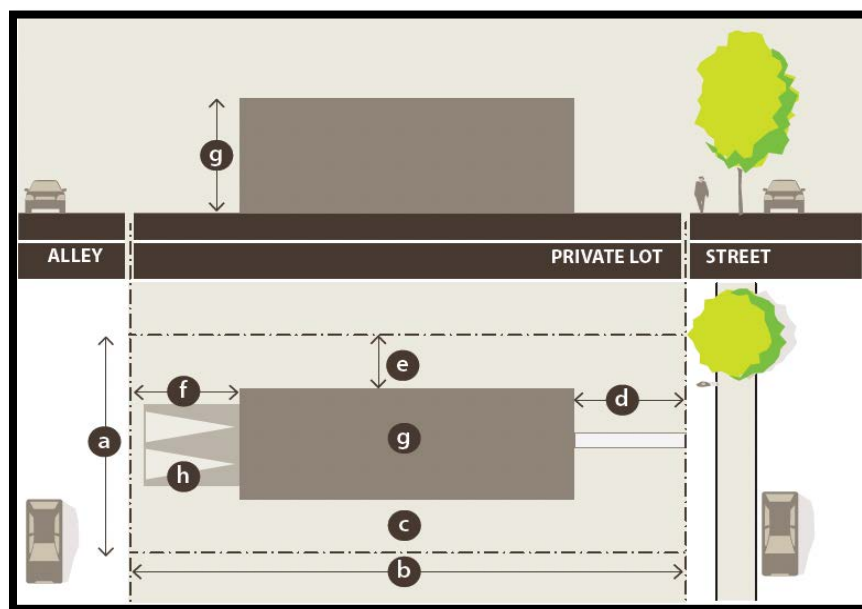


Figure 2. Tiny House with Alley



17.11.030 COTTAGE CLUSTER.

- A. **Characteristics.** Cottage clusters are groups of four to eighteen detached dwelling units that are of smaller size than the typical single detached house. A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels. Given their small

footprint and low profile, cottages may provide an alternative housing option that fits seamlessly into detached low density residential neighborhoods.

B. Guiding Principles.

1. Shared open space should be provided and located so that it serves as a central feature of the cluster of dwellings.
2. Layer zones of landscaping to create a gradual transition from the commonly owned green to the privately-owned garden and porch of individual dwellings.
3. Spacing between cottage cluster housing units shall meet applicable building code requirements

C. Development Standards. Please see Table 1 below

TABLE 1. COTTAGE CLUSTER DEVELOPMENT STANDARDS

		PLANNED DEVELOPMENT		SUBDIVISION
		WITH ALLEY	WITHOUT ALLEY	SUBDIVISION/INFILL ⁽³⁾
a)	Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
b)	Lot depth (feet)	Min. 65	Min. 65	
c)	Lot size (square feet)	Min. 7,000	Min. 7,000	Min. 7,000
d)	Front setback (feet)	Min. 10	Min. 10	Min. 10
e)	Side setback (feet)	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: Min. 10
f)	Rear setback (feet)	0 with garage, 10 without garage. ⁴	Min. 10	Min. 10
g)	Building height (feet)	Max. 25 or two (2) stories, whichever is greater	Max. 25 or two (2) stories, whichever is greater	Max. 25 or two (2) stories, whichever is greater
h)	Building separation	6	6	10
i)	Building footprint, maximum ⁽¹⁾	900	900	900
j)	Unit size, average (square feet) ⁽²⁾	1,400	1,400	1,400

1 May exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. May not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.

2. Maximum average floor area per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

3 Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

k) Parking Zone	For lots with an alley: Parking is required to be located accessed off adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
l) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
m) Off-street Parking	One off-street parking space per dwelling unit. Cottage Cluster developments utilize shared parking areas and a shared driveway limited to one driveway per street frontage.		
n) Minimum number of units	4	4	4
o) Maximum number of units	18	12	12
p) Density, minimum	Four units per acre	Four units per acre	Four units per acre
q) Universal Design Standards and Subdivision Standards that apply	Street frontage Front yard Alleys Private open space Common open space Compatibility Façade Parking Subdivision Standards: Usable Side Yard, Through Block, and Corner Common Greens		

Figure 1. Cottage Cluster without Alley

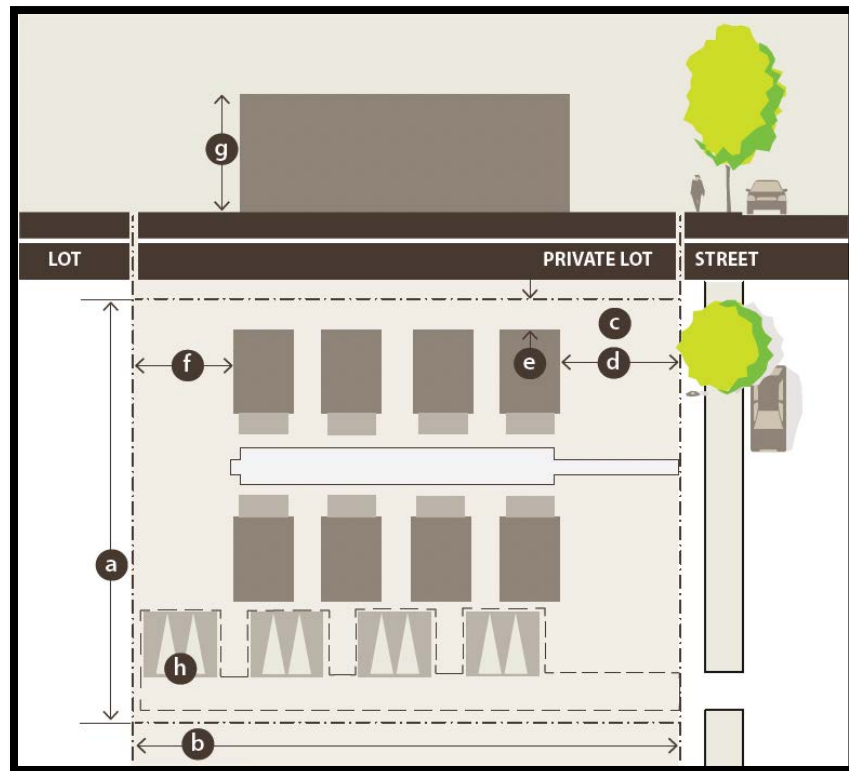
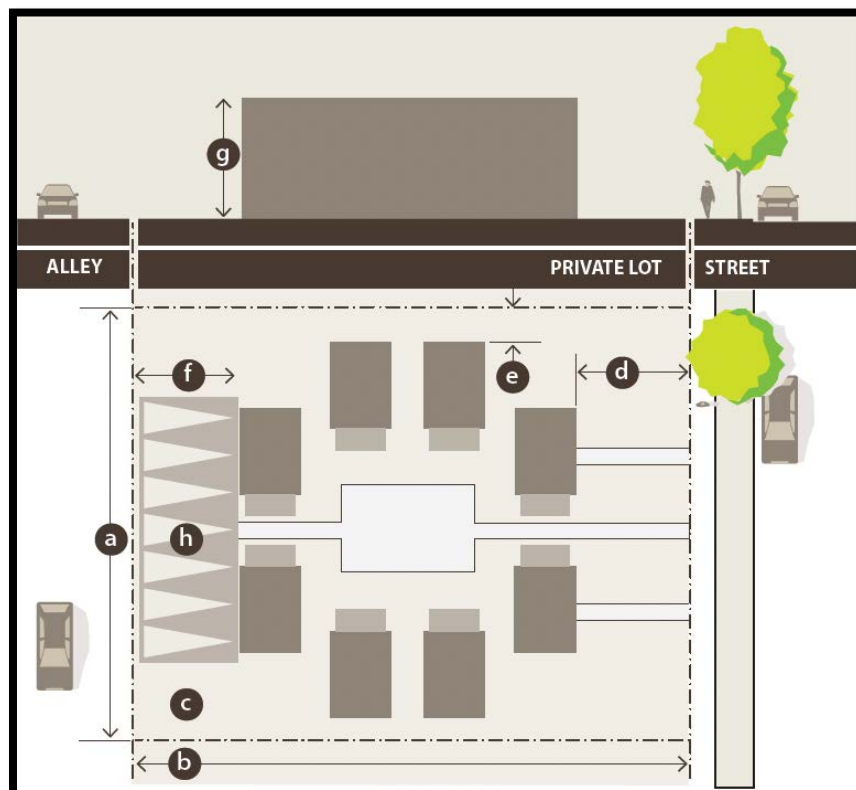


Figure 2. Cottage Cluster with Alley



D. Design Standards. Please see Table 2 below

TABLE 2: COTTAGE CLUSTER DESIGN STANDARDS

	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION/INFILL ⁽¹⁾
a) Cottage orientation	<p>Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.</p> <p>A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:</p> <ul style="list-style-type: none"> · Have a main entrance facing the common courtyard; · Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and · Be connected to the common courtyard by a pedestrian path. · Cottages within 20 feet of a street property line may have their entrances facing the street. <p>Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.</p>		
b) Common courtyard design	<p>Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:</p> <ul style="list-style-type: none"> · Common courtyard must be a single, contiguous piece · Cottages must abut the common courtyard on at least two sides of the courtyard · The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area. · Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard. · Up to 25% of the courtyard can be in a constrained area (e.g.; wetlands, forested areas, or steep slopes). 		
c) Common courtyard width, minimum (feet)	15	20	24
d) Common courtyard frontage on a street	Not required	required	Not required

e) Common courtyard square footage per unit ⁵	150	300	400
f) Common buildings	<p>Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:</p> <p>Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area.</p> <p>A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.</p>		
g) Pedestrian access	<p>An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:</p> <ul style="list-style-type: none"> · The common courtyard; · Shared parking areas; · Community buildings; and · Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. <p>The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.</p>		
h) Windows	<p>Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single dwellings in the same zone</p>		
i) Parking design: clustered parking	<p>Off-street parking may be arranged in clusters, subject to the following standards:</p> <ul style="list-style-type: none"> · Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces. · Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces. · Parking clusters must be separated from other spaces by at least four (4) feet of landscaping. <p>Clustered parking areas may be covered.</p>		

⁵ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

j) Parking location and access	<p>Off-street parking spaces and vehicle maneuvering areas shall not be located:</p> <ul style="list-style-type: none"> · Within of 20 feet from any street property line, except alley property lines; · Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines. 		
k) Screening	<p>Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.</p>		
l) Garages and carports	<p>Garages and carports (whether shared or individual) must not abut common courtyards.</p> <p>Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.</p> <p>Individual detached garages must not exceed 400 square feet in floor area.</p> <p>Garage doors for attached and detached individual garages must not exceed 20 feet in width.</p>		
m) Accessory structures, maximum area	400	400	400
n) Existing structures	<p>On a lot or parcel to be used for a cottage cluster project, an existing detached single dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:</p> <ul style="list-style-type: none"> · The existing dwelling may be nonconforming with respect to the requirements of this code. · The existing dwelling may be expanded up to the maximum height or the maximum building footprint; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded. · The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster. <p>The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard.</p>		

o) Conversions	<p>A preexisting detached single dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:</p> <ul style="list-style-type: none"> · The preexisting single dwelling may be nonconforming with respect to the requirements of the applicable code; · The preexisting single dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded; · The preexisting single dwelling shall count as a unit in the Cottage Cluster; · The floor area of the preexisting single dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits
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17.11.040 ACCESSORY DWELLING UNITS.

- A. **Characteristics.** An ADU is a secondary, self-contained single-family dwelling that may be allowed only in conjunction With a detached single-family dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single- family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single-family dwelling.
- B. **Guiding Principles.** The accessory dwelling unit may be established by:
1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 2. Adding floor area to the primary dwelling, including a second story;
 3. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 4. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.
 5. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
 6. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
 7. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.
 8. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not

to include modular structures, shall not be used as an accessory dwelling unit.

9. ADUs are exempt from the residential density standards of this code.
10. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.
11. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).

