City of Jefferson
Incorporated 1870

150 N. 2nd St./PO Box 83
Jefferson, OR 97352
Ph: 541.327.2768
Fax: 541.327.3120

CITY OF JEFFERSON

Planning Commission
WORKSESSION
JUNE 4, 2026
6:00pm

RULES OF CONDUCT FOR PUBLIC MEETINGS

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting.

The above listed meeting will be held in person at City Hall and virtually on Zoom. Masks are optional. To join the meeting on a PC, laptop, or other device, click the link and enter the password provided.
https://us06web.zoom.us/j/82467255757?pwd=rY2cm4mmzMHf4kmjaqOasbT0meOtzw.1
To join by phone/audio, dial (253) 215 8782 and enter the same password.
Meeting ID: 824 6725 5757 Passcode: 890307
Further accommodation requests should be made to City Hall in advance of the meeting. Meeting materials are available on the City's website: jeffersonoregon.org, or can be provided by other means upon request. Additional information may be obtained by contacting City Hall.

AGENDA

1. **CALL TO ORDER**
2. **SELECTION OF CHAIR & VICE CHAIR**
3. **2025-27 DLCD HOUSING ASSISTANCE GRANT/ZONING ORDINANCES**
4. **APPROVAL OF MINUTES: DECEMBER 18, 2025**
5. **VISITORS**
6. **STAFF/COMMISSION COMMENTS & QUESTIONS**
7. **ADJOURNMENT**

Posted: MAY 29, 2026
Deanna Donato, Deputy City Recorder

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

100 HIGH STREET S.E., Suite 200 | SALEM, OREGON 97301 | www.mwvcog.org
T: 503.588.6177 | F: 503-588-6094 | E: mwvcog@mwvcog.org
An equal opportunity lender, provider, and employer

Date: 22:03

To: City of Jefferson Planning Commission

From: Curt Fisher, AICP - Associate Planner MWVCOG

Subject: 2025-27 DLCD Housing Assistance Grant

Task 2 Development Code Audit and Code Concept Memo

INTRODUCTION

The Mid-Willamette Valley Council of Governments (COG) received a Technical Assistance Grant from the Department of Land Conservation and Development (DLCD) to update the Zoning Ordinances related to housing to bring it into compliance with recent housing legislation, state statute, and administrative rules.

This audit reviewed the existing Comprehensive Plan Objectives and Policies related to housing and the zoning regulations in Title 12 of the Jefferson Municipal Code to identify opportunities to:

- Implement policies, criteria, and standards for the approval of housing proposals that comply with the minimum statutory requirements;
- Examine standards permitting the development of housing in compliance with applicable statutes and Administrative Rules (OAR Chapter 660);
- Incorporate clear and objective standards for review and approval of housing projects into amendments; and
- Streamline the process of development review for housing projects by identifying criteria, standards, or procedures that have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay that should be removed

The project fulfills a grant requirement and housing-related statutory obligation that applies to Jefferson as a medium-sized city with a population exceeding 2,500 residents. The Jefferson Development Code was last updated earlier in 2026, this project builds on that work by capturing a number of the more recent technical fixes and modifications to SB 1537 and HB 3395 and implements policy guidance in the recent DLCD Model Housing Code for Medium-Sized Cities.

The project examines the policies of the Comprehensive Plan related to housing as well as any existing impediments to development in policies implementing other statewide planning goals. The code audit consolidates insights about how the Code works and opportunities to improve the Code to guide updates later in 2026 as described in Task 3 of the grant.

Legislative actions, State Statutes, Administrative Rules, and Guidance Documents used in the evaluation include:

- HB 3395 (2023 and subsequent amendments)
- HB 2138 (2025)
- HB 4037 (2026)
- HB 4063 (2024)
- HB 4064 (2022)
- HB 3560 (2025)
- HB 2984 (2023)
- SB 1537 (2024 and subsequent amendments)
- SB 974 (2025)
- SB 8 (2021)
- ORS 197
- ORS 197A
- ORS 92
- ORS 227
- ORS 329A
- ORS 446
- ORS 455
- DLCD Model Housing Code for Medium Sized Cities

The focus of the Housing Code Audit is on implementing minimum statutory requirements with guidance from the recently adopted Model Housing Code for Medium Sized Cities for guidance and direction on implementing state rules. Not all the recommendations included in the model code are required by statute, however, they are presented as a set of current best practices for implementing recent legislation.

The Zoning regulations, Title 12 of the City's Municipal Code, have seen selected updates over the years. The Zoning and Land Division regulations are the primary tools to implement policies and objectives from the Comprehensive Plan. The Code sets the standards and review procedures for proposed new development and is perhaps the most important set of City regulations shaping development outcomes within the community.

METHODOLOGY

The Code Audit methodology is fairly straightforward. The principal elements of the recent bills are listed in the Code Audit Matrix, and the affected sections of the development code were checked for consistency with the statutes. The residential district standards in Chapter 12.20, application review procedures in Chapter 12.72, and definitions in Chapter 12.04 are the sections primarily affected. The recommended code concepts are planned to generally rely on

the recommendations described in the DLCD Model Code for Medium Cities and adapting those model concepts to fit within the local context of the Jefferson Development Code.

The primary purpose of the project is to comply with state statutes and rules. The project does not anticipate any significant policy decisions. But the COG will identify opportunities that may arise that could lower barriers to housing production. The input received from the Planning Commission will be used to inform the code amendments in Task 3.

KEY FINDINGS

The Audit has identified the following opportunities to comply with housing statutes and promote housing production:

Continue Improving the Land Use Review Process

The City of Jefferson Development Code regulations describe eight procedure types with different combinations of decision-making bodies, notice requirements, and appeal procedures. Many of the procedures have substantially similar requirements. Further, the legislature, through multiple bills, has identified review procedures as potentially adding cost and delay to the housing permitting process and has sought to remedy these delays by limiting public hearings and requiring more applications to be approved administratively. The code audit recommends building on the previous amendments and beginning to consolidate processes.

Recommendation:

1. *Amend appeals language to address housing production appeal requirements*

2. *Remove the Type I-A process. Consolidate Type I-A procedures with Ministerial Zoning Review. Allow for appeal of specific ministerial reviews.*

3. *Rename Type I-B to Type I. Rename Type I-C to Type I-X (for expedited).*

4. *Remove the Type II-A process. Consolidate Type-II into one process move. Subdivision application to Type I*

Update Definitions to reflect contemporary housing types and bonus incentives.

The DLCD model housing code features a definition section that reflects new terminology for housing types and middle housing land division lots that are part of the contemporary framework for promoting smaller and more affordable attached and detached housing types while creating more opportunities for fee title ownership of the individual units. Some notable new definitions include:

- Definitions for affordable and accessible units that are allowed as bonus units in qualifying middle housing developments.
- New definitions for housing types that retire the single "family"/multi "family" naming conventions in favor of single "unit"/multi-"unit" housing types.
- New definition for all middle housing types. Formerly attached housing types are no longer required to be attached.

- New lot definitions for parent lots and child lots that apply to middle housing land divisions.

Recommendation: *Delete, modify, and add appropriate definitions for terms as recommended in the DLCD Model Housing Code for Medium Cities.*

Adopt model residential design standards for all housing types.

Chapter 12.20 of the development code describes minimum lot area and dimensional requirements for different housing types. Many of these standards apply to lots that have already been platted with less area in zones where the housing type is otherwise permitted. Further, these standards are not particularly helpful to a subdivider to plan a land division where they may not have a particular housing type in mind. There is an opportunity to establish typical minimum lot area requirements that apply at the time the lot is created.

The DLCD Model Housing Code includes complete design standards for all housing types that include setback recommendations that would allow reduced setbacks for housing types with more units that offer more flexibility to permit triplexes and quadplexes on lots where they are permitted uses but lot area requirements might disallow them.

Recommendation:

1. *Adopt minimum lot area requirements for each zone that apply to land divisions.*
2. *Simplify existing side yard interior and front yard setbacks that apply to single detached units and duplexes. Reduce side exterior setbacks and rear yard setbacks that apply to single detached units and duplexes.*
3. *Adopt reduced setbacks from the Model Housing Code for triplexes, quadplexes and other multi-unit housing types.*
4. *Adopt the residential design standards with setbacks and building heights appropriate for the different residential housing types that apply at the time of development.*
5. *Modify permitted uses in R-2 zoning district to include quadplexes, triplexes, and other middle-housing unit types.*

Adopt standards for approving bonus housing units for producing affordable or accessible housing.

HB 2138 requires local governments to implement a density bonus for producing an affordable or accessible homeownership unit where the developer will receive an additional one unit for a duplex or triplex development and an additional two units for a quadplex, cottage cluster, or townhouse development. A city must allow commensurate increases to the developable area, floor area, height, or density requirements to allow for the development of the units.

The model housing code creates an elaborate methodology for modifying various development standards to accommodate the bonus units. Consider a simplified method where, if the development includes bonus units, the development would be subject to the standards that apply to the housing resulting from the bonus. For example, where a duplex includes a bonus unit, the triplex development standards would apply.

Recommendation: *Adopt a standard for housing development bonus units, to allow the development to be reviewed according to the standards that apply to the housing resulting from the bonus.*

Adopt standards for approving affordable housing in Commercial and Industrial districts.

SB 8 required local governments to allow affordable housing applications without a zone change or conditional use permit if the housing is owned by a public body, a nonprofit corporation, or religious organization on land that is zoned for commercial, industrial, or public use.

Recommendation: *Add the SB 8 provisions to the commercial, industrial, and public district standards.*

Revise Comprehensive Plan housing objectives and policies

Minor technical fixes needed for consistency with state middle housing statutes and rules for siting manufactured dwellings.

- Policy 1 should be amended to be consistent with ORS 197A.420 to allow duplexes everywhere detached single-unit dwellings are permitted.
- Policy 2 should be deleted because it is contrary to ORS 197A.420.
- Policy 5 should be revised to be consistent with state policy to permit manufactured dwellings under the same standard as site-built homes.

Recommendation: *Revise housing objectives and policies for consistency with state statutes.*

CONCLUSION

The Code Audit identifies opportunities for updates that will be further refined through the code development and review process to create more specific code update recommendations over the course of 2026. Further conversation with City staff and the Planning Commission will help refine the direction of updates. The zoning and land division regulations should balance consistency and flexibility over time, in the form of periodic updates, to best reflect and implement the city's development priorities.

Attachments: 1. Housing Code Audit Matrix

2. DLCD Model Housing Code for Medium Cities

Housing Model Code – Medium Cities

Table of Contents

Chapter 1 – General Provisions 4

1.1 Purpose 4

1.2 Applicability 4

1.3 Relationship to Other Regulations 5

1.4 Retention of Existing Units with Middle Housing 6

1.5 Exception to Certain Design Standards 7

Chapter 2 – Detached Single-Unit and Duplex 8

2.1 Siting Standards – Detached Single-Unit and Duplex 8

2.2 Design Standards – Detached Single-Unit and Duplex 9

2.2.1 Entry Orientation and Pedestrian Connectivity 9

2.2.2 Transitions to Residential Entrances 11

2.2.3 Windows and Doors 12

2.2.4 Off-Street Parking Areas 12

2.3 Unit Configuration and Conversions – Duplex 13

2.3.1 Unit Configuration 13

2.3.2 Conversions 14

Chapter 3 – Triplex and Quadplex 15

3.1 Siting Standards – Triplex and Quadplex 15

3.2 Design Standards – Triplex and Quadplex 16

3.2.1 Entry Orientation and Pedestrian Connectivity 16

3.2.2 Transitions to Residential Entrances 19

3.2.3 Windows and Doors 19

3.2.4 Off-Street Parking Areas 19

3.2.5 Driveway Approach 21

3.2.6 Trash Storage 25

3.3 Unit Configuration and Conversions – Triplex and Quadplex 25

3.3.1 Unit Configuration 25

3.3.2 Conversions 25

Chapter 4 – Townhouse 26

4.1 Siting Standards – Townhouse 26

4.2 Design Standards – Townhouse 27

4.2.1 Entry Orientation and Pedestrian Connectivity 27

4.2.2 Transitions to Residential Entrances 28

Table of Contents

4.2.3 Windows and Doors 29
4.2.4 Driveway Access and Parking 29
4.2.5 Trash Storage 30

Chapter 5 – Cottage Cluster **33**

5.1 Siting Standards – Cottage Cluster **33**

5.2 Design Standards – Cottage Cluster **35**
5.2.1 Cottage Orientation 35
5.2.2 Common Courtyard Design Standards 35
5.2.3 Community Buildings 37
5.2.4 Pedestrian Access 37
5.2.5 Windows and Doors 37
5.2.6 Parking Design 38
5.2.7 Accessory Structures 39
5.2.8 Existing Structures 39
5.2.9 Trash Storage 39

Chapter 6 – Multi-Unit Housing **41**

6.1 Siting Standards – Multi-Unit **41**

6.2 Design Standards – Multi-Unit **42**
6.2.1 Entry Orientation – Non-Townhouse Style 42
6.2.2 Entry Orientation – Townhouse Style 43
6.2.3 Transitions to Residential Entrances. 44
6.2.4 Pedestrian Connections 44
6.2.5 Windows and Doors 45
6.2.6 Required Outdoor Area and Usable Open Space 45
6.2.7 Parking Location and Design 46
6.2.8 Driveway Access and Parking – Townhouse Style 47
6.2.9 Screening from Arterials 47
6.2.10 Trash Storage 48

Chapter 7 – Accessory Dwelling Unit **49**

7.1 Siting Standards – Accessory Dwelling Unit **49**
7.1.1 Siting Standards, Generally 49
7.1.2 Number of Units and Configuration 49
7.1.3 Maximum Floor Area 50

7.2 Design Standards – Accessory Dwelling Unit **50**

Chapter 8 – Bonuses **51**

8.1 Bonuses, Generally **51**

8.2 Bonuses by Housing Type **53**
8.2.1 Bonuses for Detached Single-Unit or Duplex 53
8.2.2 Bonuses for Triplex or Quadplex 54
8.2.3 Bonuses for Townhouses 55
8.2.4 Bonuses for Cottage Cluster 56
8.2.5 Bonuses for Multi-Unit Housing 57

Table of Contents

9.2 Procedure – Ministerial Decision 59

9.3 Procedure – Limited Land Use Decision 60

9.4 Application – Zoning Review 65

9.5 Application – Modification 67

9.6 Middle Housing Land Division 69

Chapter 10 – Measurement Methodologies and Definitions 74

10.1 Measurement Methodologies 74

10.1.1 Floor Area and Floor Area Ratio 74

10.1.2 Height 76

10.1.3 Minimum Density 77

10.1.4 Building Setbacks 78

10.1.5 Required Outdoor Area and Usable Open Space 80

10.1.6 Vehicle Parking 81

10.1.7 Bicycle Parking 82

10.1.8 Windows and Doors 83

10.2 Definitions 85

Chapter 1 – General Provisions

Sections:

1.1 Purpose
1.2 Applicability
1.3 Relationship to Other Regulations
1.4 Retention of Existing Units with Middle Housing
1.5 Exception to Certain Design Standards

1.1 Purpose

The Housing Model Code for Medium Cities provides standards for a range of housing types that are clear and objective, consistent with Housing law, and encourage and facilitate housing production, affordability, and choice as provided in ORS 197A.025.

1.2 Applicability

A. Applicability to Development. The standards apply to new dwelling units, including the addition of dwelling units to sites with existing dwelling units. Existing residential development shall not be deemed nonconforming solely on the basis that it does not conform to the standards of this Model Code.