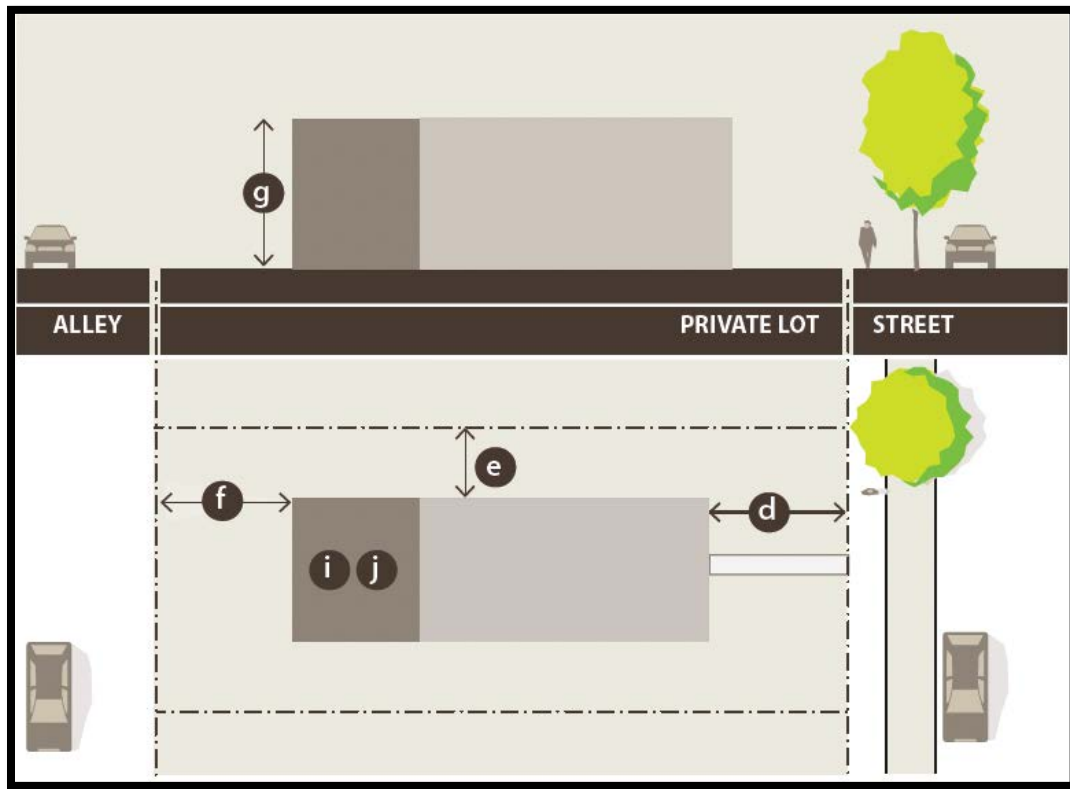
C. Development Standards. Please see Table 1 below

TABLE 1. ACCESSORY DWELLING UNITS DEVELOPMENT STANDARDS

Lot width (feet)	N/A
Lot depth (feet)	N/A
Lot size (square feet)	N/A
d) Front setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
e) Side setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
f) Rear setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
g) Building height (feet)	Height of primary building or 25 feet, whichever is less. ¹
h) Building size	Not more than 50% of main dwelling or not more than 1,000 sf (whichever is smaller).
i) Lot coverage	Not larger than the coverage of the primary dwelling.
j) Universal Design Standards and Subdivision Standards that apply	Universal Design Standards that apply to the main dwelling apply to the accessory dwelling unit.

¹ Applicable to detached ADUs.

Figure 1. Accessory Dwelling Units



- D. **Design Standards.** The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.

17.11.050 SINGLE DETACHED HOUSES.

- A. **Characteristics.** Single dwellings are one home on a single lot, separated from adjacent dwellings by private open space in the form of side yards and backyards, and often set back from the public street with a front yard. Single dwelling standards apply to units that are larger than 400 square feet.
- B. **Guiding Principles.**
1. Avoid cookie-cutter appearance across multiple single dwellings in the same neighborhood by creating a variety of color, form, and façade details.
 2. Space driveways to allow for street trees and on-street parking.
 3. Garages facing the front should be recessed to reduce their prominence on the front façade.

C. Development Standards. Please see Table 1 below

TABLE 1. SINGLE DWELLING DEVELOPMENT STANDARDS			
PLANNED DEVELOPMENT			SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISON, INFILL ¹
Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
Lot depth (feet)	Min. 65	Min. 65	
Lot size (square feet)	Min. 2,300	Min. 3,000	
Front setback (feet)	Min. 15	Min. 15	
Side setback (feet)	Interior: Min. 3 ² or 7.5 Exterior: 10	Interior: Min. 32 or 7.5 Exterior: 10	
Rear setback (feet)	0 with garage, 20 without garage. ³	Min. 20	
Building height (feet)	Max. 35	Max. 35	
Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
Off-street Parking	Two parking spaces per dwelling unit.		

¹ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

² Must meet all requirements of Usable Side Yard Subdivision standards.

³ From alley property or easement line.

<p>k)</p> <p>Universal Design Standards and Subdivision Standards that apply</p>	<p>Street frontage</p> <p>Front yard</p> <p>Alleys</p> <p>Private open space</p> <p>Compatibility</p> <p>Façade</p> <p>Parking</p> <p>Subdivision Standards: Usable Side Yard, Through Block, and Corner Common Greens</p>
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Figure 1. Detached Single Dwelling without Alley

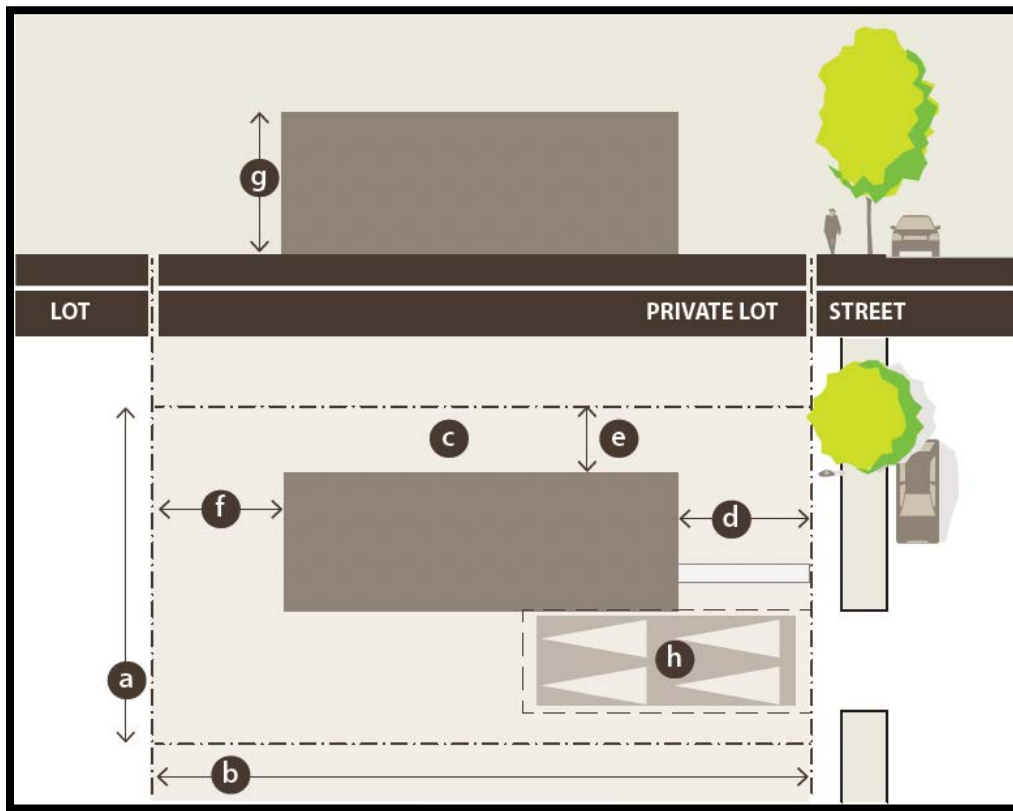
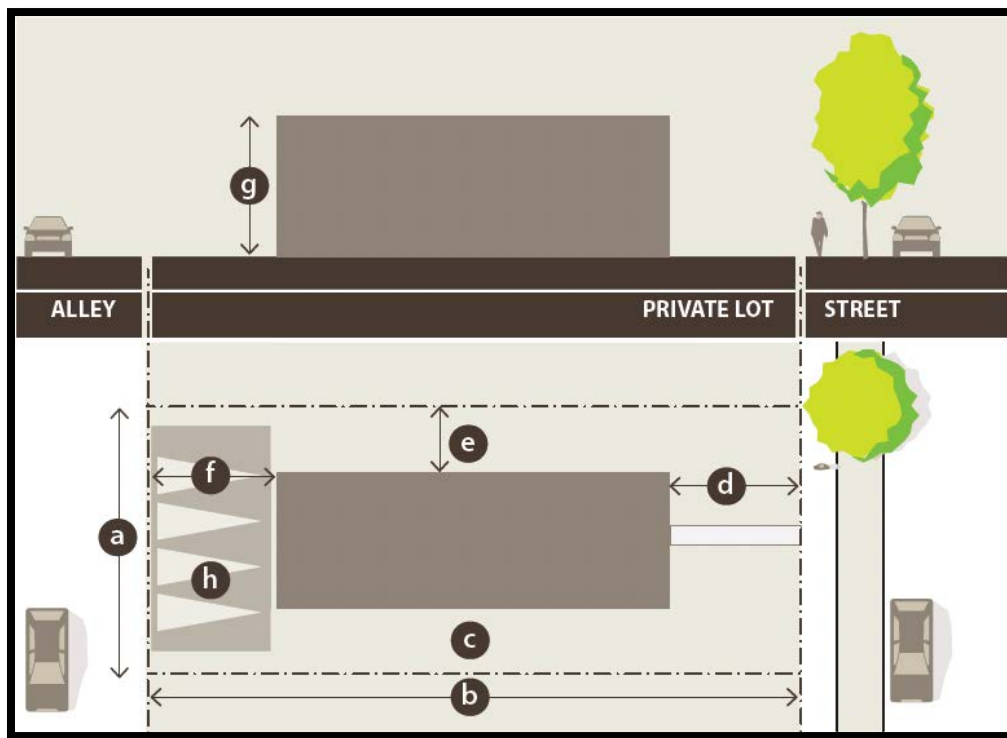


Figure 2. Detached Single Dwelling with Alley



17.11.060 PLEXES.

- A. **Characteristics.** A Plex is multiple dwellings on one lot (limited to four) stacked and/or side-by-side in a single structure , or detached in separate structures. Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units) on a single lot.
- B. **Guiding Principles.**
 - 1. Plex designs should be similar in size, scale and appearance when integrated into an existing single dwelling neighborhood.
 - 2. When situated on a corner lot, orient each entrance to a different street for privacy and neighborhood compatibility.
- C. **Development Standards.** Please see Table 1 below.

TABLE 1 PLEX DEVELOPMENT STANDARDS

PLANNED DEVELOPMENT			SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL (4)
a) Lot width (feet)	Min. 35	Min. 45	Duplex Min. 5,000 Triplex Min. 5,000 Quadplex Min. 7,000
b) Lot depth (feet)	Min. 65	Min. 65	
c) Lot size (square feet)	Duplex Min. 2,300 Triplex Min. 5,000 Quadplex Min. 7,000	Duplex Min. 3000 Triplex Min. 5,000 Quadplex Min. 7,000	
d) Front setback (feet)	Min. 10 ⁶ or 15	Min. 15	Match existing zone, subdivision, or Planned Development overlay district.
e) Side setback (feet)	Interior: Min. 37 or 7.5 Exterior: 10	Interior: Min. 37 or 7.5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage. ³	Min. 20	
g) Building height (feet)	Max. 35	Max. 35	Max. 35
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Off-street Parking	One parking space per dwelling unit.		

⁶ Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

⁷ Must meet all requirements of Usable Side Yard Subdivision standards.

³ From alley property or easement line.

⁴ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

<p>k)</p> <p>Universal Design Standards and Subdivision Standards that apply</p>	<p>Street frontage</p> <p>Front yard</p> <p>Alleys</p> <p>Private open space</p> <p>Compatibility</p> <p>Façade</p> <p>Parking</p> <p>Subdivision Standards: Usable Side Yard, Through Block, and Corner Common Greens</p>
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Figure 1. Plex without Alley

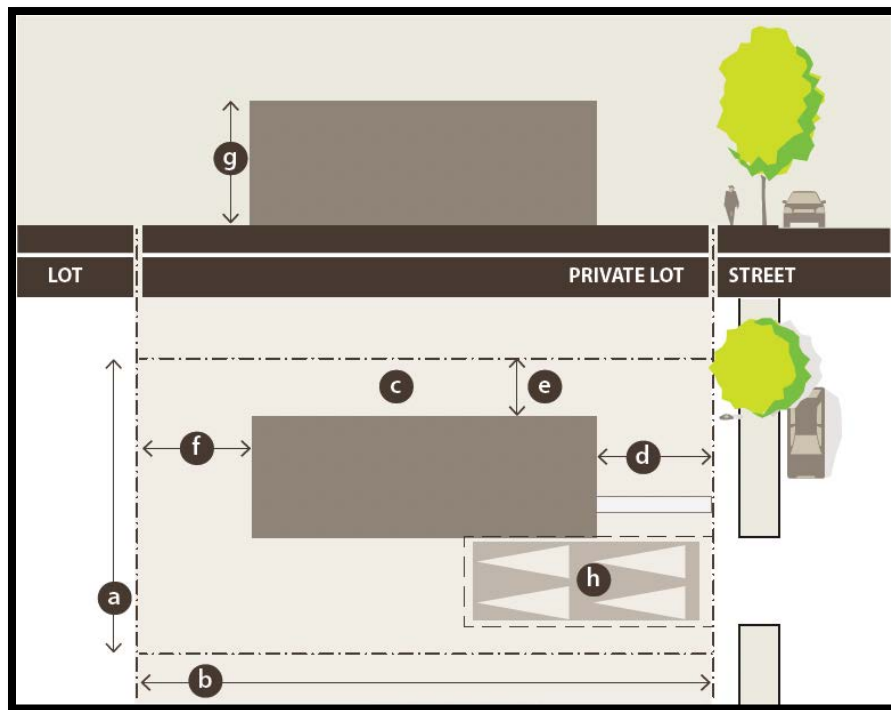
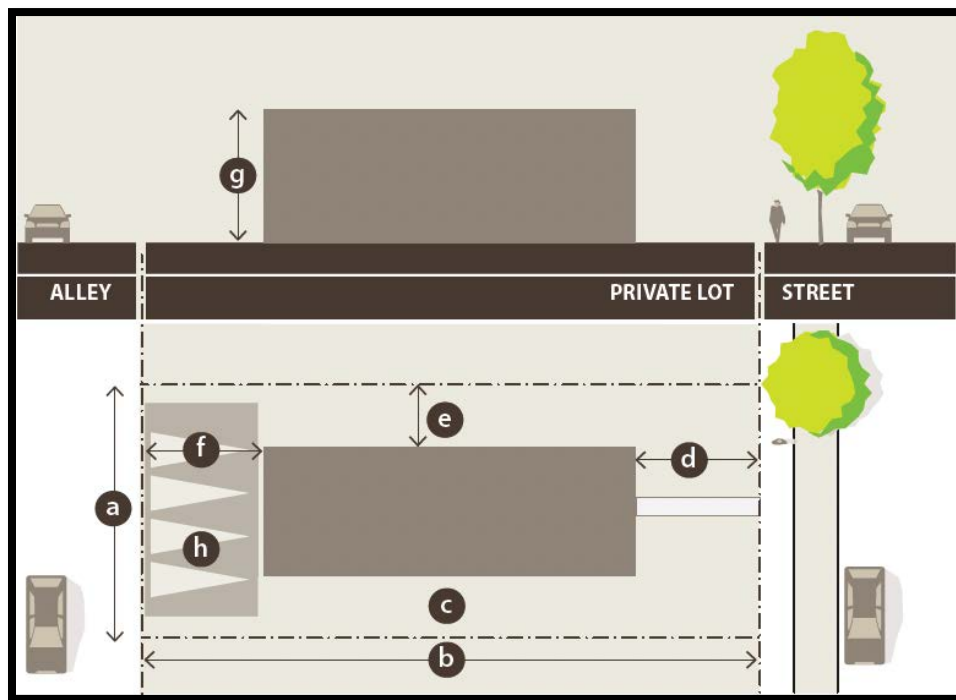


Figure 2. Plex with Alley



17.11.070 TOWNHOUSES.

- A. **Characteristics.** Townhouses are attached units with common wall construction, each on a separate lot, and each with its own entry from a public or shared street or common area. Townhouse variation includes live/work units, typically with the “work” portion on the ground floor.
- B. **Guiding Principles.**
1. When fitting into existing single dwelling neighborhoods, group townhouses in smaller clusters, so that they are a compatible scale with surrounding development.
 2. Design townhouses with a shared roof form, rather than a sawtooth shape with each unit having its own roof ridge. A shared roof form is more compatible with existing single dwelling neighborhoods.
 3. Provide alley-accessed parking, when possible, to minimize driveways and preserve the tree-lined street frontage.
- C. **Development Standards.** Please see Table 1 below.

TABLE 1. TOWNHOUSE DEVELOPMENT STANDARDS

PLANNED DEVELOPMENT			SUBDIVISION	
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁵	
a)	Lot width (feet) ⁽³⁾	Min. 20	Min. 22	Match existing zone, subdivision, or Planned Development overlay district.
b)	Lot depth (feet)	Min. 60		
c)	Lot size (square feet)	Min. 1,500 ⁽⁴⁾	Min. 1,400 1,500	Min. 1,500
d)	Front setback (feet)	Min. 15	Min. 15	Min. 15
e)	Side setback (feet)2	Interior: Min. 0 or 7.5 Exterior: Min. 10	Interior: Min. 0 or 7.5 Exterior: Min. 10	Match existing zone, subdivision, or Planned Development overlay district
f)	Rear setback (feet)	0 (zero) with garage, 20 without garage.	Min. 10	
g)	Building height (feet)	Max. 35	Max. 35	
h)	Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j)	Off-street Parking	One parking space per dwelling unit.		
k)	Number of adjoining units and arrangement	Min. 2 Max. 8	Min. 2 Max. 4	Min. 2 Max. 4

² Interior side setback of 7.5 feet and exterior setbacks only apply to end units.

³ May allow frontage on public and private streets or alleys; and on shared or common drives.

⁴ Lot sizes for internal, external, and corner lots may be different as long as the townhouse project averages 1,500 sq ft or less.

⁵ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

I) Universal Design Standards and Subdivision Standards that apply	Street frontage
	Front yard
	Alleys
	Private open space
	Compatibility
	Façade
	Parking
	Subdivision Standards: Through Block, and Corner Common Greens

Figure 1. Townhouse without Alley

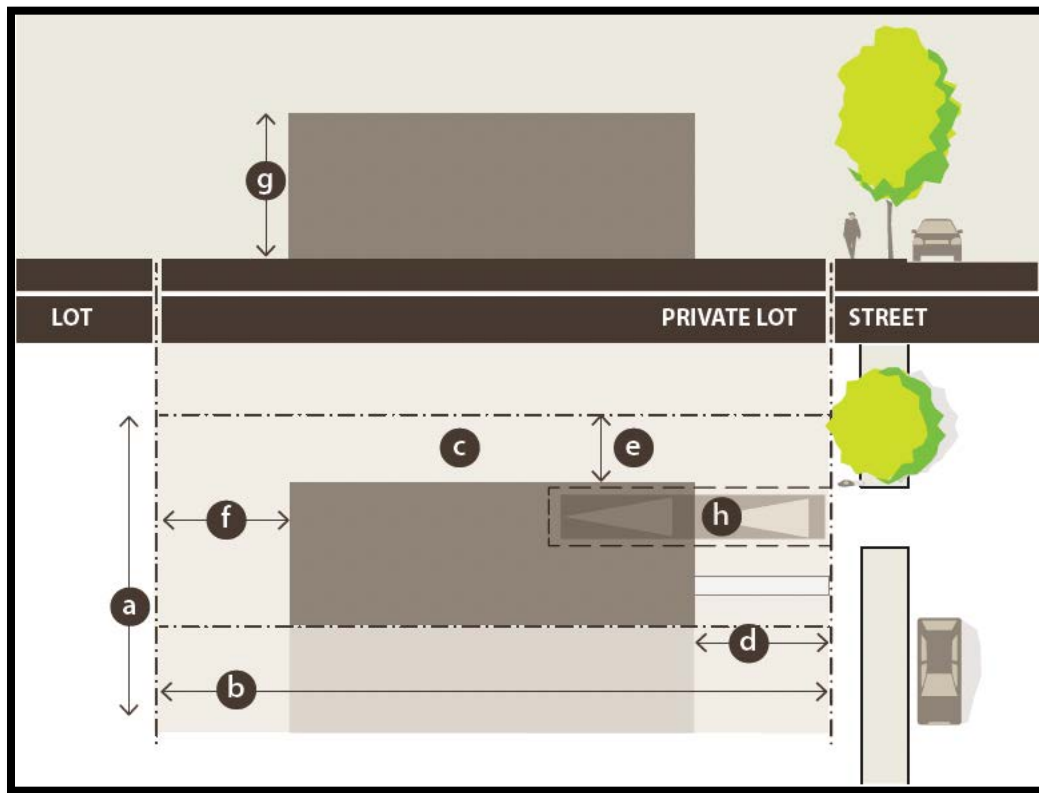
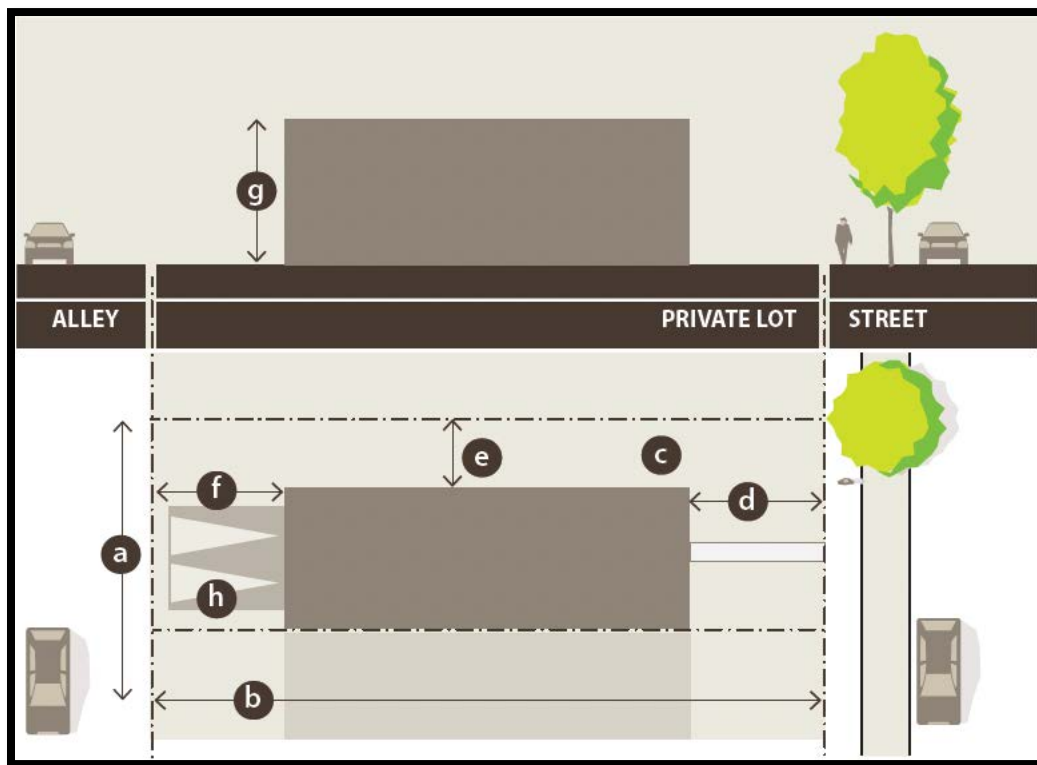


Figure 2. Townhouse with Alley



17.11.080 SINGLE ROOM OCCUPANCY.

- A. **Characteristics.** Single Room Occupancy (SRO) housing is housing with single room dwelling units which are the occupants' primary residence
- B. **Guiding Principles.** These SRO regulations are in addition to the regulations of the underlying zoning districts where SRO housing development is permitted.
 - 1. An SRO Housing Development shall comply with all of the applicable standards of this Chapter.
 - 2. An SRO Housing Development shall comply with the standards of the applicable zoning district including height, setbacks, and other standards of the zoning district.
 - 3. An SRO Housing Development shall comply with the standards of the respective Chapters of the Zoning Ordinance for landscaping, signs, fences, solid waste enclosures, and other applicable general provisions.

4. An SRO Housing Development may include SRO living units and common facilities in one building or multiple buildings on the site, subject to the provisions of this Chapter.
5. An SRO Housing Development shall comply with residential architectural and site design requirements. For purposes of determining the residential design standards applicable to SROs, the following shall apply:
 - a. **Small SRO Housing Development in one building with primary exterior entrance to a common/shared interior area:** Single-dwelling Residential Design Standards
 - b. **Small SRO Housing Development in one building with separate exterior entrances to the individual private SRO units:**
 1. Two private SRO units with exterior entrances = Duplex standards
 2. Three private SRO units with exterior entrances = Triplex standards
 3. Four private SRO units with exterior entrances = Fourplex standards
 4. Five or Six private SRO units with exterior entrances = Multi-dwelling standards
 - c. **Small SRO Housing Development in multiple buildings:** Shall be based on the most applicable standards based on the number of buildings and the number of SRO living units within each building that have individual exterior entrances; however:
 1. A Small SRO development in two buildings may use the standards for a single detached dwelling with an accessory dwelling unit (ADU), provided the second structure complies with the size limitations and standards for an ADU.
 2. A Small SRO development in multiple buildings may use the cottage cluster standards, provided any separate structure containing more than one SRO living unit has the primary exterior entrance to a common/shared interior area.
 - d. **Large SRO Housing Development, whether in one building or multiple buildings:** Multi-dwelling residential standards.
6. **Accessory uses and structures.** An SRO Housing Development may include accessory uses and structures which are customary to residential development subject to the regulations of the Zoning Ordinance. Home occupations shall be subject to the provisions of the Zoning Ordinance, and home occupations involving on-site customers or use of common areas shall only be conducted in accordance with the approved management plan.

7. **Mixed Use Development.** In zoning districts which are not limited to more than one main building per lot, as provided in Section 17.54.030, SRO housing development may be included as part of a mixed-use development, provided all uses separately meet the applicable design and development standards in total.
8. **Buildings – Number Per Lot.** For purposes of applying Section 17.54.030, a Small SRO Housing Development may be considered to be “a main building,” whether in one building or more than one building.