B. Location. The Model Code is not a zoning ordinance. The applicability of the standards to a particular location or zone within a city must be specified as provided in OAR 660-008-0400 to 0430.

C. Exceptions. The standards in the Model Codes do not allow the following:

1. The development of housing on Goal Protected Lands, unless otherwise permitted by a city's development code through clear and objective standards, criteria, and procedures.

2. The development of housing on lands that do not allow residential uses unless otherwise allowed by statute.

D. Adoption by Reference. A city may choose to adopt by reference the entire Model Code or one or more individual modules. Modules are identified in Table 1.1. When adopting one or more individual modules, the following requirements apply:

1. All modules are subject to the provisions in the following sections: *Applicability* (Section 1.2), *Relationship to Other Regulations* (Section 1.3), and *Definitions and Measurement Methodology* (Chapter 10).

2. All middle housing modules (Chapters 2-5) are subject to the provisions in *Retention of Existing Units with Middle Housing* (Section 1.4).

3. All detached single-unit and middle housing modules (Chapters 2-5) are subject to the provisions in *Exception to Certain Design Standards* (Section 1.5).

4. Each module under "Procedures and Applications" is subject to the provisions in *Procedures and Applications, Generally* (Section 9.1).

5. Some modules can only be applied in conjunction with another module. Where this is the case, a city adopting a module by reference must also adopt any modules identified as "Required" in the "Related Code Sections" column in Table 1.1.

TABLE 1.1 MODEL CODE MODULES		
Module	**Model Code Chapter / Section**	**Related Code Sections**
General Provisions		
Retention of Existing Units with Middle Housing	Section 1.4	Chapters 2-5
Housing Types		
Detached Single-Unit and Duplex	Chapter 2	Bonuses for Detached Single-Unit or Duplex (Section 8.2.1)
Triplex and Quadplex	Chapter 3	Bonuses for Triplex or Quadplex (Section 8.2.2)
Townhouse	Chapter 4	Bonuses for Townhouses (Section 8.2.3)
Cottage Cluster	Chapter 5	Bonuses for Cottage Cluster (Section 8.2.4)
Multi-Unit Housing	Chapter 6	Bonuses for Multi-Unit Housing (Section 8.2.5)
Accessory Dwelling Unit	Chapter 7	
Procedures and Applications		
Procedure - Ministerial Decision	Section 9.2	
Procedure - Limited Land Use Decision	Section 9.3	
Application - Zoning Review	Section 9.4	Required: Sections 9.2 and 9.3
Application - Modification	Section 9.5	Required: Section 9.3
Middle Housing Land Division	Section 9.6	Section 1.4; Chapters 2-5

1.3 Relationship to Other Regulations

A. Conflicts.

1. For a city that has opted to adopt or apply the Model Code or has been directed to apply the Model Code by the Commission as provided in OAR 660-008-0430, and except as provided in section (2) or subsections (B) or (C) below, in the event of a conflict between this Model Code and other development and design standards applicable to regulated housing, the standards of this Model Code control.

2. If a locally adopted land use development standard conflicts with this Model Code but it would allow the development of more housing (additional square footage or units), an applicant may comply with either the standard in this Model Code or the locally adopted standard.

B. Additional Standards Applicable to Regulated Housing. In addition to the standards identified in this Model Code, a city may only apply the following locally adopted land use regulations to regulated housing:

1. Public works and public utilities standards, provided exceptions granted to single-unit dwellings shall also be granted to duplexes.
2. Protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).
3. Regulations related to the following:
    a. Tree protection, retention and planting.
    b. Landscaping design, installation and maintenance including, but not limited to, materials and planting requirements.
    c. Parking lot design and installation, including, but not limited to, shading, screening, materials, and layout.
    d. Sustainability and greenhouse gas reduction.
4. Land division standards and procedures, except that:
    a. The regulations may not preclude development from meeting the minimum density requirements established in this Model Code; and
    b. Middle Housing Land Divisions are governed by the provisions of Section 9.6.

C. Exceptions. In no case shall the requirements of this Model Code supersede requirements related to:

1. Health and safety, including, but not limited to, fire ingress or egress and emergency vehicle access.
2. Public works standards ensuring safe vehicle access onto the public street system, including but not limited to standards for clear vision areas and driveway/intersection spacing and alignment. This exception does not include minimum driveway width standards.
3. Hazardous or contaminated site clean-up, wildlife protection, or statewide land use planning goals relating to natural resources, natural hazards, the Willamette River Greenway, estuarine resources, coastal shorelands, beaches and dunes or ocean resources.
4. Implementation of fire or building codes, federal or state air, water quality or surface, ground or stormwater requirements or requirements of any federal, state or local law other than a land use regulation.

1.4 Retention of Existing Units with Middle Housing

A. Development of middle housing is allowed on a lot with up to two existing dwelling units, which may be retained on the lot along with the new units. The retained units may consist of:

1. One detached single-unit dwelling;

2. One detached single-unit dwelling plus one accessory dwelling unit; or
3. One duplex.

B. In order to qualify for the allowances in subsection (A), the retained units must have been in place for at least 5 years prior to the proposal for new middle housing units.

C. The retained units do not count toward the maximum number of units allowed on a lot.

D. The retained units may be nonconforming with respect to the applicable siting and design standards in this Model Code or in the city's local housing regulations. In other words, only the new units, and not the retained units, are required to comply with the applicable regulations.

E. Retained units on the lot may be separated from the new units by a Middle Housing Land Division, pursuant to Section 9.6 or ORS 197A.420(4)(c), as applicable.

1.5 Exception to Certain Design Standards

In accordance with Oregon Laws 2025, Chapter 330, Section 8, housing development that includes detached single-unit, duplex, triplex, quadplex, townhouse, or cottage cluster housing that includes 20 or more units in housing types listed in subsection (A) is exempt from any residential design standard that is intended to preserve the desired character, architectural expression, decoration or aesthetic quality of new homes; this includes design standards regulating the features listed in subsection (B). All other design and siting standards in this Model Code shall apply.

A. Applicable Housing Types:

- Detached single-unit;
- Duplex;
- Triplex;
- Quadplex;
- Townhouse; or
- Cottage cluster housing.

B. Residential Design Features:

- Facade materials, colors or patterns;
- Roof decoration, form or materials;
- Accessories, materials or finishes for entry doors or garages;
- Window elements such as trim, shutters or grids;
- Fence type, design or finishes;
- Architectural details, such as ornaments, railings, cornices and columns;
- Size and design of porches or balconies;
- Variety of design or floorplan; or
- Front or back yard area landscaping materials or vegetation.

Chapter 2 – Detached Single-Unit and Duplex

Sections:
2.1 Development Standards - Detached Single-Units and Duplex
2.2 Design Standards - Detached Single-Unit and Duplex
2.3 Unit Configuration and Conversions - Duplex

2.1 Siting Standards – Detached Single-Unit and Duplex

The siting standards in Table 2.1 apply to the development of a detached single-unit or duplex dwelling on a lot, with the following clarifications:

A. Standards applicable to a lot (i.e., FAR, minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division.

B. For qualified projects, the standards in Table 2.1 may be modified by the applicable bonuses in Chapter 8.

C. Per Section 1.4, retained units within middle housing development are not subject to these standards, and do not count toward maximum floor area ratio.

TABLE 2.1 SITING STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX	
Maximum Floor Area Ratio (FAR) (see Section 10.1.1)	
• 1 total dwelling unit	0.6:1
• 2 to 3 total dwelling units	0.8:1
Maximum Building/Structure Height (see Section 10.1.2)	35 ft
Minimum Density (see Section 10.1.3)	1 unit per 5,700 sf of net site area
Minimum Setbacks (see Section 10.1.4)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback (driveway length)	18 ft
Minimum Required Outdoor Area and Usable Open Space (see Section 10.1.5)	
• Required Outdoor Area	15% of lot area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.6)	
• Minimum number of off-street spaces	1 space per unit
• Maximum number of off-street spaces	None

TABLE 2.1 SITING STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX	
Minimum Number of Bicycle Parking Spaces (see Section 10.1.7)	
• Long-term Spaces	None
• Short-term Spaces	None
NOTES: (1) If an additional unit is added to a lot with an existing, retained dwelling unit that has been in place for at least 5 years, the maximum FAR may be exceeded by up to 1,000 square feet of new floor area.	

2.2 Design Standards – Detached Single-Unit and Duplex

Except as provided in Section 1.5, the design standards in this section apply to the development of a detached single-unit or duplex dwelling on a lot.

2.2.1 Entry Orientation and Pedestrian Connectivity

A. Standard. At least one main entrance for each residential structure must meet the following standards. The entrance must:

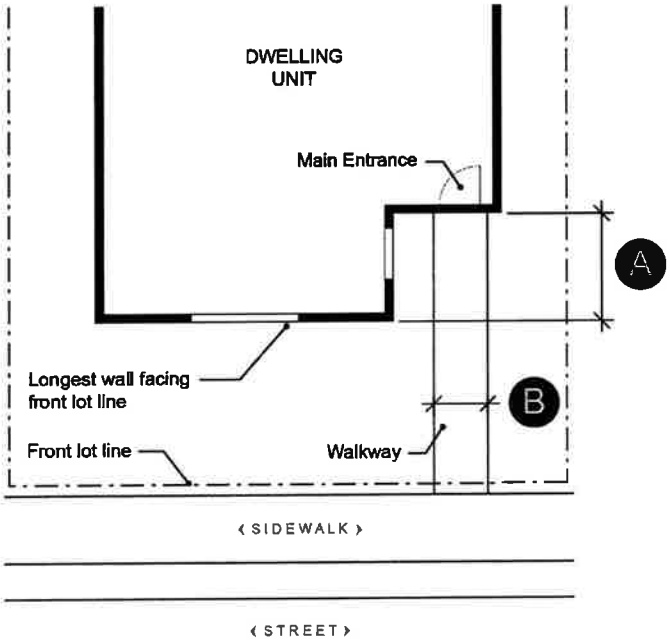
1. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
2. Meet at least one of the following:
   a. Face the street (see Figure 2.2.1a);
   b. Be at an angle of up to 45 degrees from the street (see Figure 2.2.1.b); or
   c. Open onto a covered porch or covered patio (see Figure 2.2.1.c). The porch or patio must:
      i. Be at least 25 square feet in area; and
      ii. Have at least one entrance facing the street.
3. Connect to the sidewalk by a hard-surfaced walkway other than a driveway. The walkway shall have a minimum width of 2 feet (see Figure 2.2.1.a). The walkway may abut the driveway (see Figure 2.2.1.c). Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

B. Exceptions. The following are exempt from these standards:

1. Any detached structure for which more than 50 percent of its street-facing façade is separated from the street lot line by:
   a. A dwelling; or
   b. A buildable lot with a depth of at least 20 feet measured from the street lot line.

2. Accessory dwelling units.
3. Accessible or adaptable units, provided the main entrance is connected to the public sidewalk by an accessible walkway.

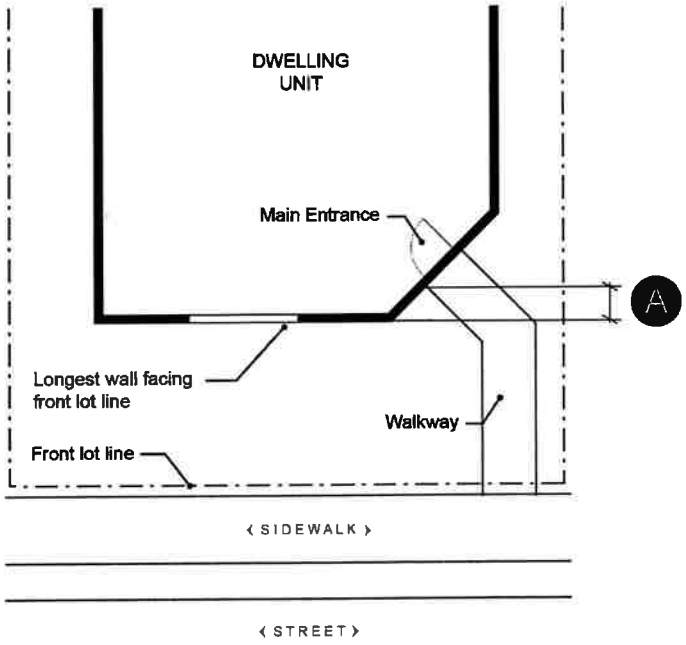
Figure 2.2.1.a. Main Entrance Facing the Street



A Maximum 8 feet from entry to longest wall facing front lot line

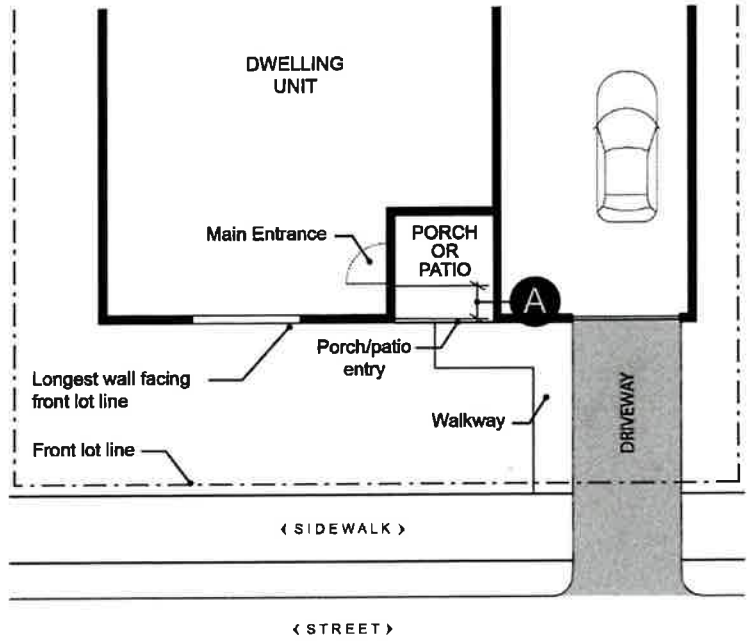
B Walkway width minimum 2 feet

Figure 2.2.1.b. Main Entrance at 45° Angle from the Street



A Maximum 8 feet from entry to longest wall facing front lot line

Figure 2.2.1.c. Main Entrance Opening onto a Porch



A Maximum 8 feet from entry to longest wall facing front lot line

2.2.2 Transitions to Residential Entrances

The following standards apply to each main entrance that is 10 feet or closer to a street lot line.

A. Standard. The main entrance must have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high and at least 4 feet wide.
2. Landscaping that meets the city's planting standards.
3. For each street-facing entrance, one canopy tree that is at least 1.5 inches in diameter, or at least 4 feet in height when planted, and that will achieve a mature canopy spread of at least 10 feet. An existing, retained tree may be used to meet this standard.
4. Common or private outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.

B. Exceptions. None.

2.2.3 Windows and Doors

A. Standard.

1. Windows or pedestrian entrance doors must be provided on street-facing facades as follows:
    a. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
    b. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
2. See Section 10.1.8 for measurement methodology.

B. Exceptions. The following facades are exempt from these standards:

1. Facades separated from the street lot line by a dwelling, or by a buildable lot with a depth of at least 20 feet measured from the street lot line.
2. Facades that are more than 40 feet from the street lot line.
3. Facades facing an alley.

2.2.4 Off-Street Parking Areas

The following standards apply to the parent lot, not child lots created by a Middle Housing Land Division.