C, Standards for Private SRO Living Units within an SRO Housing Development

1. **Minimum and Maximum Size.** There is no minimum or maximum size for an SRO living unit.
2. **Maximum Number of Rooms in an SRO Living Unit.** There is no maximum number of rooms in an SRO living unit.
3. **Occupancy.** Maximum occupancy of a single-room SRO living unit shall not exceed a total of 2 persons. Maximum occupancy of an SRO living unit with one or more bedrooms shall not exceed a total of 2 persons per bedroom plus one additional person. However, maximum occupancy may be increased to a total of 1 person per 110 square feet of bedroom and living area, exclusive of bathroom and closet space.
4. **Private Bathrooms, Kitchen/Food Preparation Area, and Closets.**
 - a. An SRO living unit is not required to have a private bathroom facility or private kitchen/food preparation area. It may have one or the other, but may not have both. A living unit with both is regulated as a “dwelling unit.”
 - b. Bathroom. There is no limit on the number of private bathroom facilities an SRO living unit may have. If an SRO living unit does not have a private bathroom or has only a private half bathroom, then common/shared bathroom facilities shall also be provided as required by this Chapter. A full bathroom contains at least one sink, a toilet, and a bathing facility (shower, bathtub, or combination unit). A half bathroom contains one sink and a toilet, but no bathing facility.
 - c. Kitchen/Food Preparation Area. An SRO Living Unit shall not have more than one private kitchen/food preparation area. An SRO living unit is considered to include a private kitchen/food preparation area if it includes, at minimum, a sink separate from the sink(s) for any private bathroom. If

a separate sink is provided, then the food preparation area shall also include, at a minimum, all of the following: space for an under-counter or full-size refrigerator with a dedicated outlet, contiguous countertop work area of not less than four square feet, and a 20 amp small appliance branch circuit located above the countertop work area.

If any SRO Living Unit does not have a private kitchen/food preparation area, then complete common/shared kitchen/food preparation facilities shall be provided as part of the SRO Housing Development as required by this Chapter.

- d. Closet. Each SRO living unit must have a closet, with at least four square feet of closet space with an unobstructed height of at least five feet. The Planning Director may waive this requirement if equivalent storage space is provided or furnished in the unit in excess of the area required to meet minimum occupancy standards.

D Common Spaces and Facilities.

1. **Usable Open Space.** All SRO housing developments shall have at least 10 square feet of common usable open space per SRO living unit; however, no SRO housing development shall provide less than 200 square feet of common outdoor open space and 200 square feet of common indoor open space.
 - a. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight feet wide shall not be included as outdoor common space.
 - b. Usable open space in smaller SRO Housing Developments may be located to serve all units. However, in larger SRO Housing Developments, and those with private SRO units on multiple floors or in multiple buildings, common open spaces and facilities should additionally be distributed for the use of those units on the respective floors and in the respective buildings.
2. **Furnishings.** Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents.
 1. Appropriate furnishings for indoor spaces may include such items as lounge chair(s) and/or couch(es), table(s) with chairs, writing desk(s), and television(s).

2. Outdoor furnishings may include such items as outdoor bench(es), table(s) with chairs, barbecue(s), and shade umbrella(s).
3. **Laundry Facilities.**
 - a. A minimum of two washers and two dryers shall be provided for an SRO housing development. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every additional 20 units.
 - b. If two or more washers and dryers are provided in the same location, they must be provided in a separate room.
4. **Bathrooms.**
 - a. Any provisions of the Building Code which provide more restrictive provisions shall apply.
 - b. If any SRO unit within an SRO housing development lacks a full private bathroom, then common bathroom facilities shall be provided for the SRO housing development. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. A minimum of one lavatory basin and one toilet shall be provided for each two living units which lack private bathrooms.
 - c. Common bathrooms shall have bathing facilities (shower, bathtub, or combination unit) at a ratio of one for every six people based on maximum occupancy as specified in Subsection 17.67.240(C), or fraction thereof, for units which lack full private bathrooms. Each shared/common shower or bathtub facility shall be single-occupant and provided with an interior lockable door.
 - d. Common bathrooms must be located on any floor that has any SRO units which lack full private bathrooms. However, if a two-story Small SRO Development has only one SRO unit without a full private bathroom on the second floor, the full common bathroom facilities may be provided on the main floor.
 - e. If SRO living units are located in separate buildings, common bathrooms shall be provided in any building where any SRO unit in that building lacks a full private bathroom. The number of lavatory basins, toilets, and bathing facilities in each building shall be calculated as specified in this Section based on the number of units lacking private bathroom facilities in that building.
5. **Common Kitchen/Food Preparation Areas.** Complete common kitchens/food preparation areas must be provided as part of an

SRO Housing Development if any SRO living unit within the project does not have a private kitchen/food preparation area. A complete common kitchen/food preparation area contains equipment and facilities for a refrigerator/freezer, food storage, cooking and heating food, washing and preparing food, and washing dishes.

a. **Number.**

1. One complete common kitchen/food preparation area shall be provided within the project for every 10 units, or portion thereof, which lack a private kitchen/food preparation area.
2. The Director may reduce the requirement provided the management plan provides for meals provided at one or more congregate dining areas as part of the room and board.
3. The Director may reduce the requirement for the number of separate common kitchen/food preparation areas provided the application demonstrates the common kitchen/food preparation areas contain multiple workstations and appliances comparably equivalent to separate common kitchen/food preparation areas.

b. **Location.**

1. For a Small SRO Development with multiple buildings, common kitchen/food preparation areas and dining facilities may be located in a separate shared/common building, or in a building which contains some of the SRO living units within the SRO Housing Development. Each separate building with SRO living units need not contain separate common kitchen/food preparation areas.
2. For a Large SRO Development, a minimum of one complete common kitchen/food preparation area must be provided on any floor where any SRO living units without private kitchens/food preparations areas are located.
3. The Director may reduce this requirement for a 2-story building with 20 units or less, or if the management plan provides for meals provided at a congregate dining area as part of the room and board.

6. **Storage Space.** All SRO units must have access to a separate usable storage space within the project.

7. **Bicycle Storage.** With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one parking space per unit, at least one bicycle storage space for every two units shall be provided.
8. **Garbage Disposal.** Garbage disposal service must be included for the SRO development. Solid waste and recycling receptacles and enclosures shall be provided as required by Chapter 17.61 of the Zoning Ordinance. They must be located on property in a manner that does not hinder access to any required off-street parking or loading spaces and complies with the solid waste enclosure requirements, unless individual wheeled receptacles are stored in a dedicated location inside a building.

E Management of SRO Housing Development.

1. **Management Plan.** All SRO projects must have a management plan approved by the Planning Director. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.
2. **24-Hour Contact for Large SROs.** Large SRO Housing Developments shall have a manager available on call 24 hours per day and shall provide contact information to residents.

17.11.090 APARTMENTS.

A. Characteristics. Apartments are a type of attached housing within single-story or multi-story buildings. Apartment dwelling units may share common side walls, ceilings, or floors. The purpose of this chapter is to provide standards that promote quality development and enhance the livability, walkability, and safety of the community. Apartment development is intended to achieve the following:

B. Guiding Principles.

1. **Appropriate site size and scale.** Small to medium sites (10,000 square feet to 40,000 square feet) should act as infill sites and respond to the surrounding neighborhood in scale, character, building design, details and materials.

Large sites (over 40,000 square feet) should provide a variety of housing types, centralized common open space, and an interconnected system of streets and pathways that connect to the surrounding neighborhood.

2. **Livability.** Development should contribute to a livable neighborhood by incorporating visually pleasing design, minimizing the impact of vehicles, emphasizing pedestrian and bicycle connections, and providing public and private open spaces for outdoor use.
3. **Compatibility.** Development should have a scale that is appropriate for the surrounding neighborhood and maintains the overall residential character of McMinnville.
4. **Safety and Functionality.** Development should be safe and functional, by providing visibility into and within a residential development and by creating a circulation system that prioritizes bicycle and pedestrian safety.
5. **Enduring quality.** Development should incorporate design and building practices that promote the economic, ecological, and aesthetic environment of McMinnville, such as energy conservation, preservation of trees and open space, and quality building materials.

C. **Development Standards.** Please see Table 1 below.

TABLE 1. MULTI-DWELLING DEVELOPMENT STANDARDS

LOTS OVER 14,000 SQUARE FEET			
	WITH ALLEY	WITHOUT ALLEY	INFILL ⁽⁵⁾
a) Lot width (feet)	Min. 50	Min. 50	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 100	Min. 100	
c) Lot size (square feet)	Min. 5,000	Min. 5,000	
d) Front setback (feet)	Min. 10 ⁸ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ⁹ or 5 Exterior: 10	Interior: Min. 3 or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage. ¹⁰	Min. 20	

⁸ Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

⁹ Must meet all requirements of Usable Side Yard Subdivision standards.

¹⁰ From alley property or easement line.

g) Building height (feet)	Varies, See underlying zone	Varies, See underlying zone	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Off-street Parking	See McMinnville Municipal Code Chapter 17.60		

17.11.100 APARTMENT DESIGN STANDARDS The Apartment Design Standards for multi-dwelling Housing are standards that apply to multi-dwelling housing types. These standards are related to site design and provide information about how buildings face the street, handle parking, are compatible with neighboring homes, and must meet specific open space or private space requirements. Below are the following design sections.

- A. Pedestrian Access
- B. Parking Lot Location and Design
- C. Common Open Space
- D. Private Open space
- E. Alleys
- F. Landscaping
- G. Privacy and Screening
- H. Front Yard
- I. Compatibility
- J. Wall and Roof Design

A. Pedestrian Access

1. **Required Elements.** All on-site pedestrian circulation system shall include the following:
 - a. Continuous connections between the primary buildings, streets abutting the site, ground level entrances, common buildings, common open space, and vehicle and bicycle parking areas.

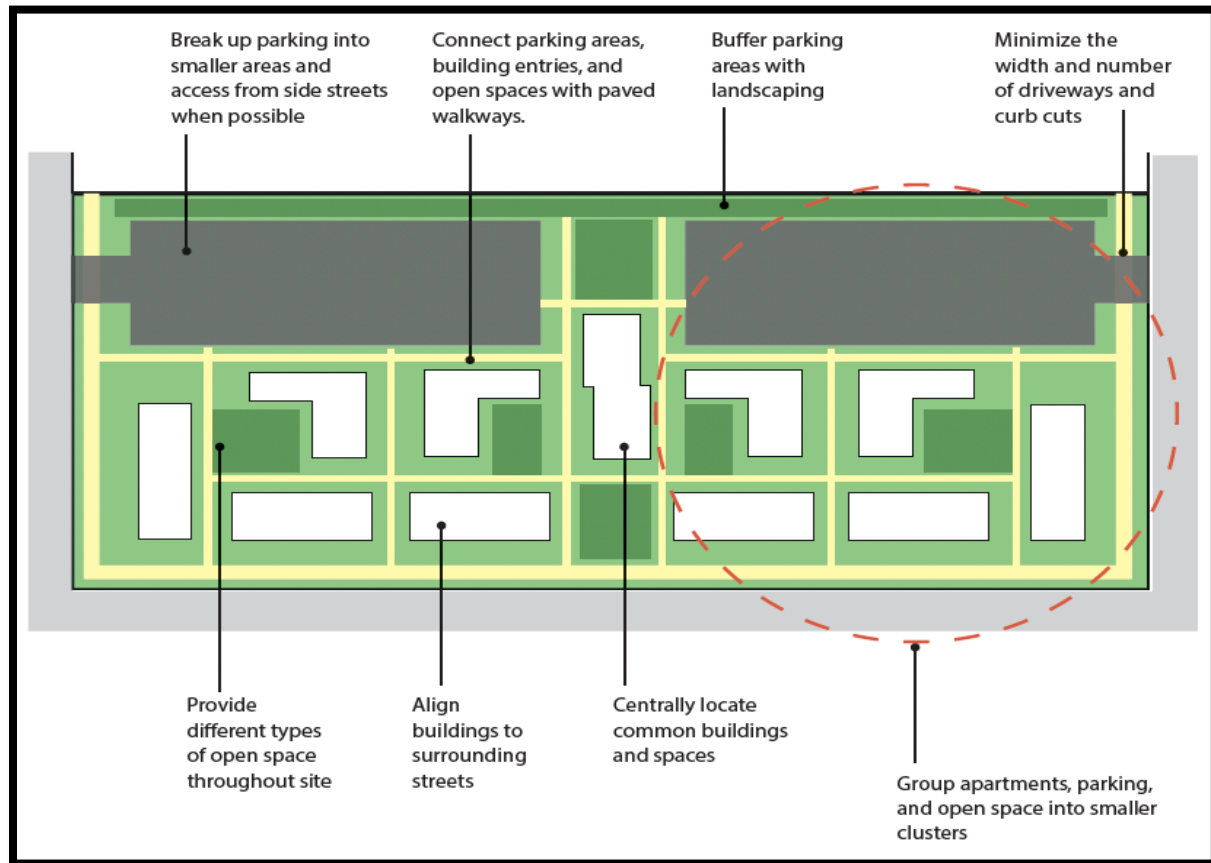
⁵ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

- b. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.
- c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.
- d. Walkways shall be constructed with a hard surface material, shall be permeable for stormwater, and shall be no less than 3 5 ft wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-ft-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.
- e. Spacing requirement: No further than 200 feet apart, on center. At least 1 pedestrian connection to an abutting street frontage for each 200 linear ft of street frontage.
 - 1. May be co-located with a common green.

2. **Large site design requirements.**

- a. Break up parking into smaller areas and access from side streets when possible
- b. Connect parking areas, building entries, and open spaces with paved walkways.
- c. Buffer parking areas with landscaping
- d. Minimize the width and number of driveways and curb cuts
- e. Provide different types of open space throughout site
- f. Align buildings to surrounding streets
- g. Centrally locate common buildings and spaces
- h. Group apartments, parking, and open space into smaller cluster

Figure 17.11.100 (A) Pedestrian Access



B. Parking Lot Location and Design

1. Characteristics.

- a. A parking lot is a storage space for cars, and should provide secure storage. It is also a place where everyone is a pedestrian while getting to or from their car. Therefore it should be designed primarily for the ease, safety and comfort of a person rolling or on foot.
- b. Clearly defined pathways through parking lots and garages to building entrances, surrounding sidewalks, and transit stops enhance pedestrian safety. These pathways also provide an opportunity to improve the appearance of parking lots.
- c. Design parking lots and garages so that vehicles are not the dominant feature.

- d. To encourage bicycling as a mode choice, bike parking areas should include bike repair, maintenance, and cleaning stations

2. Required Elements.

- a. **All housing types where parking is provided for nine parking spaces or more.**
 - 1. Parking lot pathways should be designed as part of the seamless accessibility network described in Apartment Standards, particularly the required through connection.
 - 2. Driveways to shared parking areas are:
 - 3. Limited to one driveway per street frontage.
 - 4. Parallel parking is permitted on a driveway that crosses a front, side or rear yard abutting a street, but not within the required yard setback.
- b. **Parking lots containing more than nine parking spaces but fewer than 16 parking spaces.**
 - 1. Residential developments with fewer than 16 dwellings are permitted parking clusters of not more than five contiguous spaces.
 - 2. Residential developments with 16 dwellings or more are permitted parking clusters of not more than eight contiguous spaces.
 - 3. Parking clusters must be separated from other spaces by at least four feet of landscaping.
 - 4. Clustered parking areas may be covered.
- c. **Parking lots containing more than 16 (sixteen) parking spaces.**
 - 1. Interior landscaping, minimum area
 - 2. Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.
 - 3. For parking lots less than 50,000 square feet, the minimum landscaped area is 5%.
 - 4. For parking lots 50,000 square feet and greater, the minimum landscaped area is 8%.
 - 5. Planted areas may take the form of landscape areas and planter bays.
 - 6. Landscaped areas along a Through Connection count toward required interior landscaping.

7. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non columnar.
 8. Trees may line the required Through Connection, and/or be clustered within landscape islands or planter bays, and / or shall be distributed throughout the off-street parking
 9. area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
 10. When a parking area abuts a property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line.
- d. **Setbacks adjacent to buildings and structures**
1. Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be set back from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, or by a minimum five-foot-wide paved pedestrian walkway.
- e. **Parking lot location.** Off-street parking spaces and vehicle maneuvering areas shall not be located:
1. Within of 20 feet from any street property line, except alley property lines;
 2. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
 3. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
 4. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 5. Garages and carports (whether shared or individual) must not abut common courtyards.
 6. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

7. Individual detached garages must not exceed 400 square feet in floor area.
 8. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
- f. **Parking Lot Required through connections.** Through Connections may be multi-modal or used exclusively for bicycle and pedestrian access.

Table 1. Through Connection required components and options

Walkway	Planted area
<p>Walkway must be paved, and 10 feet wide minimum. Paved area may be:</p> <ol style="list-style-type: none"> a. 5 feet wide, minimum, each side of a drive aisle. b. 10 feet wide, minimum, one side of a drive aisle. c. 10 feet wide, minimum, if no drive aisle. <p>(Drive aisle minimum width 12 feet)</p> <p>Walkway surface must be clearly marked and differentiated from the surface parking area. Marking treatment may be paint or paving material.</p>	<p>A planted area is required on one or both sides of the through connection walkway.</p> <p>Planted area must be a minimum of 6 feet wide. Planted areas may be:</p> <ol style="list-style-type: none"> d. 3 feet minimum, each side of the through connection walkway. e. 6 feet minimum, one side of the through connection walkway. <p>Landscaped areas along a through connection may be interrupted by vehicular crossings.</p> <p>Landscaped areas along a through connection count toward required interior landscaping.</p>

C. Common Open Space

1. Characteristics.

- a. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility including sport fields, play structure, bike track, courts, swimming pool, or other options.
- b. Provide tall deciduous trees for summer shade and winter solar access. When possible preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
- c. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
- d. Incorporate landscaping that receives at least 50% of its irrigation from harvested rainwater.

- e. Provide opportunities for food cultivation include a community garden and/or incorporate cultivated species into the landscaping.
- f. A maximum of 50% of common open space may be provided in a rooftop deck that includes shared amenities, weather protection, and landscaping, and is accessible to all residents.
- g. A shared outdoor courtyard or shared street/woonerf that is enfronted by individual entrances, windows, and balconies. There should be a combination of hardscape and landscaped space and/or planters.

2. **Required Elements.**

- a. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open space shall be accessible to all residents.
- b. Common open space shall be a minimum of 15.0% of the site.

3. **Required elements for clustered housing.** Clustered housing, including cottage clusters and garden apartments, must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- a. The common courtyard must be a single, contiguous piece.
- b. Cottages must abut the common courtyard on at least two sides of the courtyard.
- c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths,
- f. and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common

courtyard shall not exceed 75 percent of the total common courtyard area.

- g. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

D. Private Open Space

1. Characteristics.

- a. Every dwelling needs private open space for relief from indoors and to provide access to fresh air, light, and nature. Private open space may take many forms based on the size of unit.
- b. They should translate into a perception of an increase in living space and the ability to invite the outdoors in. Additionally, these open spaces can provide environmental benefits with plants that consume carbon dioxide and help reduce stormwater runoff. Spaces should be adequate to be usable, allowing space for a chair to sit in, a place to barbecue or hang clothes to dry, or for a pet to curl up. Private open space should enhance the residential function of the building while also improving the appearance of the building. They should be integrated into the overall architectural form and add detail to the façade. Placement can vary based on privacy concerns. It can be combined across multiple floors.

2. Required Elements.

- a. All units shall have a minimum of 36 square feet of private open space that allows for personalization and ownership of the space and contributes to the livability and function of the dwelling. Any exterior private open spaces shall be supplemented with operable windows to allow for cross-ventilation, increase air flow and provide the ability to control access to the outdoors.
- b. 50% of upper units shall have a balcony that is accessible from the interior of unit that is a minimum of 60 square feet with no dimension less than 6 feet. These balconies can be designed to be up to the full width of the apartment in order to provide adequate space for use and allow greater indoor/outdoor

- c. flow. Balconies can be cantilevered, semi-recessed, or fully recessed. They should be located based on privacy and environmental concerns. If balconies are transparent, adequate storage should be provided within the unit or the larger building so that balconies do not become informal storage spaces.
- d. Private outdoor space at the ground-level must meet the requirements of Universal Standards: Front Yard regardless of whether the private outdoor space is in the front, side, or rear of a building.
- e. In addition to meeting the Required elements above, projects must provide private open space in the form of one of the options listed below.
 - 1. A “Juliet-style” balcony of 12” dimension that allows resident to bring a sense of the outdoors into the unit. Must have doors that can open inwards or full-height sliding glass doors to allow introduction of fresh air and sunlight. If this item is selected, units must also include operable windows to increase air flow/ability to control access to the outdoors.
 - 2. An upper story rooftop deck or terrace that may include space for outdoor seating, dining, and planters for cultivation. This terrace may be stepped back on structures over two stories so as to reduce the visual impact of upper floors.
 - 3. Alternative option that meets the concept and guiding principles.

E. Alleys

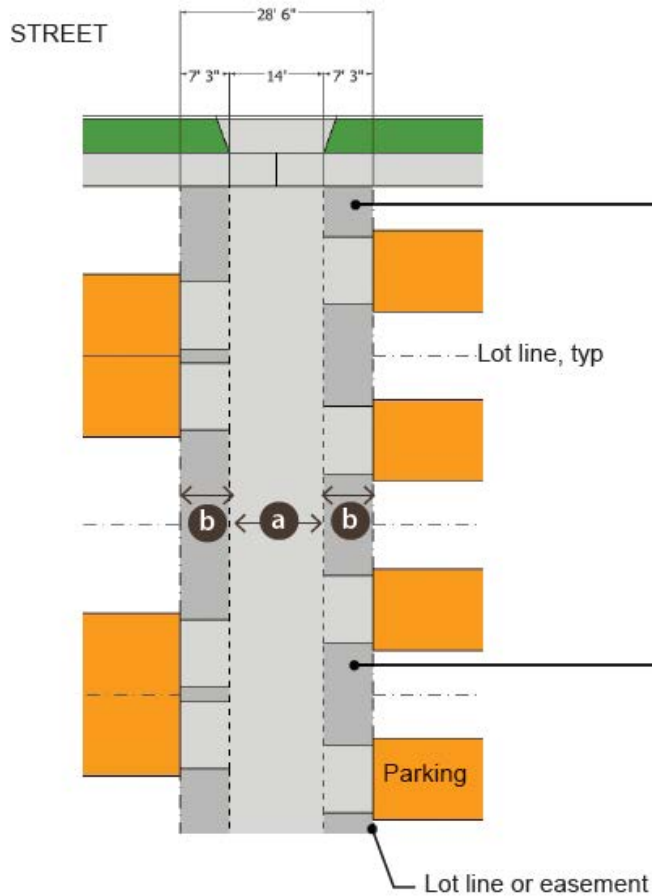
1. Characteristics

- a. Alleys are critical in limiting the number of driveways accessing parking lots from the street edge. They can be used to access parking in the center of a block for middle housing or multi-dwelling housing arrangements.
- b. Alleys vary in width and can be public right of way or private easement. Visually narrowing the perceived width of alleys through landscaping, paving, and placement of garages or Accessory Dwelling Units ensures that they are not used for traffic. If well designed, they can be part of a total pedestrian pathway system through the neighborhood.

- c. Provide alleys wherever possible, especially in new development. In existing neighborhoods, partial alleys can be provided.

2. **Required Elements.** Multi-dwelling development must meet the requirements of either:

- a. Alley Type 1
- b. Alley Type 2



Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1

a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side

Alley Standards Type 2

a	Travel Way Width	20 feet, minimum
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F. Landscaping

1. Characteristics.

- a. Use landscape elements, particularly plant materials, in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville.
- b. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:
 1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 3. Mitigate the loss of natural resources.
 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 5. Create safe, attractively landscaped areas adjacent to public streets.
 6. Require the planting of street trees along the City's rights-of-way.
 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 8. Provide shade, and seasonal color.
 9. Reduce glare, noise and heat.
 10. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
 11. Unify development and enhance and define public and private places.
 12. Preserve existing mature trees.
 13. Enhance the urban forest and tree canopy.

14. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
15. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
16. Support McMinnville as a community that cares about its appearance. It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

2. **Required Elements.**

- a. All areas of the site not occupied by the structures or paved areas shall be landscaped in an attractive and functional manner.
- b. A minimum of twenty percent (20%) of the net site shall be landscaped. Paved pedestrian paths, when integrated within the landscaped area, may satisfy up to five percent (5%) of this requirement. Landscaped setback areas, landscaped common open spaces, eco-roofs, vegetated stormwater facilities, preserved natural areas and planter areas can be credited toward the minimum landscape standard.

G. Privacy and Screening.

1. **Characteristics.** Low walls or fences are encouraged to provide separation between private open space and common open space, streets, or internal circulation paths. Fences should be designed to integrate with the architecture of the building, and add visual interest through use of materials, color, and detail.
2. **Required Elements.**
 - a. All fences on the interior of the development shall be no more than 3 ft high. Fences along the rear or side property lines of the development may be up to 6 ft high. Chain-link fences are prohibited.
 - b. Mechanical and communication equipment and outdoor garbage and recycling areas shall be screened so they are not visible from streets and common open spaces.

- c. Utilities such as transformers, heating and cooling, electric meters, and other utility equipment shall not be located within 5 ft of a front entrance and shall be screened with sight-obscuring materials.
- d. In order to protect the privacy of adjacent properties, multi-dwelling [and middle housing] developments shall incorporate the following elements:
- e. The placement of balconies above the first story shall not create a direct line of sight into the living spaces or backyards of adjacent residential properties.

H. Front Yard

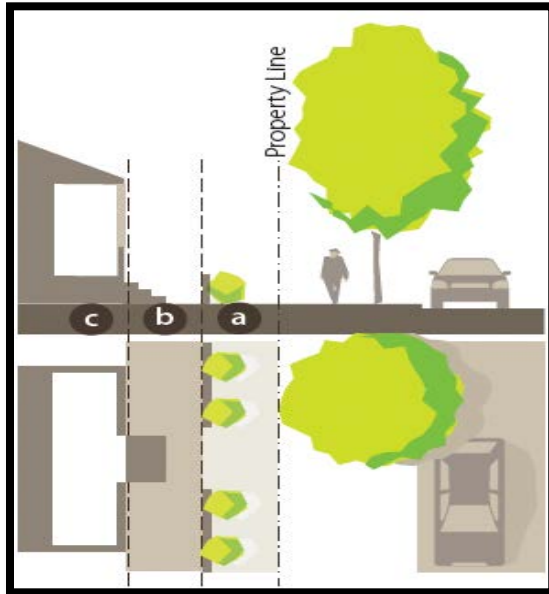
1. Characteristics.