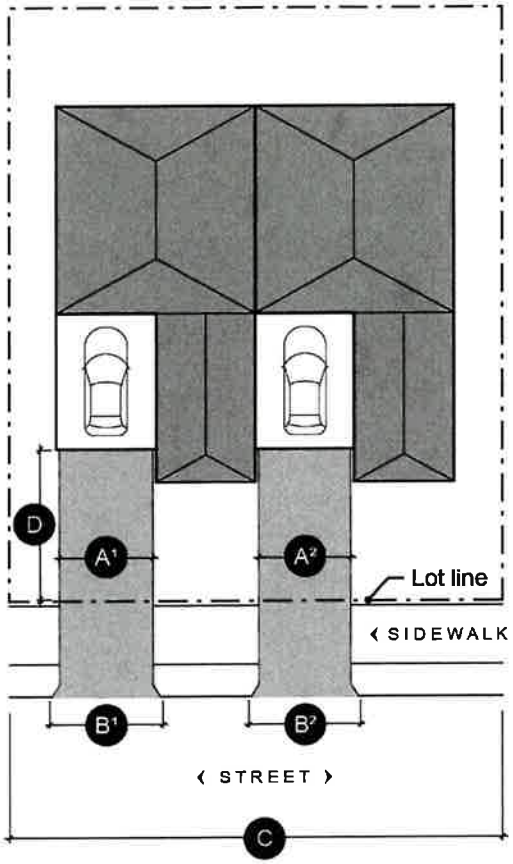
A. Standards.

1. The combined width of all garages and outdoor on-site parking and maneuvering areas, as measured at their widest dimension, shall not exceed a total of 50 percent of the street frontage (see Figure 2.2.4.a). Walkways abutting a driveway are excluded from this calculation.
2. The total width of all driveway approaches must not exceed 32 feet, as measured at the lot lines.

B. Exceptions.

1. The following are exempt from these standards:
    a. Accessible or adaptable units.
    b. Lots that receive vehicular access only from an alley.
2. Garages or off-street parking areas that are separated from the street lot line by a dwelling or that are more than 40 feet from the street lot line are exempt from subsection (A)(1).

Figure 2.2.4.a. Width of Garages and Parking Areas



A Garage and on-site parking and maneuvering areas: (A1 + A2) ÷ C ≤ 50%

B Driveway approaches: B2 + B2 ≤ 32 feet

C Total street frontage

D Minimum driveway length 18 feet (or maximum 5 feet)

2.3 Unit Configuration and Conversions – Duplex

2.3.1 Unit Configuration

A. Standard.

1. Duplex units may be attached to each other.
2. Duplex units may be detached where:

a. The units are sited on a lot with retained units under Section 1.4;

b. No more than one detached unit on the lot exceeds 1,200 square feet; or

c. The unit(s) qualify for at least one bonus category, as provided in Chapter 8.

3. Accessory dwelling units may be attached to a single-unit dwelling or detached in accordance with Chapter 7.

4. Where units are added to a lot with a retained dwelling unit(s), pursuant to Section 1.4, one added unit with a floor area of 1,000 square feet or less may qualify as an accessory dwelling unit under the standards in Chapter 7.

B. Exceptions. None.

2.3.2 Conversions

Additions to, or conversions of, an existing detached single-unit dwelling into a duplex is allowed, provided that the addition or conversion does not increase nonconformance with applicable siting and design standards of this Model Code, unless increasing nonconformance is otherwise permitted by the city's development regulations.

Chapter 3 – Triplex and Quadplex

Sections:
3.1 Siting Standards – Triplex and Quadplex
3.2 Design Standards – Triplex and Quadplex
3.3 Unit Configuration and Conversions – Triplex and Quadplex

3.1 Siting Standards – Triplex and Quadplex

The siting standards in Table 3.1 apply to the development of a triplex or quadplex on a lot, with the following clarifications:

A. Standards applicable to a lot (i.e., FAR, minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division.

B. For qualified projects, the standards in Table 3.1 may be modified by the applicable bonuses in Chapter 8.

C. Per Section 1.4, retained units within middle housing development are not subject to these standards, and do not count toward maximum floor area ratio.

TABLE 3.1 SITING STANDARDS - TRIPLEX AND QUADPLEX	
Maximum Floor Area Ratio (FAR) (see Section 10.1.1)	
• 3 total dwelling units (Triplex)	1.1:1
• 4 total dwelling units (Quadplex)	1.2:1
Maximum Building/Structure Height (see Section 10.1.2)	35 ft
Minimum Density (see Section 10.1.3)	1 unit per 3,630 sf of net site area
Minimum Setbacks (see Section 10.1.4)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback (driveway length)	18 ft
Minimum Required Outdoor Area and Usable Open Space (see Section 10.1.5)	
• Required Outdoor Area	15% of lot area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.6)	
• Minimum number of off-street spaces	1 space per triplex 2 spaces per quadplex

TABLE 3.1 SITING STANDARDS - TRIPLEX AND QUADPLEX	
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.7)	
• Long-term Spaces	None
• Short-term Spaces	None

3.2 Design Standards – Triplex and Quadplex

Except as provided in Section 1.5, the design standards in this section apply to the development of a triplex or quadplex on a lot.

3.2.1 Entry Orientation and Pedestrian Connectivity

A. Standard. At least one main entrance for each residential structure must comply with all the following standards. The entrance must:

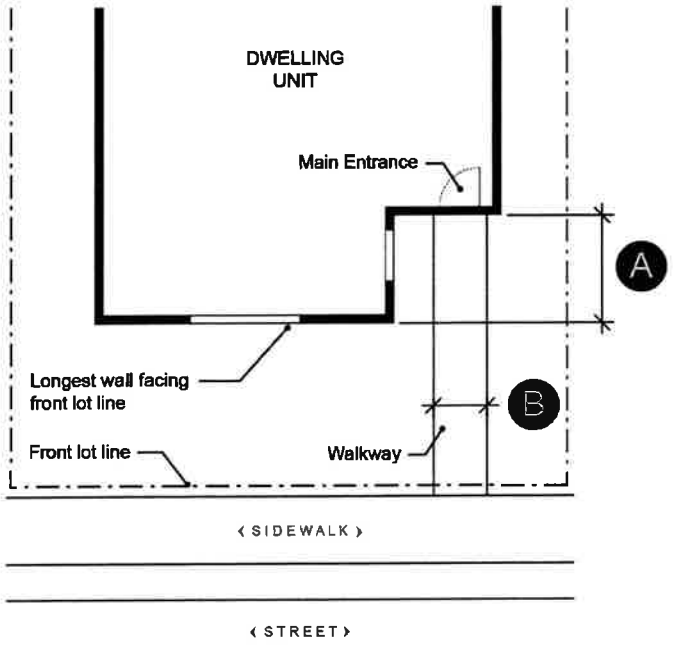
1. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
2. Meet at least one of the following:
   a. Face the street (see Figure 3.2.1.a),
   b. Be at an angle of up to 45 degrees from the street (see Figure 3.2.1.b);
   c. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 3.2.1.c); or
   d. Open onto a covered porch or covered patio (see Figure 3.2.1.d). The porch or patio must:
      i. Be at least 25 square feet in area; and
      ii. Have at least one entrance facing the street.
3. Connect to the sidewalk by a hard-surfaced walkway other than a driveway. The walkway shall have a minimum width of 2 feet (see Figure 3.2.1.a). The walkway may abut the driveway (see Figure 3.2.1.d). Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

B. Exceptions. The following are exempt from these standards:

1. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street lot line by:
   a. A dwelling; or
   b. A buildable lot with a depth of at least 20 feet measured from the street lot line.

2. Accessible or adaptable units, provided the main entrance is connected to the public sidewalk by an accessible walkway.

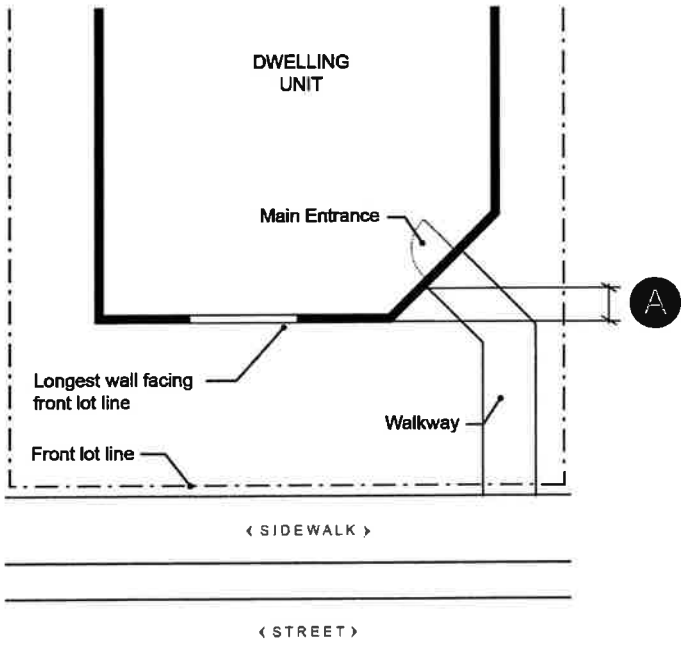
Figure 3.2.1.a. Main Entrance Facing the Street



A Maximum 8 feet from entry to longest wall facing front lot line

B Walkway width minimum 2 feet

Figure 3.2.1.b. Main Entrance at 45° Angle from the Street



A Maximum 8 feet from entry to longest wall facing front lot line

Figure 3.2.1.c. Main Entrance Facing Common Open Space

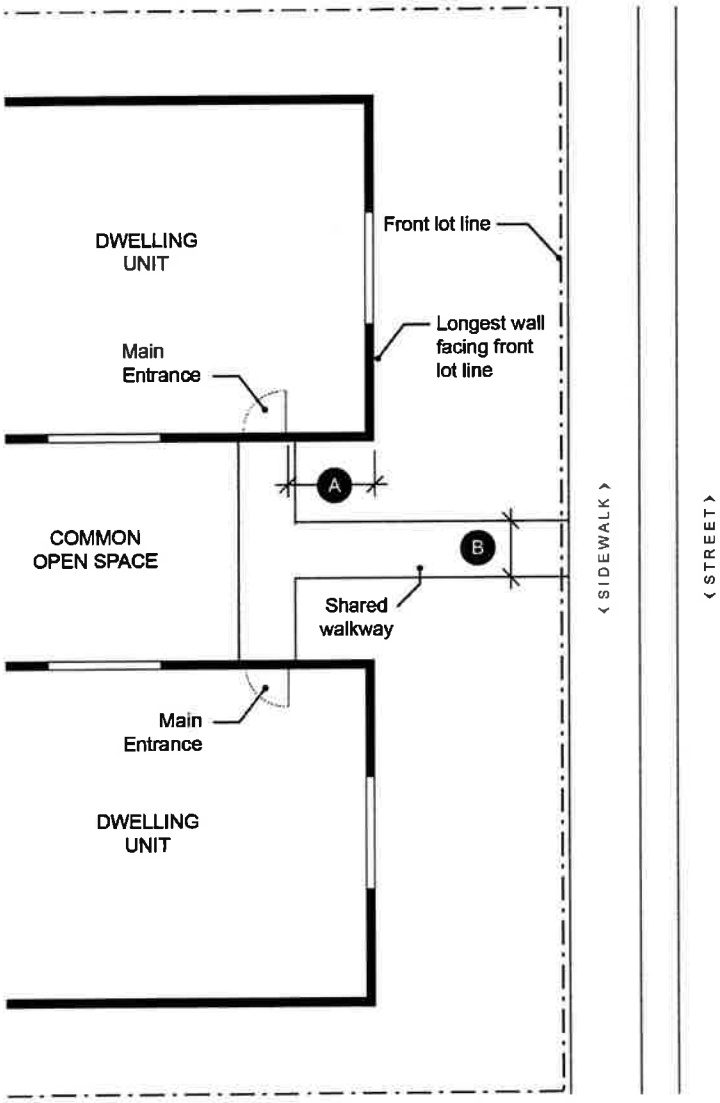
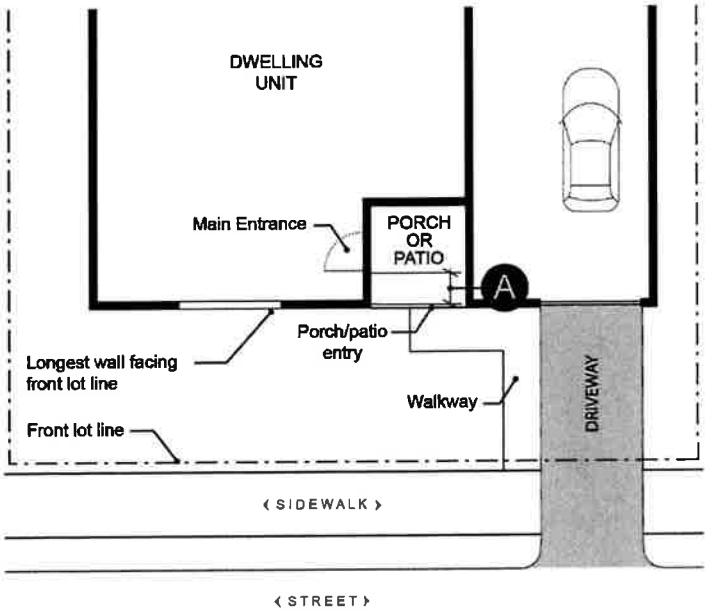


Figure 3.2.1.d. Main Entrance Opening onto a Porch



A Maximum 8 feet from entry to longest wall facing front lot line

B Walkway width minimum 2 feet

A Maximum 8 feet from entry to longest wall facing front lot line

3.2.2 Transitions to Residential Entrances

The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit.

A. Standards. The main entrance must have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high and at least 4 feet wide.
2. Landscaping that meets the city's planting standards.
3. For each street-facing entrance, one canopy tree that is at least 1.5 inches in diameter, or at least 4 feet in height when planted, and that will achieve a mature canopy spread of at least 10 feet. An existing, retained tree may be used to meet this standard.
4. Common or private outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.

B. Exceptions. None.

3.2.3 Windows and Doors

A. Standard.

1. Windows or pedestrian entrance doors must be provided on street-facing facades as follows:
   a. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
   b. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
2. See Section 10.1.8 for measurement methodology.

B. Exceptions. The following facades are exempt from these standards:

1. Facades separated from the street lot line by a dwelling, or by a buildable lot with a depth of at least 20 feet measured from the street lot line.
2. Facades that are more than 40 feet from the street lot line.
3. Facades facing an alley.