- a. For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
- b. The front setback provides a vital transition between the public area of the street and the private spaces within the dwelling. The smaller the front setback is, the more important the concept of layering public to private spaces becomes. When multi-dwelling units are on the ground floor of the building and face the perimeter of the site and surrounding streets, they must meet the standards of this section.

2. Required Elements. Dwelling units located on the ground floor of the building and facing the perimeter of the site and surrounding streets must meet the requirements of either:

- a. Front Yard Type 1: Neighborhood
- b. Front Yard Type 2: Urban

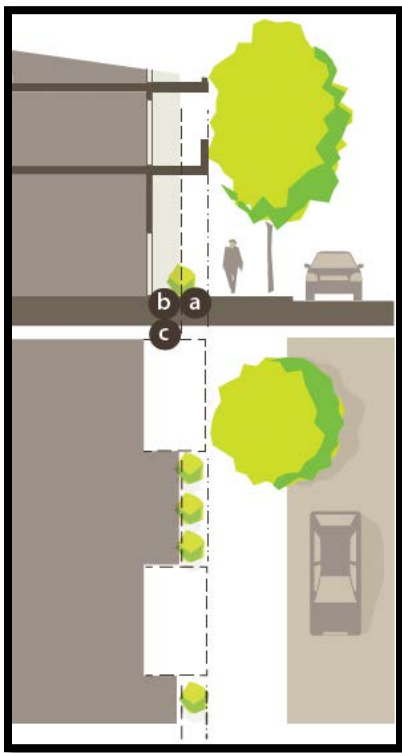
Figure 1: Front Yard Type 1: Neighborhood



Type 1 Front Yard (Neighborhood Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	<p>Marks the threshold between the public zone of the sidewalk and the private dwelling zone.</p> <p>May provide a location for address identification.</p>	<p>Must provide one of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	<p>Provides habitable and personalize-able outdoor space for the resident.</p>	<p>Fundamental requirements:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace <input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway <p>Must provide one of the following or a combination:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space <input type="checkbox"/> Lawn or planted area <input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	<p>Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.</p>	<p>Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Figure 2. Urban Front Yard



Type 2 Front Yard (Urban Type)			
Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"><input type="checkbox"/> Low wall<input type="checkbox"/> Change in paving material<input type="checkbox"/> Low fence<input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"><input type="checkbox"/> Ornamental fencing or balustrade<input type="checkbox"/> Columns demarcating perimeter or supporting the roof<input type="checkbox"/> Planted area<input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"><input type="checkbox"/> Ornamental fencing or balustrade<input type="checkbox"/> Columns demarcating perimeter or supporting the roof<input type="checkbox"/> Recessed area<input type="checkbox"/> Overhanging balcony<input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

I. Compatibility

1. **Characteristics** New multidwelling housing should be compatible with its surrounding context while introducing new shape, size and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
2. **Required Elements.**
 - a. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 - b. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 - c. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
 - d. Step down taller buildings next to smaller buildings to enable buildings of larger scale but similar proportions to blend in with surroundings
 - e. Step back upper floors so that first two stories frame the street and relate to the human scale and reduce visual impact of the third and higher floor.
 - f. In addition to meeting the Required elements above, projects must respond to the compatibility requirement in the form of three of the options listed below.
 1. Use roof forms and bays to break up the overall mass of larger residential structures.
 2. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
 3. Step back upper floors so that first two stories frame the street and relate to the human scale and reduce visual impact of the third and higher floor.
 4. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface

pattern, articulation of a floor line, or change in window types.

5. Use horizontal elements the entire width of the front façade to mark break between floors or along roofline including band course, band molding, bellyband, or belt course.
6. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
7. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.
8. Step down taller buildings next to smaller buildings to enable buildings of larger scale but similar proportions to blend in with surroundings

J. Wall and Roof Design

1. Characteristics

- a. For buildings that front the street, avoid long, monotonous, uninterrupted walls. Modulate buildings walls and roofs to prevent large, uninterrupted walls and building mass.
- b. Differentiate between the base of the building and the top of the building to enhance the pedestrian realm. Make base treatment cohesive across façades and integrated with the architectural character of the building.
- c. Multi-dwelling development must address the following design objectives:
 1. **Articulation** – All street-facing buildings shall incorporate design elements that break up façades into smaller planes.
 2. **Eyes on the street** – A certain percentage of the area of each street-facing façade must be windows or entrance doors.
 3. **Main entrance** – On street-facing façades, at least 1 (one) main entrance must meet standards for location, orientation, and visibility.
 4. **Detailed Design** – All street-facing buildings shall include several features.

2. **Required Elements.**

a. **Articulation**

1. For multidwelling buildings with 30 to 60 feet of street frontage, a minimum of 1(one) of the following elements shall be provided along the street-facing façades.
2. For buildings with over 60 ft of street frontage, at least 1 element below shall be provided for every 30 ft of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 ft between 2 elements.
 - a. A porch at least 5 feet deep.
 - b. A balcony that is at least 2 feet deep and is accessible from an interior room.
 - c. A bay window that extends at least 2 feet.
 - d. A section of the façade that is recessed by at least 2 feet deep and 6 feet long.
 - e. A gabled dormer.
3. Buildings under 30 feet in length are exempt from these requirements.

b. **Eyes on the street**

1. At least 15% of the area of each street-facing façade must be windows or entrance doors. Windows used to meet this standard must be transparent and allow views from the building to the street. Glass blocks and privacy windows in bathrooms do not meet this standard.
2. Window area is considered the entire area within the outer window frame, including any interior window grid.
3. Doors used to meet this standard must face the street or be at an angle of no greater than 45 degrees from the street.

c. **Main Entrances**

1. Main entrances must meet both of the following standards.

2. Be no further than 8 ft behind the longest street- facing wall of the building.
3. Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch. If the entrance opens up onto a porch, the porch must meet all of these additional standards.
 - a. Be at least 25 sq ft in area with a minimum 4-ft depth.
 - b. Have at least 1 porch entry facing the street.
 - c. Have a roof that is no more than 12 ft above the floor of the porch.
 - d. Have a roof that covers at least 30% of the porch area.
- d. **Detailed Design.** For multidwelling buildings with up to 30 feet or more of street frontage, a minimum of 2 (two) of the elements shall be provided along the street-facing façade or façades.

For buildings with over 30 feet of street frontage, at least 1 element shall be provided for every 30 feet of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 feet between 2 elements.

1. Covered porch at least 5 feet deep, as measured horizontally from the face of the main building façade to the edge of the deck, and at least 5 feet wide.
2. Recessed entry area at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide.
3. Offset on the building face of at least 16 inches from 1 exterior wall surface to the other.
4. Dormer that is at least 4 feet wide and integrated into the roof form.
5. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
6. Roof line offsets of at least 2 feet from the top surface of 1 roof to the top surface of the other.
7. Tile or wood shingle roofs.

8. Horizontal lap siding between 3 to 7 in wide (the visible portion once installed). The siding material may be wood, fiber-cement, or vinyl.
9. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40% of the street-facing façade.
10. Gable roof, hip roof, or gambrel roof design.
11. Window trim around all windows at least 3 inches wide and 5/8 in deep.
12. Window recesses, in all windows, of at least 3 inches as measured horizontally from the face of the building façade.
13. Balcony that is at least 3 feet deep, 5 feet wide, and accessible from an interior room.
14. Bay window at least 2 feet deep and 5 feet long.
15. One roof pitch of at least 500 square feet in area that is sloped to face the southern sky and has its eave line oriented within 30 degrees of the true north/ south axis.

17.11.110 Universal Design Standards. The universal design standards are standards that apply to all or most housing types. These standards are related to site design and provide information about how buildings face the street, handle parking, are compatible with neighboring homes, and must meet specific open space or private space requirements.

Below are the following design sections:

- A. Façade
- B. Street Frontage
- C. Front Yard
- D. Alleys
- E. Parking
- F. Surface Parking Lots
- G. Common Open Space
- H. Private Open Space
- I. Compatibility
- J. Subdivisions

A. Facade

1. **Characteristics** The façade faces the street, or common greens, courtyards, or other common open spaces. It should be inviting with entry structures, such as porches, front doors and windows and other human-scaled elements. When dwellings have car access from the street, paved areas and garages should not dominate.
 - a. Garages that do not dominate. Entrances should be more prominent than garages.
 - b. Pair garages where possible to maximize planting strip and potential for street trees.
 - c. Entrances and windows that face the street, avoid blank walls. Emphasize private, ground level entries to individual units when appropriate to the housing type, such as townhouses and plexes.
 - d. Building elements (lighting, repeating projects, bay windows, etc.) and private open space projections (balconies, porches, terraces, etc.) provide functional living space for residents and break up large façades.
2. **Required Elements.**
 - a. Windows and/or doors utilizing clear glass, excluding garage doors, shall occupy a minimum of 25 percent of the total street-facing facade.
 - b. Except for dwellings on the flag portion of flag lots, the primary entrance shall be oriented toward the street which the dwelling faces.
 - c. At least one primary entrance for each structure must either:
 - d. Open directly onto the street right-of-way.
 - e. Be at an angle of up to 45 degrees from the street.
 - f. Open on to a porch. The porch must be at least 25 square feet in area and have one entrance facing the street or have a roof.
 - g. Face a central courtyard space or common open space that is adjacent to the street and abutted by dwellings on at least two sides.
 - h. Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit on the corner of the building need be oriented to only one of the streets.

B. Street Frontage

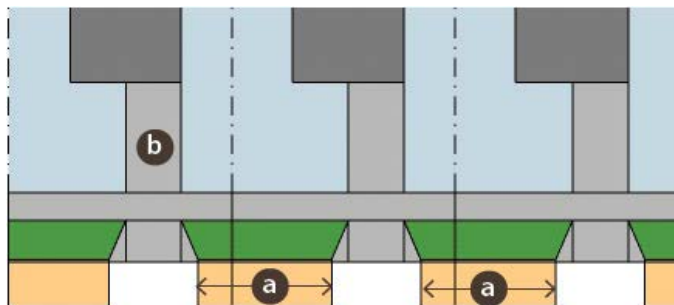
1. **Characteristics** Minimizing driveway curb cuts maximizes the value of the plant strip. Uninterrupted curb space also provides safer pedestrian environment and room for parking on the street.

Even while introducing a variety of housing types and lot sizes (and widths), maintain the maximum amount of uninterrupted and generous plant strip for street trees. Promote a healthy canopy of street trees in McMinnville's residential neighborhoods.

Dwelling units with alley access must provide access off the alley to attached garages located behind the dwelling.

2. **Required Elements.** Must choose from the following Frontage Types:
 - » Frontage Type 1: Front-Loaded Parking
 - » Frontage Type 2: Front-Loaded Parking with Paired Driveways
 - » Frontage Type 3: Alley-Loaded Parking

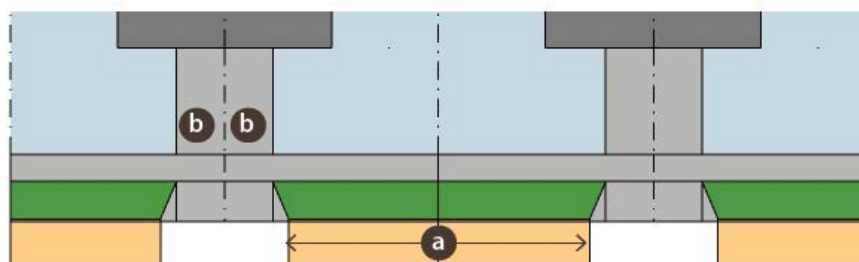
Frontage Type 1: Front-Loaded Parking



Frontage Type 1: Front-Loaded Parking

a	Minimum distance between driveways	24 feet
b	Maximum driveway width	40 percent of frontage

Frontage Type 2: Front-Loaded Parking with Paired Driveways

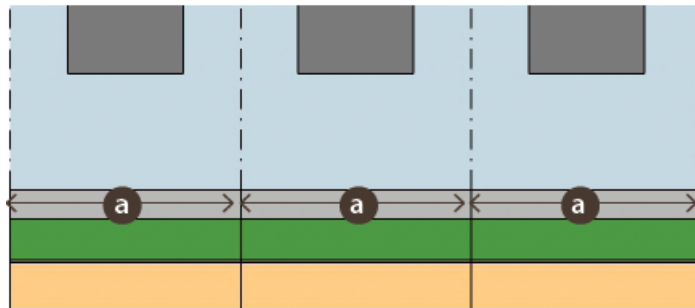


Frontage Type 2: Front-Loaded Paired Parking

a	Minimum distance between driveways	30 feet
b	Maximum driveway width	20 feet*

*Excludes the driveway approach width

Frontage Type 3: Alley-Loaded Parking



Frontage Type 3: Alley-Loaded Parking

a	Minimum street frontage width	Refer to development standards by housing type
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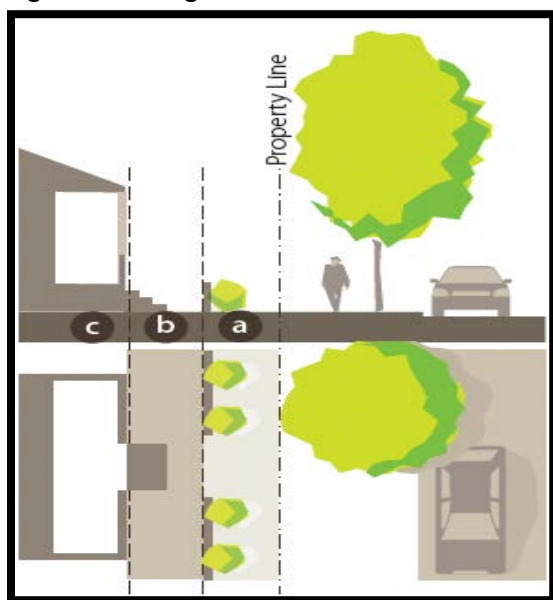
C. Front Yard