3.2.4 Off-Street Parking Areas

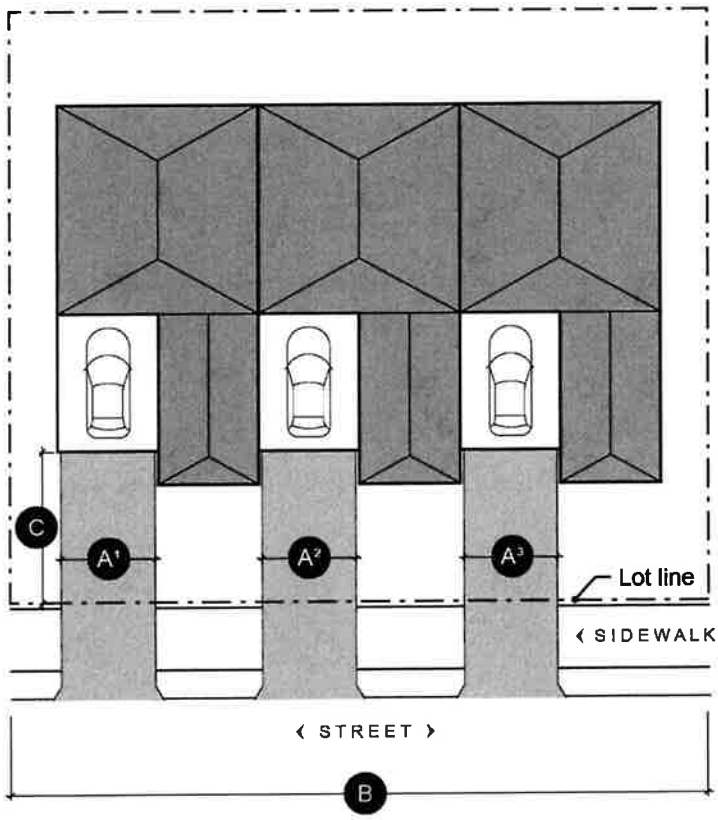
The following standards apply to the parent lot, not child lots created by a Middle Housing Land Division.

A. Standard. The combined width of all garages and outdoor on-site parking and maneuvering areas, as measured at their widest dimension, shall not exceed a total of 50 percent of the street frontage (see Figure 3.2.4.a). Walkways abutting a driveway are excluded from this calculation.

B. Exceptions. The following are exempt from these standards:

1. Accessible or adaptable units.
2. Lots that receive vehicular access from an alley.
3. Garages or off-street parking areas that are separated from the street lot line by a dwelling.

Figure 3.2.4.a. Width of Garages and Parking Areas



A — Garage and on-site parking and maneuvering areas: (A1 + A2 + A3) ÷ B ≤ 50%

B — Total street frontage

C — Minimum driveway length 18 feet (or maximum 5 feet)

3.2.5 Driveway Approach

A. Standard. Driveway approaches must comply with the following:

1. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the lot line (see Figures 3.2.5.a and 3.2.5.c). For lots with more than one frontage, see subsection (3).
2. Driveway approaches may be separated when located on a local street (see Figure 3.2.5.a). If approaches are separated, they must meet the city's driveway spacing standards applicable to local streets.
3. In addition, lots with more than one frontage must comply with the following:
    a. Lots must access the street with the lowest transportation classification for vehicle traffic. For lots abutting an alley that meets the city's standards for width and pavement, access must be taken from the alley (see Figure 3.2.5.b).
    b. Lots with frontages only on collectors or arterial streets must meet the city's access standards applicable to collectors or arterials.
    c. Triplexes and quadplexes on lots with frontages only on local streets may have either:
        i. Two driveway approaches not exceeding 32 feet in total width on one frontage (see Figure 3.2.5.d); or
        ii. One maximum 16-foot-wide driveway approach per frontage (see Figure 3.2.5.e).

B. Exceptions. Accessible or adaptable units are exempt from the standards in subsections (A)(1) and (A)(3)(c).

Figure 3.2.5.a. Driveway Approach Width and Separation on Local Street

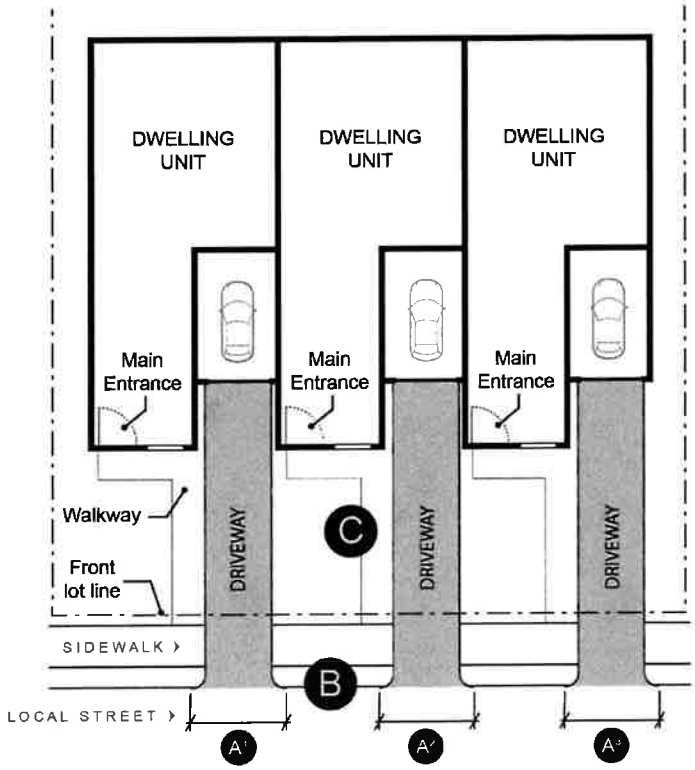
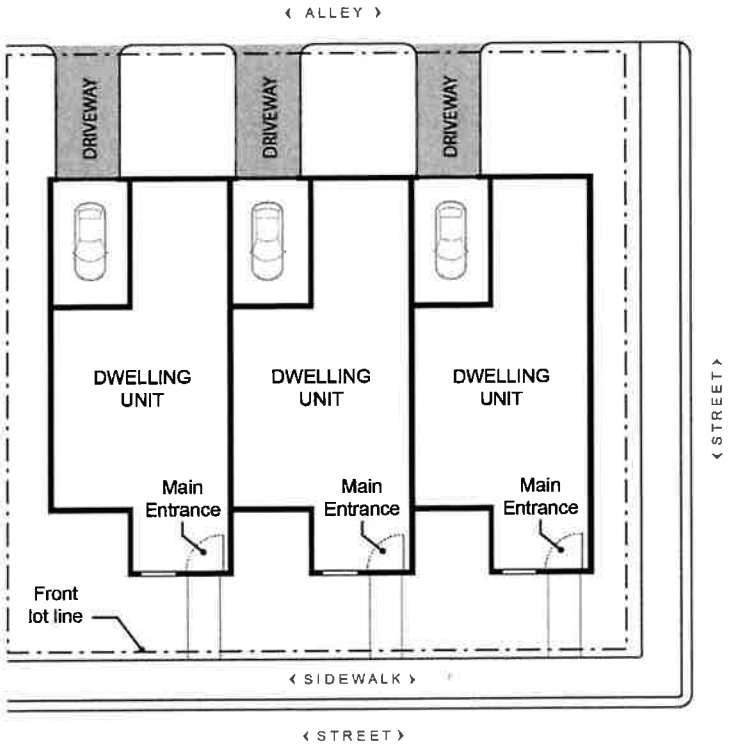


Figure 3.2.5.b. Alley Access

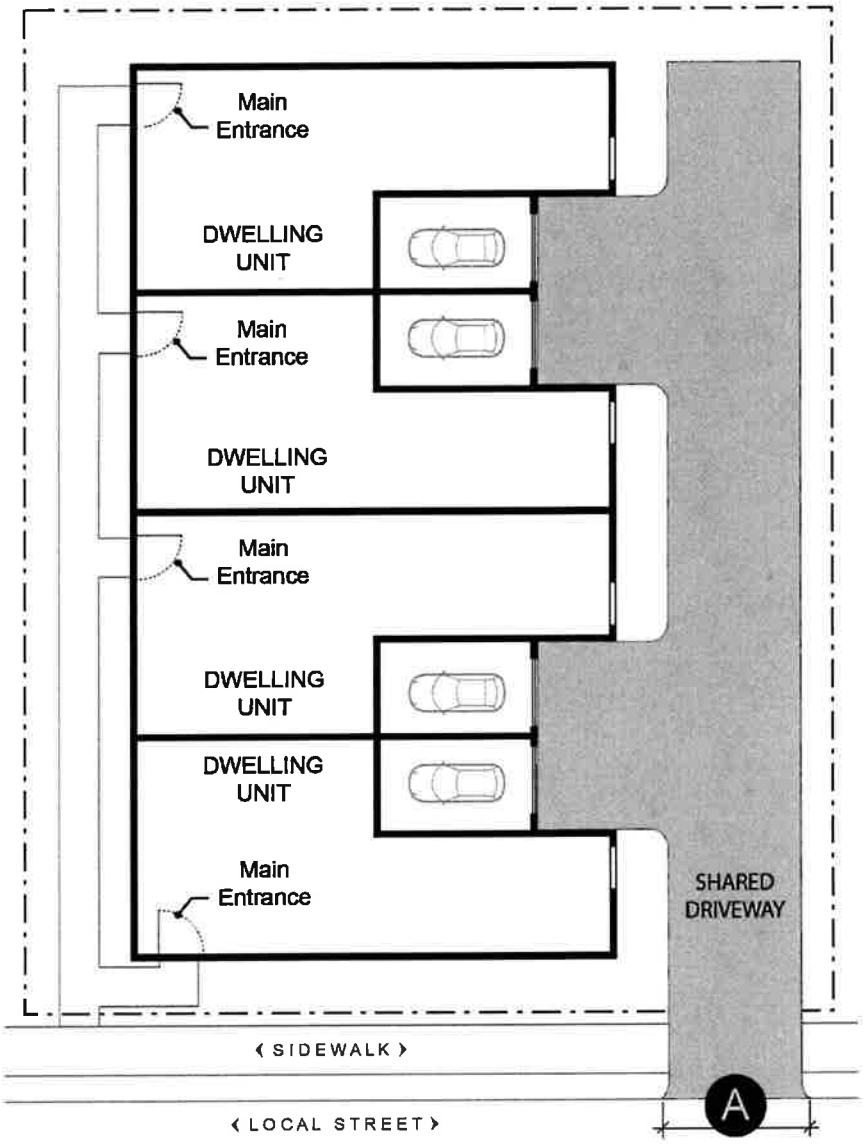


A A1 + A2 + A3 ≤ 32 feet

B Driveway approaches must meet separation standards for a local street.

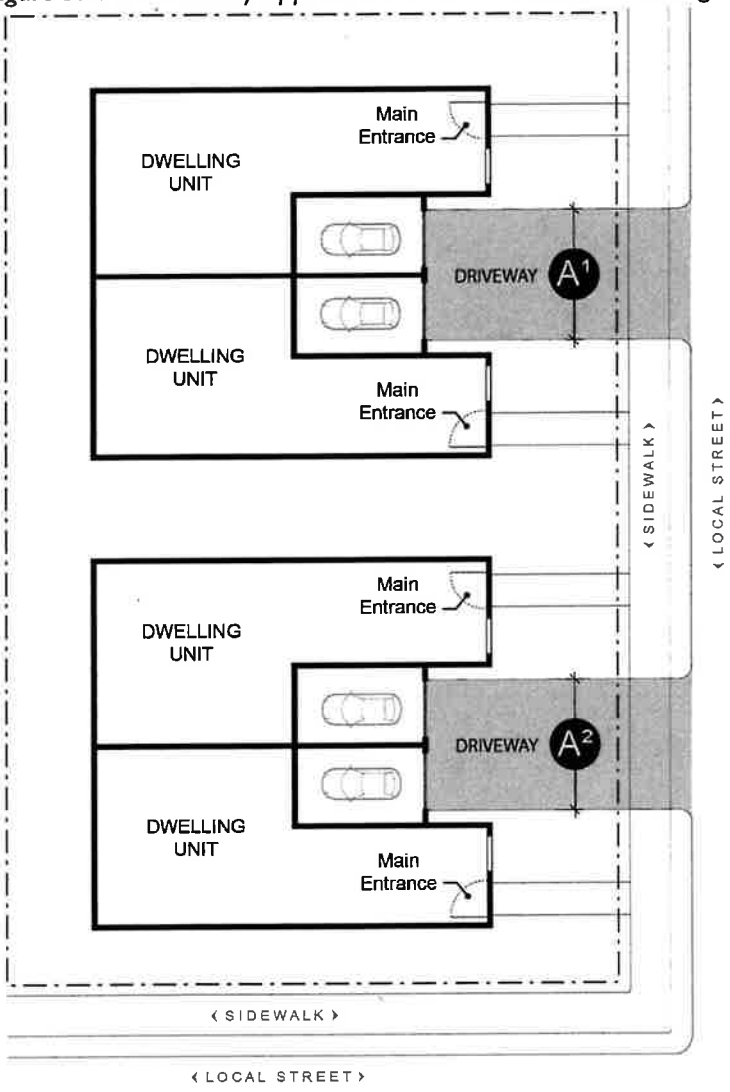
C Walkway may abut driveway

Figure 3.2.5.c. Driveway Approach Width on Local Street – Shared Driveway



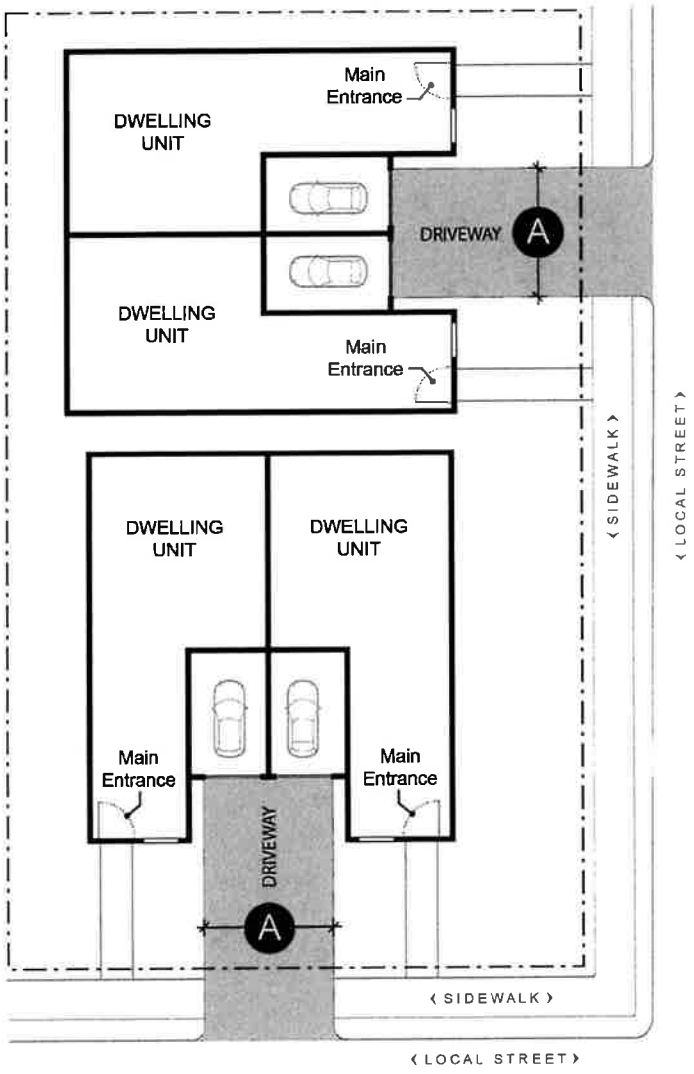
A Maximum width of driveway approach(es) 32 feet

Figure 3.2.5.d. Driveway Approaches on One Local Street Frontage



A One maximum 16-foot-wide driveway approach per frontage

Figure 3.2.5.e. Driveway Approaches on Two Local Street Frontages



A Two driveway approaches on one frontage: $A^1 + A^2 \leq 32$ feet

3.2.6 Trash Storage

A. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:

1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
2. The storage facility must be separated from the street lot line by at least 5 feet.
3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.

B. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

3.3 Unit Configuration and Conversions – Triplex and Quadplex

3.3.1 Unit Configuration

A. Standard.

1. The units in a triplex or quadplex may be attached to each other.
2. The units in a triplex or quadplex may be detached where:
   a. The units are sited on a lot with retained units under Section 1.4;
   b. No more than one detached unit on the lot exceeds 1,200 square feet; or
   c. The unit(s) qualify for at least one bonus category, as provided in Chapter 8.

B. Exceptions. None.

3.3.2 Conversions

Additions to, or conversions of, an existing detached single-unit dwelling or duplex into a triplex or quadplex is allowed, provided that the addition or conversion does not increase nonconformance with applicable standards of this Model Code, unless increasing nonconformance is otherwise permitted by the city's development regulations.

Chapter 4 – Townhouse

Sections:
4.1 Siting Standards – Townhouse
4.2 Design Standards – Townhouse

4.1 Siting Standards – Townhouse

The siting standards in Table 4.1 apply to Townhouses, with the following clarifications:

A. FAR, minimum density, and outdoor area standards are calculated based on a townhouse site, not each townhouse lot (refer to the "site" definition in Section 10.2).

B. For qualified projects, the standards in Table 4.1 may be modified by the applicable bonuses in Chapter 8.

C. Per Section 1.4, retained units within middle housing development are not subject to these standards, and do not count toward maximum floor area ratio.

TABLE 4.1 SITING STANDARDS - TOWNHOUSE	
Maximum Floor Area Ratio (FAR) (see Section 10.1.1)	1.2:1
Maximum Building/Structure Height (see Section 10.1.2)	35 ft
Maximum Number of Attached Townhouses per Structure	6 Townhouses
Minimum Density (see Section 10.1.3)	1 unit per 3,630 sf of net site area
Minimum Setbacks (see Section 10.1.4)	
• Front building setback	5 ft
• Common wall setback (along lot line where units are attached)	0 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback (driveway length)	18 ft (or max. 5 ft)
Minimum Required Outdoor Area and Usable Open Space (see Section 10.1.5)	
• Required Outdoor Area	15% of site area
• Usable Open Space	None
Vehicle Parking (see Section 10.167)	
• Minimum number of off-street spaces	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.7)	

TABLE 4.1 SITING STANDARDS - TOWNHOUSE	
• Long-term Spaces	None
• Short-term Spaces	None
Areas Owned in Common Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the city prior to issuance of a building permit.	

4.2 Design Standards – Townhouse

Except as provided in Section 1.5, the design standards in this section apply to the development of townhouses.

4.2.1 Entry Orientation and Pedestrian Connectivity

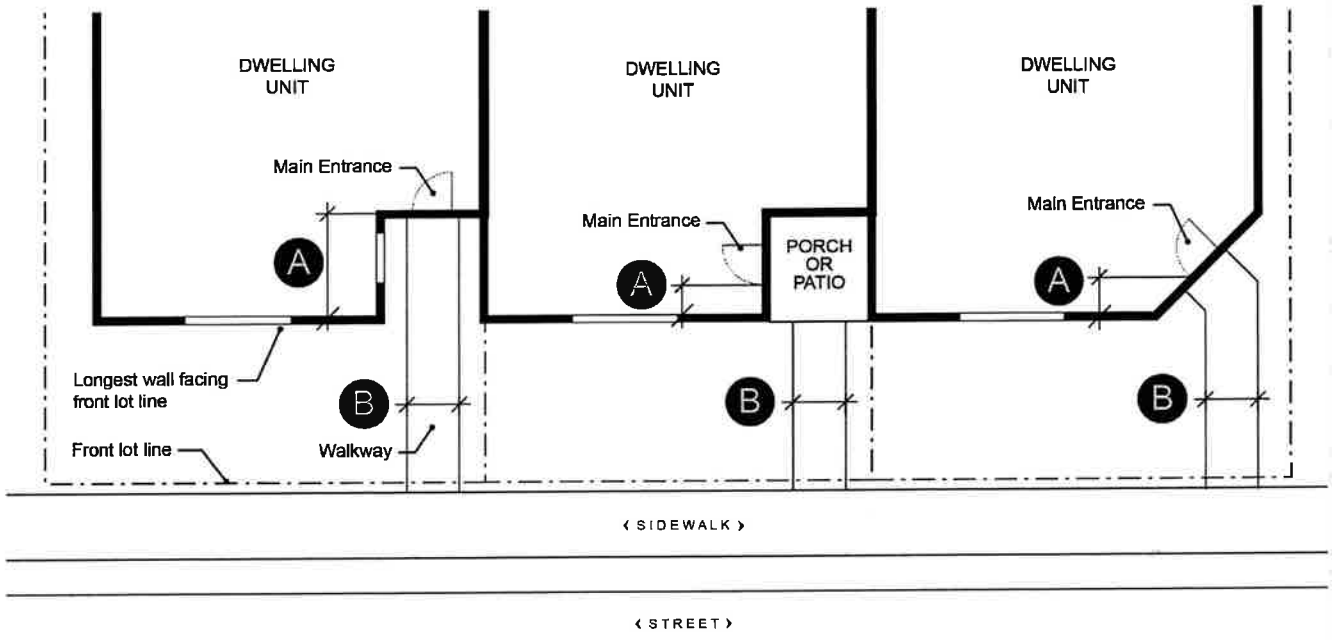
A. Standard. A main entrance to each townhouse must comply with all the following standards (see Figure 4.2.1.a). The entrance must:

1. Be no more than 8 feet farther from the front lot line than the dwelling unit's longest wall that faces the front lot line.
2. Meet at least one of the following:
    a. Face the street,
    b. Be at an angle of up to 45 degrees from the street; or
    c. Open onto a covered porch or covered patio. The porch or patio must:
        i. Be at least 25 square feet in area; and
        ii. Have at least one entrance facing the street.
3. Connect to the sidewalk by a hard-surfaced walkway other than the driveway. The walkway shall have a minimum width of 2 feet. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

B. Exceptions. The following are exempt from these standards:

1. Townhouses on townhouse lots that do not have public street frontage.
2. Townhouses with ground levels that are designed as accessible or adaptable, provided the main entrance is connected to the public sidewalk by an accessible walkway.

Figure 4.2.1.a. Main Entrance Facing the Street, at 45° Angle, or Opening onto a Porch



A Maximum 8 feet from entry to longest wall facing front lot line

B Walkway width minimum 2 feet

4.2.2 Transitions to Residential Entrances

The following standards apply to each main entrance that is 10 feet or closer to a street lot line.

A. Standards. The main entrance must have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high and at least 4 feet wide.
2. Landscaping that meets the city's planting standards.
3. For each street-facing entrance, one canopy tree that is at least 1.5 inches in diameter, or at least 4 feet in height when planted, and that will achieve a mature canopy spread of at least 10 feet. An existing, retained tree may be used to meet this standard.
4. Common or private outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.

B. Exceptions. None.

4.2.3 Windows and Doors

A. Standard.

1. Windows or pedestrian entrance doors must be provided on street-facing facades on each individual unit as follows:
    a. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
    b. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.
2. See Section 10.1.8 for measurement methodology.

B. Exceptions. The following facades are exempt from these standards:

1. Facades separated from the street lot line by a dwelling, or by a buildable lot with a depth of at least 20 feet measured from the street lot line.
2. Facades that are more than 40 feet from the street lot line.
3. Facades facing an alley.

4.2.4 Driveway Access and Parking

A. Standard. Townhouse lots with frontage on a public street shall either meet the standards in subsection (1) or subsection (2). Townhouse lots without frontage on a public street are subject to subsection (3).

1. Where garage entrances, off-street parking areas, or driveways are located between a townhouse and a public street (other than an alley), the following standards shall be met (see Figure 4.2.4.a).
    a. The townhouse lot shall have at least 15 feet of street frontage on a local street.
    b. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches or driveways may be shared.
    c. On each townhouse lot, the width of the following features shall not exceed 12 feet, or 60 percent of the lot frontage width, whichever is less:
        i. Outdoor on-site parking and maneuvering areas; and
        ii. Garages, as measured from the inside of the garage door frame.
    d. This standard does not supersede a city's driveway separation standards.
2. For all other configurations of driveway access and parking, the following standards shall be met.

a. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 4.2.4.b.

b. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. See Figure 4.2.4.c.

c. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access. Driveway and approach widths are subject to the city's public works standards.

3. Townhouse lots that do not have public street frontage may be accessed from a shared driveway located within an access easement or tract that allows normal vehicular access and emergency access. See Figure 4.2.4.d.

B. Exceptions.

1. Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt from these standards.

2. Townhouses with ground levels that are designed as accessible or adaptable are exempt from subsection (A)(1)(c).

4.2.5 Trash Storage

A. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:

1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.

2. The storage facility must be separated from the street lot line by at least 5 feet.

3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.

B. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

Figure 4.2.4.a. Townhouses with Parking in Front Yard

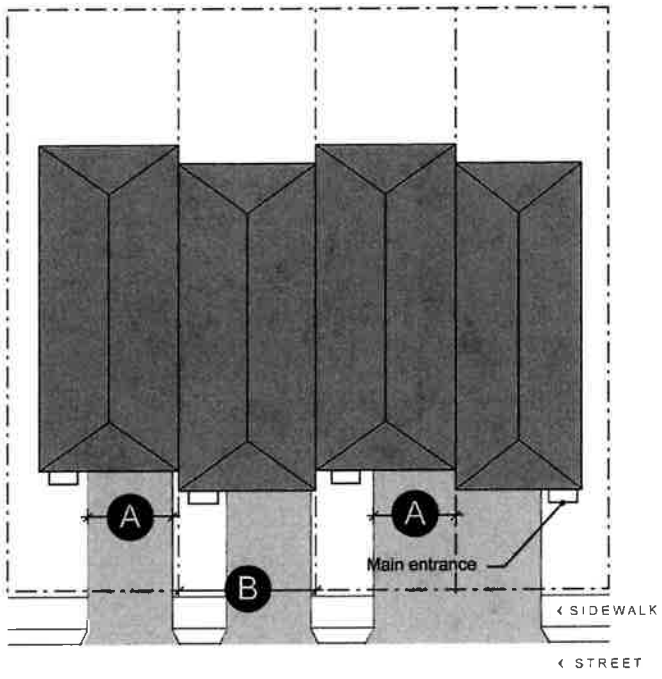
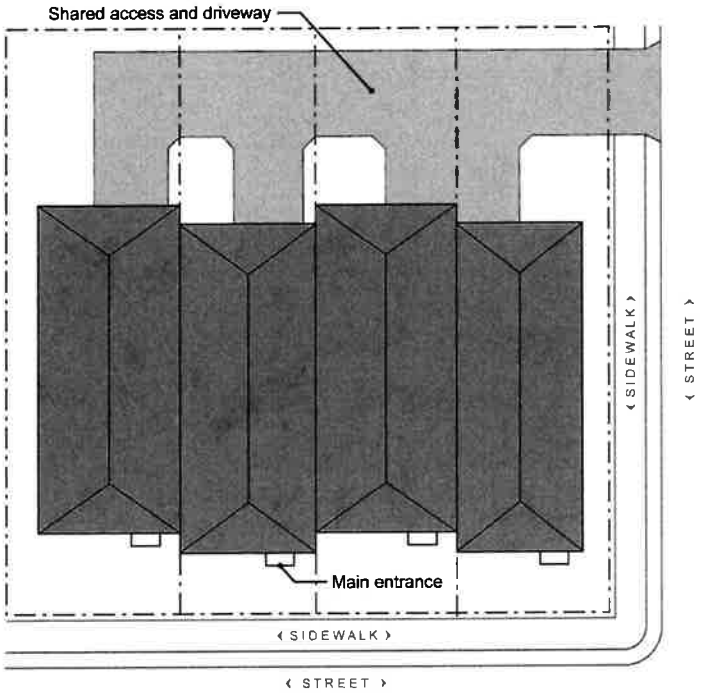


Figure 4.2.4.b. Townhouses on Corner Lot with Shared Access



A — Maximum width of driveway, parking or maneuvering area, or garage: 12 feet or 60% of lot frontage width, whichever is less

B — Minimum 15 feet of street frontage

Figure 4.2.4.c. Townhouses with Consolidated Access

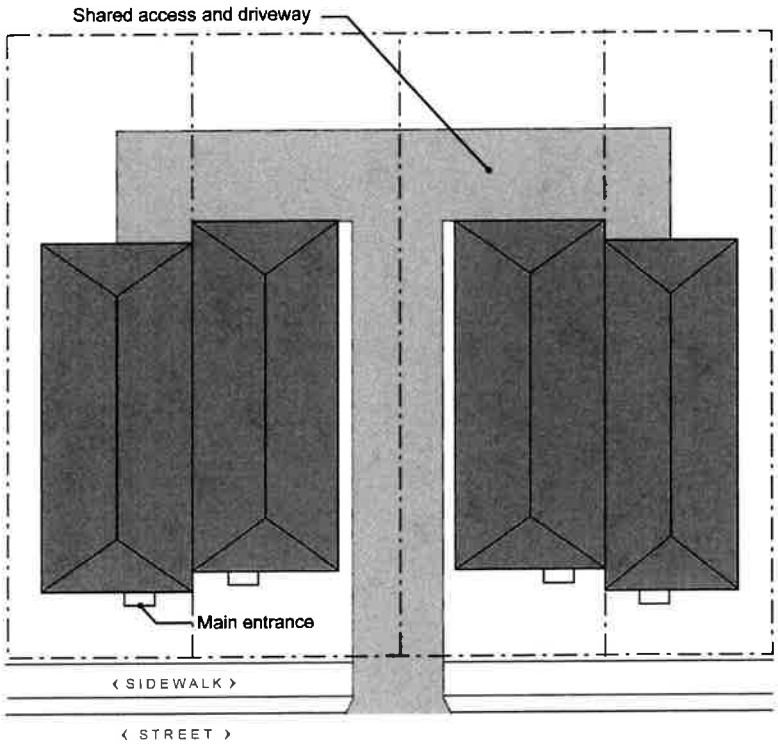
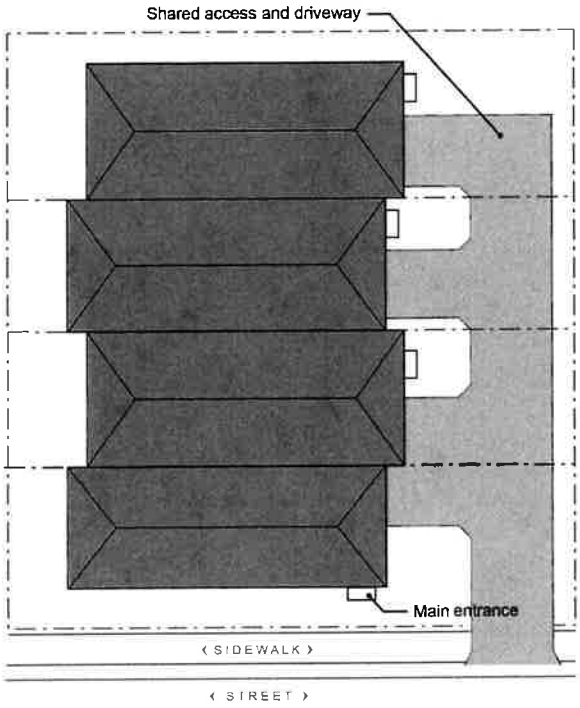


Figure 4.2.4.d. Townhouses with Access from Shared Driveway and Access Easement/Tract



Chapter 5 – Cottage Cluster

Sections:
5.1 Siting Standards – Cottage Cluster
5.2 Design Standards - Cottage Cluster

5.1 Siting Standards – Cottage Cluster

The siting standards in Table 5.1 apply to the development of a cottage cluster, with the following clarifications:

A. Standards applicable to a lot (i.e., minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division.

B. For qualified projects, the standards in Table 5.1 may be modified by the applicable bonuses in Chapter 8.

C. Per Section 1.4, retained units within middle housing development are not subject to these standards.

TABLE 5.1 SITING STANDARDS - COTTAGE CLUSTER	
Maximum Number of Cottages per Cottage Cluster	10 cottages
Maximum Floor Area Ratio (FAR) (see Section 10.1.1)	None
Average Cottage Size. Based on average floor area of all cottages and community buildings within the cottage cluster (see Section 10.1.1).	1,400 sf or less
Average Cottage Footprint	
• Average of cottages with height of 15 feet or less	1,400 sf or less
• Average of cottages with height over 15 feet	900 sf or less
Maximum Building/Structure Height (see Section 10.1.2)	25 ft
Minimum Density (see Section 10.1.3)	1 unit per 3,630 sf of net site area
Minimum Setbacks (see Section 10.1.4)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback (driveway length)	18 ft (or max. 5 ft)
Minimum Required Open Space - Courtyard (see Section 5.2.2)	150 sf per cottage
Vehicle Parking (see Section 10.1.6)	
• Minimum number of off-street spaces	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.7)	

TABLE 5.1 SITING STANDARDS - COTTAGE CLUSTER	
• Long-term Spaces	None
• Short-term Spaces	None
Areas Owned in Common Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the city prior to issuance of a building permit.	

5.2 Design Standards – Cottage Cluster

Except as provided in Section 1.5, the design standards in this section apply to the development of cottage clusters.

5.2.1 Cottage Orientation

A. Standard. Cottages must be clustered around a common courtyard, as demonstrated by meeting the following standards (see Figure 5.2.2.a):

1. Each cottage within a cluster must have a main entrance that is directly connected to the common courtyard by a pedestrian walkway.
2. A minimum of 50 percent of cottages within a cluster must:
    a. Be within 10 feet from the common courtyard, measured from the nearest façade of the cottage to the nearest edge of the common courtyard; and
    b. Have a main entrance that either faces the common courtyard or is no more than 20 feet from the common courtyard.
3. Cottages must abut the common courtyard on at least two sides of the courtyard.

B. Exceptions. An existing dwelling or dwellings included within a cottage cluster pursuant to Section 5.2.8 may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.

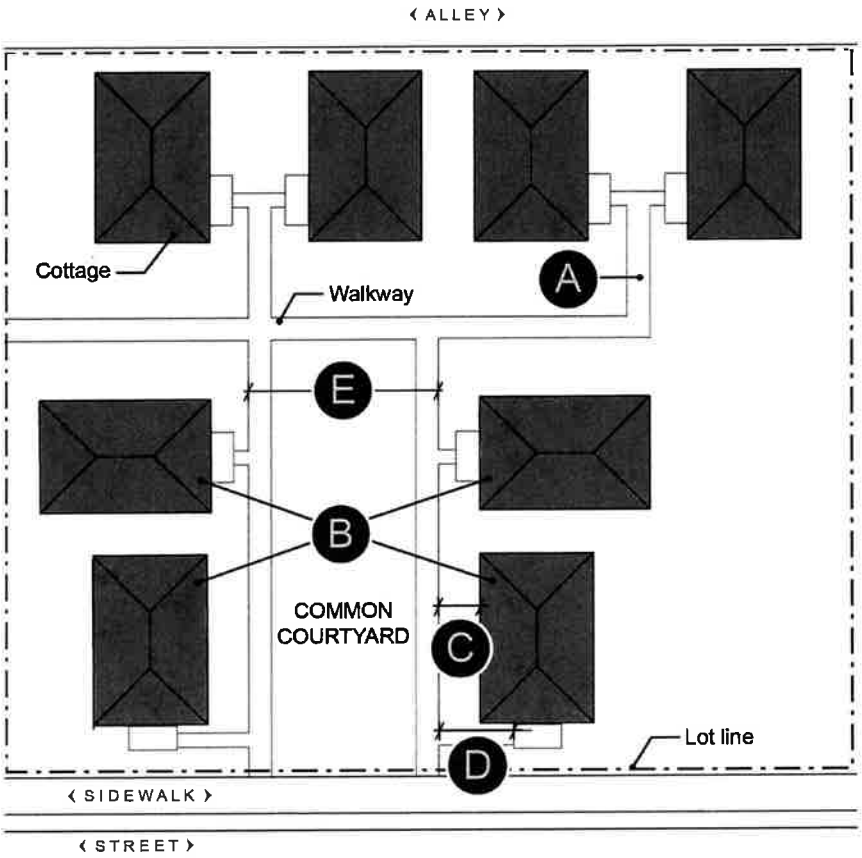
5.2.2 Common Courtyard Design Standards

A. Standard. Each cottage cluster must share a common courtyard that meets the following standards (see Figure 5.2.2.a):

1. The common courtyard must be a single, contiguous piece.
2. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension and must meet the minimum area standard in Table 5.1.
3. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian walkways, 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.
4. Common courtyards must include pedestrian walkways. Walkways 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.

B. Exceptions. None.

Figure 5.2.2.a. Cottage Cluster Orientation and Common Courtyard Standards



A All cottages connected to courtyard by walkway.

B Minimum 50% of cottages meet the orientation requirements illustrated by C and D.

C Maximum 10 feet from cottage to courtyard.

D Maximum 20 feet from entry to courtyard.

E Minimum 15 feet width at narrowest dimension.

5.2.3 Community Buildings

A. Standard. 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:

1. Each cottage cluster is permitted one community building, which shall count towards the maximum average cottage size, pursuant to Table 5.1.
2. Community buildings shall not include individual storage spaces for residents. However, storage areas for shared equipment or supplies is permitted.

[Recommended: 3. If a community building meets the definition of a dwelling unit and has a footprint that exceeds the maximum footprint in Table 5.1 or would exceed the maximum number of cottages in a cottage cluster, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.]

B. Exceptions. None.

5.2.4 Pedestrian Access

A. Standard.

1. A walkway must connect the main entrance of each cottage to the following:
   a. The common courtyard;
   b. Shared parking areas;
   c. Community buildings; and
   d. Sidewalks in public rights-of-way abutting the lot or rights-of-way if there are no sidewalks.
2. The walkway must be hard-surfaced and a minimum of 4 feet wide.
3. An accessible walkway must connect the main entrance of each accessible or adaptable unit to:
   a. A sidewalk abutting the lot, or a right-of-way if there is no sidewalk; and
   b. At least one ADA parking space, if provided.

B. Exceptions. None.

5.2.5 Windows and Doors

A. Standards. Cottages within 20 feet of a street lot line must meet the following standards:

1. At least one street-facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
2. All other street-facing facades must have a minimum of 10 percent windows or pedestrian entrance doors.

3. See Section 10.1.8 for measurement methodology.

B. Exceptions. The following facades are exempt from these standards:

1. Facades separated from the street lot line by a dwelling, or by a buildable lot with a depth of at least 20 feet measured from the street lot line.

2. Facades facing an alley.

5.2.6 Parking Design

A. Standards. (see Figure 5.2.6.a).

1. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:

   a. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.

   b. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

   c. Parking clusters must be separated from other spaces by at least 4 feet of landscaping.

   d. Clustered parking areas may be covered.

2. Parking location and access.

   a. Off-street parking spaces and vehicle maneuvering areas shall not be located:

      i. Within of 20 feet of any street lot line, except alley lot lines; or

      ii. Between a street lot line and the front façade of cottages located closest to the street lot line. This standard does not apply to alleys.

   b. Off-street parking spaces shall not be located within 10 feet of any other lot line, except alley lot lines. Driveways and drive aisles are permitted within 10 feet of other lot lines.

3. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

4. Garages and carports.

   a. Garages and carports (whether shared or individual) must not abut common courtyards.

   b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

   c. Individual detached garages must not exceed 400 square feet in floor area.

   d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

B. Exceptions. None.

5.2.7 Accessory Structures

A. Standard. Accessory structures (excluding community buildings) must not exceed 400 square feet in floor area.

B. Exceptions. None.

5.2.8 Existing Structures

A. Standard. On a lot to be used for a cottage cluster project, existing units retained under Section 1.4 may remain within the cottage cluster project area under the following conditions:

1. The retained unit(s) may be nonconforming with respect to the requirements of this code.
2. The retained unit(s) may be expanded up to the maximum height or the maximum building footprint in Table 5.1; however, retained units that exceed the maximum height or footprint of this code may not be expanded.
3. An applicant may choose to exclude the floor area of the retained unit(s) when calculating the average cottage size of a cottage cluster.

B. Exceptions. None.

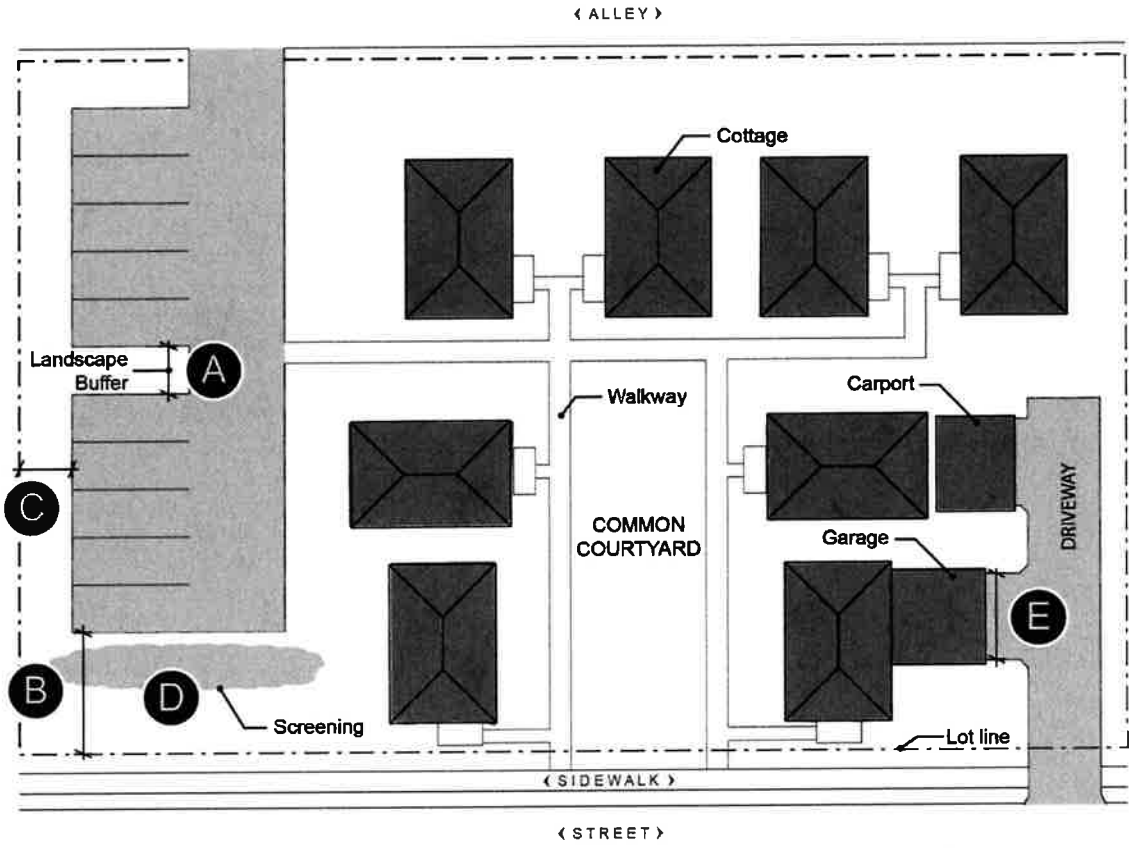
5.2.9 Trash Storage

A. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:

1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
2. The storage facility must be separated from the street lot line by at least 5 feet.
3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.

B. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

Figure 5.2.6.a. Cottage Cluster Parking Design Standards



A Parking clusters separated by minimum 4 feet of landscaping.

B No parking within 20 feet of street lot line.

C No parking within 10 feet of lot line other than street or alley.

D Screening required between parking areas or parking structures and public streets or common courtyards.

E Maximum 20 feet garage door width.

Chapter 6 – Multi-Unit Housing

Sections:
6.1 Siting Standards – Multi-Unit Housing
6.2 Design Standards – Multi-Unit Housing

6.1 Siting Standards – Multi-Unit

The siting standards in Table 6.1 apply to the development of multi-unit housing. For qualified projects, the standards in Table 6.1 may be modified by the applicable bonuses in Chapter 8.

TABLE 6.1 SITING STANDARDS - MULTI-UNIT	
Maximum Floor Area Ratio (FAR) (see Section 10.1.1)	
• Site size: less than 20,000 sf	2:1
• Site size: 20,000 sf to 50,000 sf	1.5:1
• Site size: greater than 50,000 sf	1:1
Maximum Building/Structure Height (see Section 10.1.2)	40 feet
Minimum Density (see Section 10.1.3)	1 unit per 2,178 sf of net site area
Minimum Setbacks (see Section 10.1.4)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback (driveway length)	18 ft
Minimum Required Outdoor Area and Usable Open Space (see Sections 6.2.6 and 10.1.5)	
• Required Outdoor Area	15% of site area
• Usable Open Space	See Section 6.2.6
Vehicle Parking (see Section 10.1.6)	
• Minimum number of off-street spaces	0.5 spaces per unit
• Maximum number of off-street spaces	
○ Studio Unit	1.2 spaces per unit
○ Non-Studio Unit	2.0 spaces per unit
Minimum Number of Bicycle Parking Spaces (see Section 10.1.7)	
• Long-term Spaces	0.5 spaces per unit

TABLE 6.1 SITING STANDARDS - MULTI-UNIT	
• Short-term Spaces	2.0 spaces per site, or 1.0 space per 20 units, whichever is greater

6.2 Design Standards – Multi-Unit

The design standards in this section apply to the development of multi-unit housing. In sections 6.2.2 and 6.2.8, townhouse style multi-unit housing is subject to different standards than other forms of multi-unit housing. Townhouse style developments are those in which the units have individual ground floor entries, share one or more common walls with one or more other units, and do not share common floors/ceilings with another unit.

6.2.1 Entry Orientation – Non-Townhouse Style

Multi-unit housing other than townhouse style development is subject to the following standards.

A. Standards.

1. At least one building façade containing a main entrance to a building must be located within 20 feet of a street lot line. If the site abuts more than one street, the building façade meeting this standard must be located in accordance with the following hierarchy:
    a. Except as provided in (c), if transit is available on one or more abutting streets, within 20 feet of the street lot line of the street with the highest level of transit service.
    b. Except as provided in (c), if none of the abutting streets have transit service, then within 20 feet of the street lot line of the street with the highest classification in the city's adopted Transportation System Plan (or in the applicable functional classification map or public works or engineering standards).
    c. In the following circumstances, the applicant may choose the street-facing façade that will contain the main entrance:
        i. The abutting streets have equal levels of transit service and equal street classifications; or
        ii. The highest transit service street or highest classification street is an arterial street that includes 4 or more travel lanes designed for through movement of vehicles.
2. The main entrance meeting standard (A)(1), must:
    a. Be no more than 8 feet farther from the front lot line than the structure's longest wall that faces the front lot line.
    b. Meet at least one of the following:
        i. Face the street;

ii. Be at an angle of up to 45 degrees from the street;

iii. Face a courtyard, provided the courtyard is no less than 15 feet in width and abuts the street; or

iv. Open onto a covered porch or covered patio that is at least 25 square feet in area.

c. Connect to the sidewalk by an accessible walkway in conformance with Section 6.2.4(A)(2). Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

B. Exception. If a site abuts only one street, and the abutting street is an arterial with 4 or more travel lanes designed for through movement of vehicles, a building facade with ground floor dwelling units may be set further back than 20 feet, provided the screening standards in Section 6.2.9 are met, except as specified in subsection 6.2.9(B).