- 1. Characteristics.** For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
- 2. Required Elements.** Must choose from the following Front Yard Types:

Front Yard Type 1: Neighborhood

Front Yard Type 2: Urban

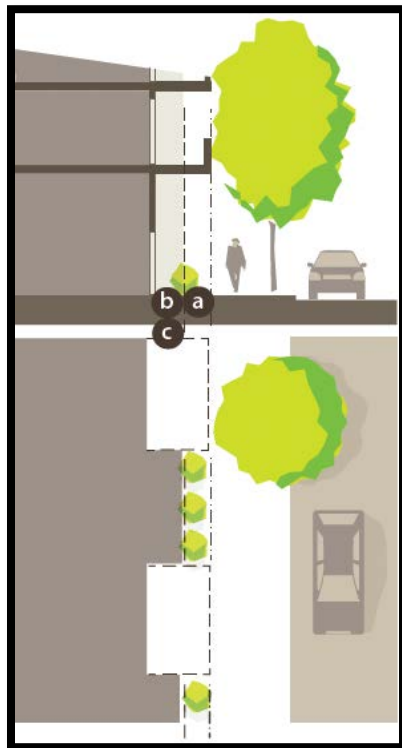
Figure 1. Neighborhood Front Yard



Type 1 Front Yard (Neighborhood Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"><input type="checkbox"/> Low fence<input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	Provides habitable and personalize-able outdoor space for the resident.	Fundamental requirements: <ul style="list-style-type: none"><input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace<input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway Must provide one of the following or a combination: <ul style="list-style-type: none"><input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space<input type="checkbox"/> Lawn or planted area<input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following: <ul style="list-style-type: none"><input type="checkbox"/> Ornamental fencing or balustrade<input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Figure 2. Urban Front Yard



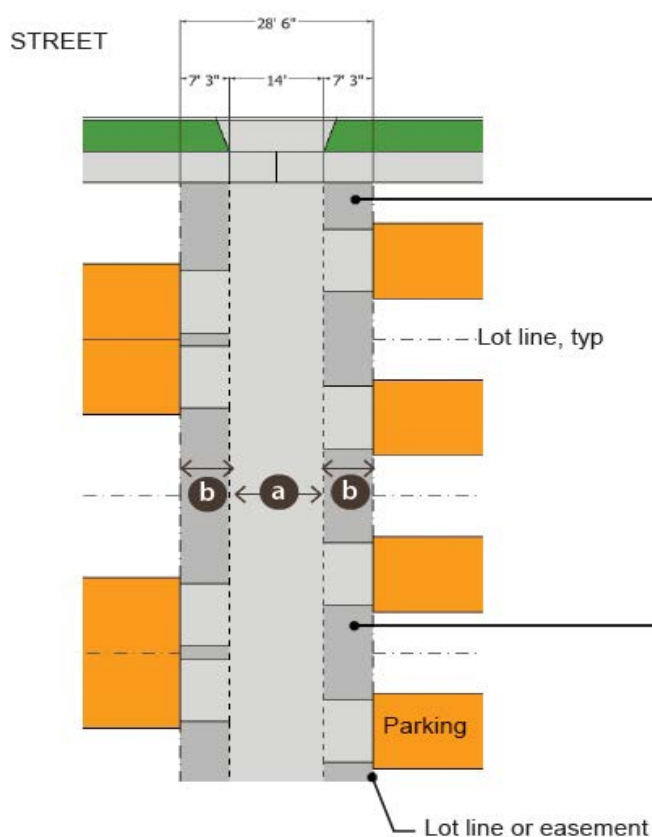
Type 2 Front Yard (Urban Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Low wall <input type="checkbox"/> Change in paving material <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Planted area <input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Recessed area <input type="checkbox"/> Overhanging balcony <input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

D. Alleys

- Characteristics** Alleys are critical in limiting the number of driveways accessing lots from the street edge. They also allow for housing types, especially those that occupy narrow lots, such as townhouses or tiny houses, to sit alongside more conventional lot widths.
- Required Elements.** Must choose from the following Alley Types:
Alley Type 1
Alley Type 2



Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1

a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side

Alley Standards Type 2

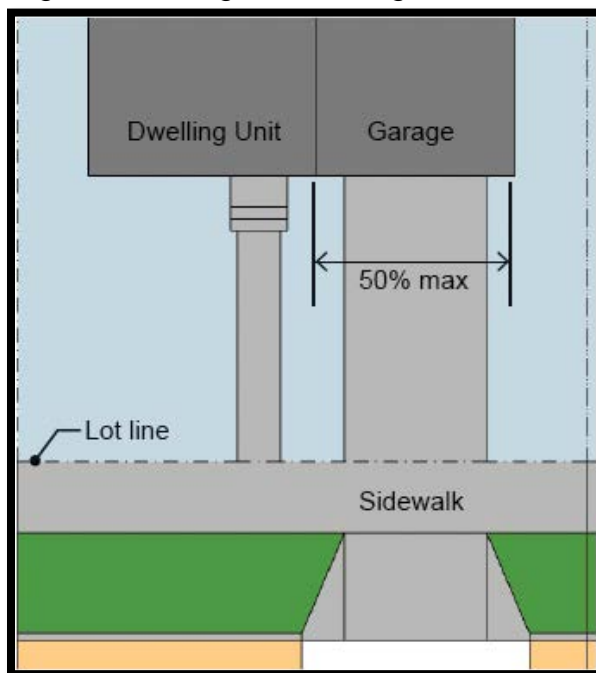
a	Travel Way Width	20 feet, minimum
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E. Parking

- Characteristics.** These standards apply to all garages that are accessory to a dwelling whether they are attached or detached to the primary dwelling.
- Required Elements.**
 - The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure below.

- b. Where the street-facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following.
- c. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall, or a covered balcony above the garage that is:
 1. At least the same length as the street-facing garage wall;
 2. At least 6 feet deep; and
 3. Accessible from the interior living area of the dwelling unit.

Figure 1. Garage Percentage



- d. **Garage setback.** A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit.
 1. Whether attached to a residence or as a separate structure, a covered storage facility (garage) for a vehicle on which the main opening is toward a street shall be located not less than 20 (twenty) feet from the property line bordering the street.
3. **Exceptions:**
 - a. **Garage that is less than half the façade width and flush with porch façade**

1. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 2. The street-facing garage wall is 40 percent or less of the length of the building façade; and
 3. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. The porch must meet the standards for porches as set out in Universal Standards: Front Yard.
- b. **Sideways-facing Garages.** The garage may extend in front of house when:
1. It is oriented perpendicular to the street and fronts on a paved court. The side wall of the garage must meet the requirements of Length of street-facing garage wall.
 2. The side wall of the garage— which in this case is the street-facing façade—must meet the requirements of Façade Universal Standards.
 3. In addition, the garage must meet the front setback requirements of the underlying zone.
- c. **Garages adjacent to alleys.** A garage adjacent to an alley may have a zero-foot setback from the alley, if allowed in the Development Standards table for the applicable housing type.

F. **Surface Parking Lots.**

1. **Characteristics.** A parking lot is a storage space for cars and should provide secure storage. It is also a place where everyone is a pedestrian while getting to or from their car. Therefore, it should be designed primarily for the ease, safety and comfort of a person rolling or on foot.

Clearly defined pathways through parking lots and garages to building entrances, surrounding sidewalks, and transit stops enhance pedestrian safety. These pathways also provide an opportunity to improve the appearance of parking lots.

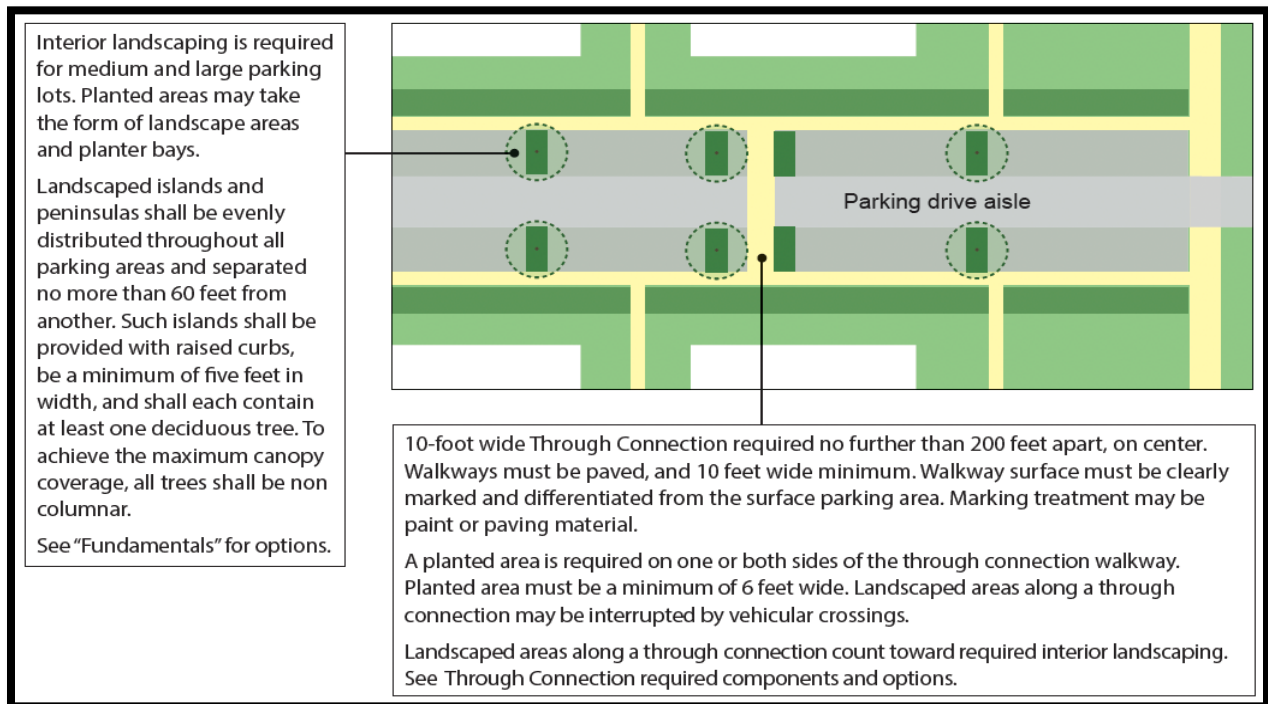
Design parking lots and garages so that vehicles are not the dominant feature.

To encourage bicycling as a mode choice, bike parking areas should include bike repair, maintenance, and cleaning stations.

2. **Required Elements.** All housing types where parking is provided for nine parking spaces or more.
- a. Parking lot pathways should be designed as part of the seamless accessibility network described in Apartment Design Standards, particularly the
 - 1. Required through connection, and
 - 2. Required design elements
 - b. Driveways to shared parking areas are:
 - 1. Limited to one driveway per street frontage.
 - 2. Parallel parking is permitted on a driveway that crosses a front, side or rear yard abutting a street, but not within the required yard setback.
3. **Parking Lot Landscaping.**
- a. Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.
 - b. For parking lots less than 50,000 square feet, the minimum landscaped area is 5%.
 - c. For parking lots 50,000 square feet and greater, the minimum landscaped area is 8%.
 - d. Planted areas may take the form of landscape areas and planter bays.
 - e. For the purposes of calculating landscaped areas, parking lots are defined as **[TBD]**.
 - f. Landscaped areas along a Through Connection count toward required interior landscaping.
 - g. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non columnar.
 - h. Trees may line the required Through Connection, and/ or be clustered within landscape islands or planter bays, and / or shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.

- i. When a parking area abuts a property in a residential zone, a site-obscurer fence or wall, either permanent or of living material, shall be placed along the affected property line.
- j. Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, or by a minimum five-foot-wide paved pedestrian walkway.

Figure 1. Surface Parking Lot Standards.



G. Common Open space

1. **Characteristics.** All developments over four units shall meet the fundamental requirements for Common Open Space. In addition to the required elements projects shall provide at least four of the optional elements listed below.
2. **Required Elements.**
 - a. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit

entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open space shall be accessible to all residents.

- b. Common open space shall be a minimum of 15 % of the site. Passive open space shall not be more than 15 % of the site.
- c. When vehicular areas are located between dwellings and common open space, clearly defined pathways shall be provided to enhance pedestrian safety.
- d. Pathway surface shall be clearly marked and differentiated from the vehicular area with paint or alternative paving material.
- e. Common open space shall have a minimum dimension of 20 ft at the narrowest part.
- f. Walkways are required between dwellings and common open space.