6.2.2 Entry Orientation – Townhouse Style

Townhouse style multi-unit housing is subject to the following standards.

A. Standards. A main entrance of each unit that is within 40 feet of a public street lot line must comply with all the following standards (see Figure 4.2.1.a). The entrance must:

1. Be no more than 8 feet farther from the front lot line than the dwelling unit's longest wall that faces the front lot line

2. Meet at least one of the following:

   a. Face the street;

   b. Be at an angle of up to 45 degrees from the street; or

   c. Open onto a covered porch or covered patio. The porch or patio must:

      i. Be at least 25 square feet in area; and

      ii. Have at least one entrance facing the street.

3. Connect to the sidewalk by a hard-surfaced walkway other than the driveway. The walkway shall have a minimum width of 2 feet. The walkway may abut the driveway. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.

B. Exceptions. None.

6.2.3 Transitions to Residential Entrances.

The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit.

A. Standards. The main entrance must have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high and at least 4 feet wide.
2. Landscaping that meets the city's planting standard.
3. For each street-facing entrance, one canopy tree that is at least 1.5 inches in diameter, or at least 4 feet in height when planted, and that will achieve a mature canopy spread of at least 10 feet. An existing, retained tree may be used to meet this standard.
4. Common or private outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.

B. Exceptions. None.

6.2.4 Pedestrian Connections

A. Standard.

1. Internal Connections. A system of walkways must connect all main entrances on the site and provide connections to abutting sidewalks, parking areas, bicycle parking, and common outdoor areas. Where there is no sidewalk abutting the property, the walkway shall extend to the street lot line.
2. For sites greater than 50,000 square feet, on-site walkways must connect or be stubbed to allow for an extension to the abutting property in the following circumstances:
    a. There is an existing walkway on the abutting property that is located in a public right-of-way or public access tract or easement; or
    b. There is a planned walkway on the abutting property, as identified in the city's adopted Transportation System Plan.
3. Walkway Design.
    a. Materials and Width. All walkways must be hard surfaced. Except as provided in subsections (i) and (ii), walkways must be at least 5 feet in unobstructed width.
        i. Walkway width must be increased to 8 feet if the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
        ii. Where a walkway leads to 4 or fewer individual unit entries, it may have an unobstructed width of 3 feet, increased to at least 4 feet at turns and curves, provided it also meets other ADA standards for accessible walkways, including standards related to passing spaces and slope.

b. Crossings with Vehicle Areas. Where the walkway crosses driveways, drive aisles, parking areas, and loading areas, the walkway must be clearly identifiable through the use of elevation changes, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes for crossings must be at least 4 inches high.

c. Walkways Adjacent to Vehicle Areas. Where the walkway is parallel and adjacent to a parking space, driveway, or drive aisle, the walkway must be a raised path or be separated from the vehicular space by a raised curb, bollards, landscaping, or other physical barrier. If a raised path is used, it must be at least 4 inches high. Bollard spacing must be no further apart than 5 feet on center.

B. Exceptions. None.

6.2.5 Windows and Doors

A. Standard. A minimum of 15 percent of the area of all street-facing facades must include windows or pedestrian entrance doors. See Section 10.1.8 for measurement methodology.

B. Exceptions. The following facades are exempt from this standard:

1. Facades separated from the street lot line by another building, or by a buildable lot with a depth of at least 20 feet measured from the street lot line.
2. Facades that are more than 40 feet from the street lot line.
3. Facades facing an alley.

6.2.6 Required Outdoor Area and Usable Open Space

A. Standard.

1. Minimum Outdoor Area. Except as specified in subsection (B), a minimum of 15 percent of the gross site area must be provided as outdoor area meeting the description and standards in Section 10.1.5.
2. Minimum Usable Open Space. For sites over 20,000 square feet in gross site area, a percentage of the required outdoor area must be permanently reserved as shared, usable open space available for use by the residents:
   a. For sites between 20,000 and 50,000 square feet, at least 25 percent of the required outdoor area must be usable open space.
   b. For sites 50,000 square feet or larger, at least 50 percent of the required outdoor area must be usable open space.
3. Usable Open Space Standards. The usable open space shall meet the following criteria:
   a. The usable open space shall contain one or more of the features specified in Section 10.1.5(B)(2).

b. In order to be counted as eligible toward the minimum usable open space area, such areas shall have dimensions of not less than 10 feet.

c. Up to 50 percent of the required usable open space may be provided as indoor recreation or community space provided it is accessible to all residents.

B. Exceptions.

1. For sites under 20,000 square feet in size, 100 percent of the required outdoor area may be met by:

   a. A rooftop garden provided it is accessible to all of the residents; or

   b. Private open space.

2. Sites that are under 20,000 square feet in size and located within one-quarter mile walking distance of a public park that is at least 1 acre in size are exempt from the usable open space requirement. Walking distance is measured along a route utilizing sidewalks or other public pedestrian facilities that are existing or will be constructed with the development.

3. For townhouse style multi-unit housing, 100 percent of the required usable open space may be provided as private yards for each unit.

6.2.7 Parking Location and Design

The following standards apply to parking areas for multi-unit housing. For townhouse style developments, see Section 6.2.8.

A. Vehicle Parking Standards.

1. No area between a building and the street lot line (other than an alley) shall be used for vehicle parking or circulation, except for the following:

   a. A driveway providing access to a shared parking garage.

   b. A passenger drop-off or loading zone, provided the main building entrance must connect to an adjacent street by a pedestrian walkway.

2. Screening of surface parking areas. The city's parking area screening standards shall apply, if any, otherwise the following standards shall apply. Surface parking areas with more than 8 spaces must be screened from view of the street by a landscaped area that includes the following, at a minimum:

   a. Evergreen shrubs that will grow to a minimum height of 30 inches within two years and form continuous screening. Areas within the vision clearance triangle must include plantings that do not exceed 3 feet; and

   b. At least one tree for every 30 linear feet; and

   c. Evergreen ground cover must cover the remaining landscape area.

   d. A minimum 30 inch tall wall or fence may be substituted for evergreen shrubs.

3. Additional parking area design and landscaping standards are provided in Section 10.1.6.

B. Bicycle Parking Standards. Bicycle parking location and design standards are provided in Section 10.1.7.

C. Exceptions. None.

6.2.8 Driveway Access and Parking – Townhouse Style

For townhouse style units that have garage entrances, off-street parking areas, or driveways located between a dwelling unit and a public street (other than an alley), the following standards shall be met. For all other units, the standards in Section 6.2.7 shall be met.

A. Standards.

1. Access must be taken from a local street.
2. A maximum of one driveway approach is allowed for every townhouse style unit. Driveway approaches or driveways may be shared.
3. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide for any unit.
4. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
5. This standard does not supersede a city's driveway separation standards.

B. Bicycle Parking Standards. Bicycle parking location and design standards are provided in Section 10.1.7.

C. Exceptions. None.

6.2.9 Screening from Arterials

A. Standard.

The following standards apply to multi-unit sites that abut an arterial street with 4 or more vehicle travel lanes designed for through movement of vehicles. Screening shall be provided within the setback area between any street-facing facade and the street lot line abutting the arterial street. The screening shall meet the following standards:

1. At least two rows of evergreen trees shall be planted. Each row shall have a minimum of one tree for every 20 linear feet of street frontage. Tree planting shall be staggered, with a maximum spacing of 20 feet on center for trees within the same row and 15 feet on center for trees within different rows.
2. Trees shall be at least 6 feet tall at the time of planting.

B. Exception. This standard does not apply to arterial streets with frequent transit service.

6.2.10 Trash Storage

A. Standard. Shared storage facilities for trash and recycling receptacles that are located within 20 feet of a street lot line or a lot line abutting residential property shall meet the following standards:

1. The storage facility shall be screened from street lot lines and abutting residential properties by a wall, solid fence, or evergreen hedge. Except as specified in subsection (3), the screen must be at least 4 feet in height and located no more than 3 feet from the storage facility.
2. The storage facility must be separated from the street lot line by at least 5 feet.
3. For lot lines abutting residential properties, the storage facility must either be setback from the lot line by at least 5 feet, or the screen facing the lot line must be at least 6 feet in height.

B. Exceptions. Trash and recycling receptacles stored within a building are exempt from these standards.

Chapter 7 – Accessory Dwelling Unit

Sections:

7.1 Siting Standards – Accessory Dwelling Unit
7.2 Design Standards – Accessory Dwelling Unit

7.1 Siting Standards – Accessory Dwelling Unit

7.1.1 Siting Standards, Generally

A. Standards. Except as provided in this chapter and in subsection (B), accessory dwelling units shall meet the same siting standards that apply to detached single-unit dwellings (Table 2.1 if applicable, or in the city's development code). For qualified projects, the standards may be modified by the applicable bonuses in Chapter 8.

B. Exceptions.

1. The following siting standards do not apply to accessory dwelling units:
    a. Minimum Density;
    b. Minimum Required Outdoor Area and Useable Open Space;
    c. Minimum and Maximum Vehicle Parking; and
    d. Minimum Bicycle Parking.
2. Conversion of an existing legal nonconforming accessory structure into an accessory dwelling unit is allowed, provided that the conversion does not increase the nonconformity. For example, a garage that does not meet the minimum setback standard in the zoning district may be converted to an accessory dwelling unit, provided the footprint of the building within the setback area does not increase in size.
3. If an accessory dwelling unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR or lot coverage that applies to the lot.
4. Setbacks.
    a. Where an accessory dwelling unit is accessed from an alley and the city's locally adopted setback standard exceeds 5 feet, the minimum setback from the alley lot line shall be 5 feet.
    b. Detached accessory dwelling units that do not exceed 12 feet in height may be located within 5 feet of a side or rear lot line (excluding street lot lines other than alleys).

7.1.2 Number of Units and Configuration

A. Standard. A maximum of 2 accessory dwelling units are allowed per legal detached single-unit dwelling (referred to as the primary dwelling). If two accessory dwelling units are proposed:

1. One of the units must be detached from the primary dwelling, either in a separate detached building or in a portion of a detached accessory building (e.g., above a garage or workshop); and
2. One of the units must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).

B. Exception. Up to 3 accessory dwelling units are permitted for projects which qualify for a bonus pursuant to Section 8.2.1. One unit must be attached/interior to the primary dwelling and the other 2 units must be detached from the primary dwelling and from each other.

7.1.3 Maximum Floor Area

A. Standard. The maximum floor area for an accessory dwelling unit is 1,000 square feet.

B. Exceptions. The maximum floor area standard does not apply when an entire floor of a primary dwelling (e.g., a basement) is converted to an accessory dwelling unit and the primary dwelling has been on the site for at least 5 years.

C. Measurement. Floor area is measured as provided in subsection 10.1.1(B)(1).

7.2 Design Standards – Accessory Dwelling Unit

Accessory dwelling units are exempt from design standards.

Chapter 8 – Bonuses

Sections:
8.1 Bonuses, Generally
8.2 Bonuses by Housing Type

8.1 Bonuses, Generally

A. Purpose. Bonuses provide reductions in required outdoor area and increases in the number of units, the maximum floor area, or the maximum building height, in order to incentivize the provision of affordable or accessible housing that market rate development may not otherwise produce. Nothing in this chapter implements ORS 197A.465.

B. Categories.

1. As described in Table 8.1, there are 6 categories of housing that qualify for bonuses:

   Affordability Categories

   - Cat. 1A - 10-Year Affordable Homeownership Unit
   - Cat. 1B - 10-Year Mixed-Income Housing
   - Cat. 1C - 30-Year Affordable Housing
   - Cat. 1D - 90-Year Moderate Income Cooperative Housing

   Accessibility Categories

   - Cat. 2A - Accessible Unit
   - Cat. 2B - Adaptable Unit

2. An individual unit can count toward meeting up to one affordability category (Cat. 1A – 1D) and one accessibility category (Cat. 2A – 2B). In other words, a unit that is both affordable and accessible would receive bonuses from both categories. This is not intended to preclude other units within the same development from meeting other categories where possible in order to increase the bonuses available to the development, up to the maximum allowed.

TABLE 8.1: QUALIFYING CATEGORIES	
Category	**Category Criteria**
Affordability Categories	
Cat. 1A	**10-Year Affordable Homeownership Unit.** A unit of housing subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, that: (A) Makes the unit available and affordable to purchase and to own for households with incomes of 120 percent or less of the area median income; and (B) Is enforceable for a duration of not less than 10 years from the date of the certificate of occupancy.
Cat. 1B	**10-Year Mixed-Income Housing.** Residential property: (A) In which at least 20 percent of units on the property or development site (rounded up to the nearest unit) are made available to own or rent to households with incomes of 80 percent or less of the area median income; [Recommended: or in which at least 10 percent of units on the property or development site (rounded up to the nearest unit) are made available to own or rent to households with incomes of 60 percent or less of the area median income;] (B) Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 10 years; and (C) In which the affordable units meet the following criteria: (i) The average number of bedrooms and bathrooms per unit for all affordable units is the same or greater than the average number of bedrooms and bathrooms per unit for all market rate units. For the purpose of this calculation, studio units shall count as having 0.5 bedrooms; and (ii) The average floor area per unit for all affordable units is no less than at least 90% of the average floor area per unit of all market rate units.
Cat. 1C	**30-Year Affordable Housing.** Residential property: (A) In which: (i) Each unit on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income; or (ii) The average of all units on the property is made available to households with incomes of 60 percent or less of the area median income; and (B) Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 30 years.
Cat. 1D	**90-Year Moderate Income Cooperative Housing.** Residential property in which all of the units are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.
Accessibility Categories	
Cat. 2A	**Accessible Unit.** A unit of housing that complies with the "Type A" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.
Cat. 2B	**Adaptable unit.** A unit of housing that complies with the "Type B" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code. For dwelling units with 2 or more stories not otherwise required to provide Type B units under state or federal regulations (e.g., 2-story townhouse), the "Type B" requirements are only required on the ground floor, provided a kitchen, bathroom and bedroom are available on the ground floor.

8.2 Bonuses by Housing Type

In the following sections, there is a bonus table for each housing type. Each of the 5 tables includes the following:

Column 1: Bonus Type	A description of the type of bonus (e.g., increase in the number of units). Subcategories are included if the bonus varies in specific circumstances.
Column 2: Base Allowance	The base allowance for the housing type, based on the Model Code's siting standards tables. Where a housing type is not included in a Model Code siting standards table, the cell is blank (e.g., 5 – 6 unit quadplexes).
Columns 3-6: Bonus by Category	These columns include the amount of bonus that is earned for a qualifying category. The values in these columns are the increment that is added or subtracted. The number of columns varies by housing type as not all categories are applicable to all housing types.
Final Column: Cap (Max with Bonuses)	The maximum development entitlement available to a development or project including all bonuses. This column represents a "Cap" – a project or development cannot exceed this amount (except as otherwise noted for specific housing types).