3. **Optional Elements. (Provide a minimum of 4)**

- a. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility including sport fields, play structure, bike track, courts, swimming pool, or other options.
- b. Provide tall deciduous trees for summer shade and winter solar access. When possible preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
- c. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
- d. Incorporate landscaping that receives at least 50% of its irrigation from harvested rainwater.
- e. Provide opportunities for food cultivation. Include a community garden and/or incorporate cultivated species into the landscaping.
- f. A maximum of 50% of common open space may be provided in a rooftop deck that includes shared amenities, weather protection, and landscaping, and is accessible to all residents.
- g. A shared outdoor courtyard or shared street/ woonerf that is enfronted by individual entrances, windows, and

balconies. There should be a combination of hardscape and landscaped space and/or planters.

H. Private Open space

1. **Characteristics.** All developments shall meet the fundamental requirement for Private Open Space. In addition, projects may provide private open space in the form of one of the options listed below.
2. **Required Elements.**
 - a. All units shall have a minimum of 36 square feet of private open space that allows for personalization and ownership of the space and contributes to the livability and function of the dwelling. Any exterior private open spaces shall be supplemented with operable windows to allow for cross-ventilation, increase air flow and provide the ability to control access to the outdoors.
 - b. 50% of upper units shall have a balcony that is accessible from the interior of unit that is a minimum of 60 square feet with no dimension less than 6 feet. These balconies can be designed to be up to the full width of the apartment in order to provide adequate space for use and allow greater indoor/outdoor flow. Balconies can be cantilevered, semi-recessed, or fully recessed. They should be located based on privacy and environmental concerns. If balconies are transparent, adequate storage should be provided within the unit or the larger building so that balconies do not become informal storage spaces.
 - c. Private outdoor space at the ground-level must meet the requirements of Universal Standards: Front Yard regardless of whether the private outdoor space is in the front, side, or rear of a building.
3. **Optional Elements. (Provide a minimum of 1)**
 - a. A “Juliet-style” balcony of 12” dimension that allows resident to bring a sense of the outdoors into the unit. Must have doors that can open inwards or full-height sliding glass doors to allow introduction of fresh air and sunlight. If this item is selected, units must also include operable windows to increase air flow/ability to control access to the outdoors.
 - b. An upper story rooftop deck or terrace that may include space for outdoor seating, dining, and planters for cultivation. This terrace may be stepped back on structures over two stories so as to reduce the visual impact of upper floors.

- c. Alternative option that meets the concept and guiding principles.

I. Compatibility

1. **Characteristics.** New housing should be compatible with its surrounding context while introducing new shape, size and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
2. **Required Elements.**
 - a. Single dwellings, duplexes, triplexes, quadplexes, tiny houses, and dwellings within cottage clusters that are of the same or very similar design must be separated by at least two lots and may not be directly across from one another. Similar design consists of exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes and orientation.
 - b. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 - c. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 - d. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
 - e. Front and public-facing building facades must meet all of the following requirements:
 1. Facades shall provide vertical offsets, projections, or recesses to break up the building façade. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.
 2. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
 3. A minimum of two types of building materials shall be used on the front elevations.

4. Trim with a minimum size of 3 inches on all windows.

3. **Additional Elements. (Provide a minimum of 3)**

- a. Use roof forms and bays to break up the overall mass of larger dwellings and reflect the building forms and scale of single dwellings.
- b. Pair units under a single roof form and distinct building volume to provide massing reflective of detached dwellings.
- c. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
- d. Step back upper floors so that first two stories frame the street and relate to the human scale and reduce visual impact of the third and higher floor.
- e. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface pattern, articulation of a floor line, or change in window types.
- f. Use horizontal elements the entire width of the front façade to mark break between floors or along roofline including band course, band molding, bellyband, or belt course.
- g. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
- h. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.
- i. Step down taller buildings next to smaller buildings to enable buildings of larger scale but similar proportions to blend in with surroundings.

4. **Front and Public Facing Facades. (Provide a minimum of 4)**

In addition, front and public-facing building facades must provide at least four of the following options:

- a. Windows
- b. Gables
- c. Dormers
- d. Architectural Bays
- e. Awnings made of fabric, metal or wood framed
- f. Change in wall planes

- g. Ground floor wall lights/sconces
- h. Transom windows
- i. Balconies or decks
- j. Columns or pilasters – not decorative

J. Subdivisions

1. **Modular Block Layouts.** Required for all housing types for infill and new subdivisions.
 - a. An intermix of housing types is possible if blocks are platted with a lot width module that can be aggregated. If lots are increments of 25 to 30 feet wide, and can be aggregated into lots that are 50 or 60 feet wide (or 75 or 90 feet wide), a wide variety of dwelling types can occupy the same block.
 - b. For example, narrow lot dwellings such as townhouses or tiny houses on 25-foot lots may sit next to larger lot dwellings such as courtyard apartments or cottage clusters on a 50 or 75-foot lot.
 - c. In a new subdivision, the greatest flexibility for lot variety is provided by having an alley serve as parking and driveway to each lot (see Figure “Block with Alley”).
 - d. When parking is accessed via a driveway from the front of the lot, the lot width is governed by frontage requirements of Universal Design Standards – Street Frontage, and the minimum lot width will be 40 feet (see Figure “Block without Alley”).
2. **Block lengths.** Required for all housing types for infill and new subdivisions.
 - a. Most housing types can be accommodated on blocks that are 200 to 220 feet deep and 200 to 350 feet wide, with an alley easement or dedicated right of way.
 - b. In an infill setting, narrow lot housing types may be “infilled” between more conventional larger-lot detached homes. The intermixing of lot widths ensures that affordable compact housing types can sit side-by-side with detached single dwellings. Cottage clusters and smaller-scale apartments, such as garden apartments or walk-up apartments, can be intermixed on 2-3 lots that have been aggregated. Such apartments buildings need to be sized and designed to fit into the neighborhood context.



Figure 1. Block layout showing parking accessed from an alley.

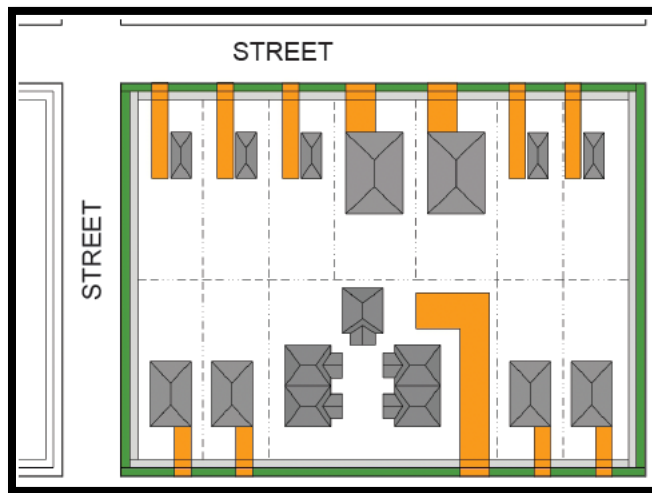


Figure 2. Block layout showing parking accessed from the front, spaced appropriately to accommodate street frontage requirement

3. **Partial alley at the end of a block.** Optional for all housing types for infill and new subdivisions.

- a. **Characteristics.** A partial alley is where an alley is used to provide access to parking at the rear of lots, in lieu of driveways located at the front of the lot (see Figure, Partial Alley Block). Turnarounds are not required for partial alleys.

Option 1: The total number of lots and units served by a partial alley shall be [six lots], but no more than [six units].

Option 2: The total number of lots and units served by a partial alley, if more than [six lots] or [six units], shall be approved by the Fire Marshal.

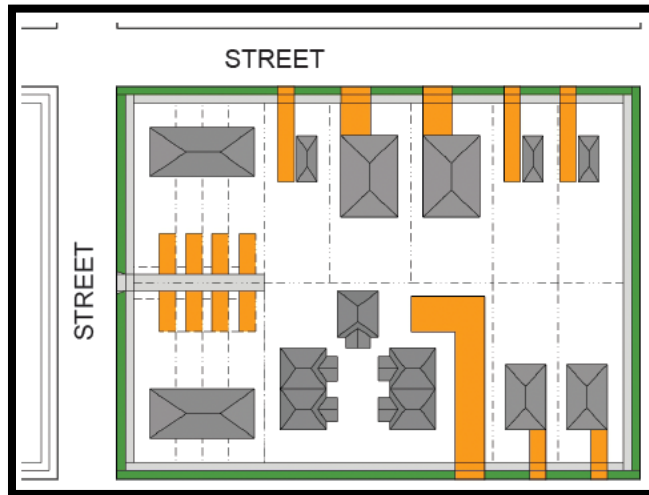


Figure 3. Hybrid infill block layout with partial alley at one end of a block and front-loaded parking for the remainder.

4. **Usable Side Yard Setback.** Optional for Tiny homes, plexes, and single dwellings in infill and new subdivisions.

a. **Characteristics.** A narrow side setback development is where dwelling units sharing street frontage are shifted to one side of their lot, to within 3 feet of the property line. This provides for greater usable yard space on each lot. These developments require that the planning for all of the house locations be done at the same time, and the setbacks and exact location of each unit is recorded on the deeds of the applicable lots. Proof of such recording must be submitted as part of the building permit application.

b. **Additional Elements.**

1. Building setbacks. The side yard setback on one side of the house may be reduced to 3 feet. This reduction does not apply to the side yard setback adjacent to a street, or to the side yard setback adjacent to lots that are not part of the usable side yard setback project.
2. Infill lots: The minimum distance between all buildings in the development must be equal to twice the required side building setback standard of the underlying zone.
3. Tiny houses in new subdivisions: The minimum distance between all buildings may be the minimum distance required by the building official.

4. All other development standards that apply to the housing type must be met, (e.g., distance between driveways).
5. A deed restriction must be recorded on the deed of each applicable lot to ensure the continued fulfillment of this setback.
6. Eaves on the side of a house with a reduced setback must comply with proper fire separation requirements.
7. Consider the privacy of neighboring properties by designing homes with higher windows on the narrow setback side.

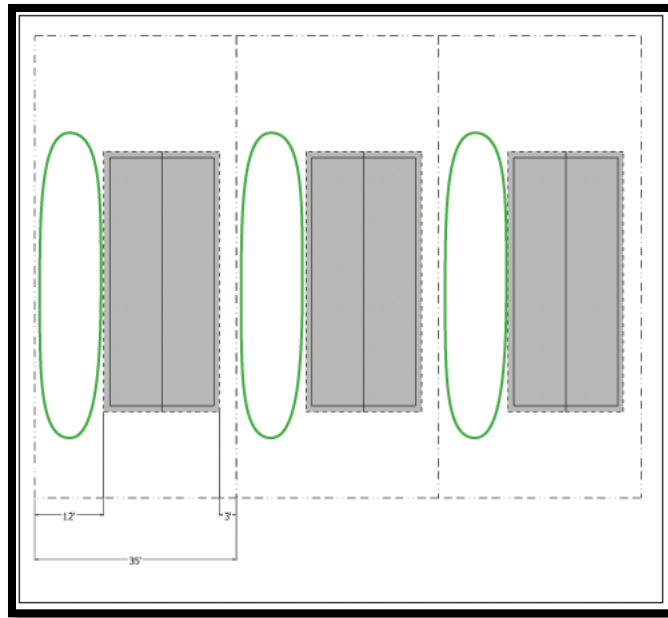


Figure 4. Usable side yard setbacks provide more space for each home.

5. **Common Greens.** Optional for all housing types for infill and new subdivisions.
 - a. **Characteristics.** A corner common green has frontage on more than one intersecting street, if the green is located at the corner of the intersecting streets (see Figure, Corner Common Green).
 - b. **Additional Elements.**
 1. Common Greens must include at least 400 square feet of grassy area, play area, or dedicated gardening space, which must be at least 15 feet wide at its narrowest dimension.
 2. Turnarounds are not required for common greens.

3. Common green must be sized to accommodate expected users and uses, and take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the
4. community activities that may occur within the common green.
5. Generally, common greens should be dead-end streets.
6. However, common greens may be through streets if a public pedestrian connection is provided directly abutting the common green, or in close proximity.
7. Where a dwelling unit faces the common green, it must meet the requirements for Front Yards.

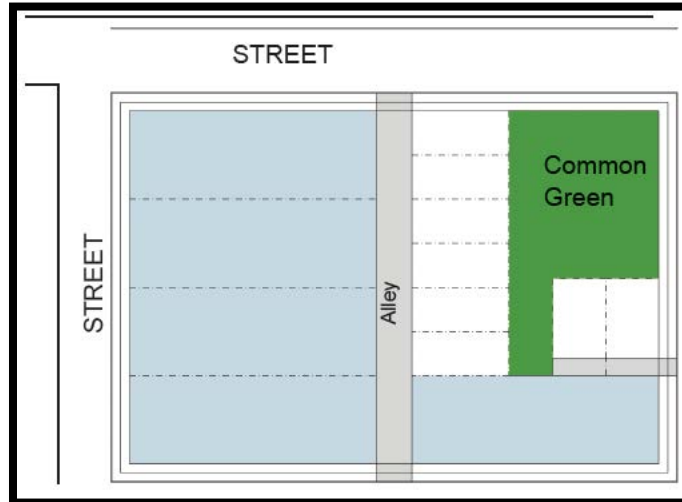


Figure 5. Corner common green allows for a flexible lot configurations.