8.2.1 Bonuses for Detached Single-Unit or Duplex

The bonuses in Table 8.2-1 are available to qualified detached single-unit (DSU) or duplex projects. For the purposes of this section, a "DSU or duplex project" means one parent lot and a proposed detached single-unit, detached single-unit with an accessory dwelling unit(s), or duplex (attached or detached).

A. Qualified Projects.

1. Category 1A. At least one unit on the parent lot must meet the applicable category criteria in Table 8.1 to qualify for this bonus.
2. Category 1B, 1C, and 1D. The DSU or duplex project must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one unit on the parent lot must meet the applicable category criteria in Table 8.1 for the DSU or duplex project to qualify for this bonus.
4. Category 2B. All new units on the parent lot that have ground floor entries must meet the applicable category criteria in Table 8.1 for the DSU or duplex project to qualify for this bonus.

B. Bonuses Earned.

1. A DSU or duplex project may qualify for more than one category provided that each individual unit may only count toward meeting one affordability and one accessibility category.
2. Within a DSU or duplex project, all bonuses earned may be used individually or in combination.
3. The "cap" is the maximum that is allowed for the DSU or duplex project (inclusive of applicable bonuses), except as provided in Section 1.4 for retained units within middle housing development.

TABLE 8.2-1: BONUSES FOR DETACHED SINGLE-UNIT OR DUPLEX						
Bonus Type	**Base Allowance**	**Qualifying Categories**				**Cap (Max. with Bonuses)**
		Cat. 1A & 1B	**Cat. 1C & 1D**	**Cat. 2A**	**Cat. 2B**	
Increase Number of Units	2 units	+1 unit	+1 unit	+1 unit	--	**3 units**
• Duplex	2 units	+1 unit	+1 unit	+1 unit	--	**3 units**
• Additional ADU	2 ADUs	+1 ADU	+1 ADU	+1 ADU	--	**3 ADUs**
Increase Maximum Floor Area Ratio of DSU or duplex project						
• 1 total dwelling unit	0.6:1	+0.15	+0.3	+0.15	+0.1	**0.9:1**
• 2 to 4 total dwelling units (1)	0.8:1	+0.15	+0.3	+0.15	+0.1	**1.1:1**
Increase Maximum Building/Structure Height	35 ft	+10 ft	+10 ft	+10 ft	--	**45 ft**
Reduce Minimum Density	1 unit / 5,700 sf	--	--	+2,300 sf per unit	+2,300 sf per unit	**1 unit / 8,000 sf**

NOTES:
(1) If an additional unit is added to a lot with an existing, retained dwelling unit that has been in place for at least 5 years, the maximum FAR may be exceeded by up to 1,000 square feet of new floor area.

8.2.2 Bonuses for Triplex or Quadplex

The bonuses in Table 8.2-2 are available to qualified triplex or quadplex projects. For the purposes of this section, a "triplex or quadplex project" means one parent lot and a proposed triplex or quadplex.

A. Qualified Projects.

1. Category 1A. At least one unit on the parent lot must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for this bonus.
2. Category 1B, 1C, and 1D. A triplex or quadplex project must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one unit on the parent lot must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for these bonuses.
4. Category 2B. All new units on the parent lot that have ground floor entries must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for this bonus.

B. Bonuses Earned.

1. A triplex or quadplex project may qualify for more than one category provided that each individual unit may only count toward meeting one affordability and one accessibility category.
2. Within a triplex or quadplex project, all bonuses earned may be used individually or in combination.
3. The "cap" is the maximum that is allowed for a triplex or quadplex project (inclusive of applicable bonuses), except as provided in Section 1.4 for retained units within middle housing development.

TABLE 8.2-2: BONUSES FOR TRIPLEX OR QUADPLEX					
Bonus Type	**Base Allowance**	**Qualifying Categories**			**Cap (Max. with Bonuses)**
		Cat. 1A & 1B	**Cat. 1C & 1D**	**Cat. 2A & 2B**	
Increase Number of Units:					
• Triplex	3 units	+1 unit	+1 unit	+1 unit	**4 units**
• Quadplex	4 units	+2 unit	+2 unit	+2 unit	**6 units**
Increase Maximum Floor Area Ratio per Triplex or Quadplex Project					
• 3 total dwelling units	1.0:1	+0.15	+0.3	+0.15	**1.3:1**
• 4 total dwelling units	1.1:1	+0.15	+0.3	+0.15	**1.4:1**
• 5 - 6 total dwelling units (with bonus)	1.1:1	+0.2	+0.4	+0.2	**1.5:1**
Increase Maximum Building/Structure Height	35 ft	+10 ft	+10 ft	+10 ft	**45 ft**
Reduce Minimum Density	1 unit / 3,630 sf	--	--	+1,370 sf per unit	**1 unit / 5,000 sf**

8.2.3 Bonuses for Townhouses

The bonuses in Table 8.2-3 are available to qualified townhouse projects.

A. Qualified Projects.

1. Category 1A. At least one out of every 6 units, but in no case less than one unit, within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.
2. Category 1B, 1C, and 1D. A townhouse project must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one out of every 6 units, but in no case less than one unit, within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.
4. Category 2B. All units within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.

B. Bonuses Earned.

1. A townhouse project may qualify for more than one bonus provided that each individual unit may only count toward meeting one affordability and one accessibility category. For Categories 1A and 2A, the bonus is calculated for, and applied to, each group of 6 units regardless of the number of

townhouses in the project or attached to each other (e.g., a 12-unit townhouse project can earn separate bonuses for two groups of 6 units).

2. Within a townhouse project, all bonuses earned may be used individually or in combination.
3. The "cap" is the maximum that is allowed for a townhouse project (inclusive of applicable bonuses) , except as provided in Section 1.4 for retained units within middle housing development.

TABLE 8.2-3: BONUSES FOR TOWNHOUSES

Bonus Type	Base Allowance	Qualifying Categories			Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C & 1D	Cat. 2A & 2B	
Increase Number of Units (1)	--	+1 to 2 units	+ 2 units	+1 to 2 units	**1 to 2 bonus units**
Increase Maximum Floor Area Ratio	1.1:1	+0.2	+0.4	+0.2	**1.5:1**
Increase Maximum Building/Structure Height	35 ft	+10 ft	+10 ft	+10 ft	**45 ft**

8.2.4 Bonuses for Cottage Cluster

The bonuses in Table 8.2-4 are available to qualified cottage cluster projects.

A. Qualified Projects.

1. Category 1A. At least one out of every 6 cottages, but in no case less than one cottage, within each cottage cluster must meet the applicable Category Criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.
2. Category 1B, 1C, and 1D. A cottage cluster must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one out of every 6 cottages, but in no case less than one cottage, within each cottage cluster must meet the applicable Category Criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.
4. Category 2B. All cottages within a cottage cluster project that have ground floor entries must meet the criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.

B. Bonuses Earned.

1. A cottage cluster project may qualify for more than one bonus provided that each individual unit may only count toward meeting one affordability category and one accessibility category.
2. Within a cottage cluster project, all bonuses earned may be used individually or in combination.
3. The "cap" is the maximum that is allowed for the development (inclusive of applicable bonuses), except as provided in Section 1.4 for retained units within middle housing development.

TABLE 8.2-4: BONUSES FOR COTTAGE CLUSTER					
Bonus Type	**Base Allowance**	**Qualifying Categories**			**Cap (Max. with Bonuses)**
		Cat 1A & 1B	**Cat 1C & 1D**	**Cat 2A & 2B**	
Increase Number of Cottages per Cluster	10 cottages	+2 unit	+2 unit	+2 unit	**12 units**
Increase Average Cottage Size	1,400 sf	+100 sf	+400 sf	+100 sf	**1,600 sf**
Increase Average Cottage Footprint					
• Cottages with height of 15 feet or less	1,400 sf or less	+50 sf	+100 sf	+50 sf	**1,500 sf**
• Cottages with height over 15 feet	900 sf or less	+50 sf	+100 sf	+50 sf	**1,000 sf**
Reduce Required Open Space - Courtyard	150 sf / cottage	-30 sf / cottage	-70 sf / cottage	-30 sf / cottage	**80 sf**
Increase Maximum Building/Structure Height	25 ft or 2 stories	+5 ft	+10 ft	+5 ft	**35 ft**

8.2.5 Bonuses for Multi-Unit Housing

The bonuses in Table 8.2-5 are available to qualified multi-unit projects as follows. For the purposes of this section, a "multi-unit project" means multi-unit housing on a single development site.

A. Qualifying Categories.

1. Categories 1B, 1C, and 1D. The multi-unit project must meet the criteria in Table 8-1 to qualify for these bonuses
2. Category 2A. At least 10 percent of units, but no less than one more unit than would be required by the Building Code, must meet the criteria in Table 8-1 for the multi-unit project to qualify for these bonuses.

B. Bonuses Earned.

1. A multi-unit project may qualify for more than one bonus provided that each individual unit can only count toward meeting one affordability category and one accessibility category.
2. Within a multi-unit project, all bonuses earned may be used individually or in combination.
3. A "double bonus" for Cat. 2A (i.e., two times the amount indicated in Table 8.2-5 for this category) is provided to multi-unit projects where at least 20 percent of the units and at least two more units than would be required by the Building Code meet the criteria in Table 8-1.
4. The "cap" is the maximum that is allowed for development (inclusive of applicable bonuses).

TABLE 8.2-5: BONUSES FOR MULTI-UNIT HOUSING

Bonus Type	Base Allowance	Qualifying Categories			Cap (Max. with Bonuses)
		Cat 1B	Cat 1C & 1D	Cat 2A*	
Increase Maximum Floor Area Ratio					
Site size: less than 20,000 sf	2:1	+1:1	+2:1	+1:1	**4:1**
Site size: 20,000 sf to 50,000 sf	1.5:1	+0.7:1	+1.5:1	+0.7:1	**3:1**
Site size: greater than 50,000 sf	1:1	+0.5:1	+1:1	+0.5:1	**2:1**
Increase Maximum Building/Structure Height	40 ft	+10 ft	+36 ft	+10 ft	**76 ft**
Reduce Required Outdoor Area	15%	-5%	-15%	-5%	**10% for Cat 1B or 2A; 0% for Cat 1C or 1D**

* The bonuses provided for Cat. 2A shall be two times the amount shown in this column for multi-unit projects meeting the criteria in Section 8.2.5(B)(3).

Chapter 9 – Procedures and Applications

Sections:

9.1 Procedures and Applications, Generally
9.2 Procedure - Ministerial Decisions
9.3 Procedure - Limited Land Use Decisions
9.4 Application - Zoning Review
9.5 Application - Modifications
9.6 Application and Procedure - Middle Housing Land Division

9.1 Procedures and Applications, Generally

A. Time Periods. In computing time periods prescribed or allowed by this chapter, the day of the act or event from which the designated period of time begins shall not be included. The last day of the period shall be included, unless it is a Saturday, Sunday, or a legal holiday, in which case the period runs until the end of the next day that is not on a weekend or legal holiday.

B. Consolidated Review of Applications. When an applicant applies for more than one type of land use or development permit for the same one or more contiguous parcels of land, the applicant may request that the proceedings be consolidated for review and decision. When proceedings are consolidated, required notices may be consolidated, provided the notice shall identify each application to be decided.

C. Basis of Approval. Approvals are based on the information submitted. If the information relied upon to grant the approval is incorrect, the approval may be voided.

9.2 Procedure – Ministerial Decision

Ministerial Decisions are made following a review that does not require use of discretion, based on land use standards that do not require interpretation or the exercise of policy or legal judgment. The decision is made by the Planning Official, without public notice and without a public hearing.

A. Application Requirements.

1. Application Forms. Requests for approval of development subject to Ministerial Review shall be made on forms provided by the Planning Official. An application submitted concurrently with a building permit application does not require a separate application form.
2. Application Requirements. Applications shall include the following information:
    a. The information requested on the application form;
    b. Plans and exhibits required for the specific approval(s) being sought; and
    c. The required fee.

B. Completeness Review.

1. The Planning Official shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 30 calendar days after the city receives the application submittal.

2. If an application for a Ministerial Decision is incomplete, the Planning Official shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete upon receipt by the Planning Official of:

   a. All of the missing information;

   b. Some of the missing information and written notice from the applicant that no other information will be provided; or

   c. Written notice from the applicant that none of the missing information will be provided.

3. On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information as required under subsection (2) and has not submitted some or all of the information or provided written notice that none of the missing information will be provided.

C. Criteria and Decision. The Planning Official's review determines whether minimum code requirements are met. The Planning Official shall approve, approve with conditions, or deny an application within 60 days after receiving a complete application.

D. Effective Date. A Ministerial Decision is final on the date it is signed by the Planning Official.

E. Appeal of a Ministerial Decision. A Ministerial Decision may be appealed to Circuit Court. There is no opportunity for local appeal.

9.3 Procedure – Limited Land Use Decision

A. Method of review. Limited Land Use Decisions are subject to administrative review. The decision is made by the Planning Official with public notice and an opportunity to appeal.

B. Time allowed. The City shall complete its review within the timeframes specified in subsections (C) through (G), below, provided that in all cases the City shall take final action on Limited Land Use applications, including resolution of all appeals, within the number of days specified in the table below, unless the applicant requests an extension in writing. The total of all extensions may not exceed 245 days except to allow for mediation in accordance with ORS 227.178(11).

Project Type	Maximum Days*
Limited Land Use Decisions for affordable housing projects meeting the following criteria: • Multi-unit residential building containing five or more residential units within the urban growth boundary; and • At least 50 percent of the residential units included in the development will be sold or rented as affordable housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater, that is subject to an affordable housing covenant, as provided in ORS 456.270 to 456.295, that maintains the affordability for a period of not less than 60 years from the date of the certificate of occupancy.	100 days from the date the Planning Official deems the application complete for purposes of processing,
All other Limited Land Use Decisions	120 days from the date the Planning Official deems the application complete for purposes of processing,
* A city may extend these periods by no more than seven days in order to assure the sufficiency of its final order where the city has tentatively approved the application for development of residential structures.	

C. Application Requirements.

1. Application Forms. Applications subject to Limited Land Use Review shall be made on forms provided by the Planning Official.
2. Submittal Information. At a minimum, the application shall include all of the following information:
   a. The information requested on the application form;
   b. Plans and exhibits required for the specific approval(s) being sought; and
   c. The required fee.

D. Completeness Review.

1. The Planning Official shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 30 calendar days after the city receives the application submittal.
2. If an application for a Limited Land Use Decision is incomplete, the Planning Official shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete upon receipt by the Planning Official of:

a. All of the missing information;

b. Some of the missing information and written notice from the applicant that no other information will be provided; or

c. Written notice from the applicant that none of the missing information will be provided.

3. If an applicant requests review under different standards as provided in subsection (E)(2) the applicable timelines for completeness review restart as if a new application were submitted on the date of the request. The application shall not be deemed complete until the Planning Official determines that additional information is not required under subsection (2) of this section or the applicant makes a submission under subsection (2) of this section in response to a Planning Official's request.

4. On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information as required under subsection (2) and has not submitted some or all of the information or provided written notice that none of the missing information will be provided.

E. Applicable Standards and Criteria. Approval or denial of an application shall be based upon the applicable standards and criteria as follows.

1. Except as provided in subsection (2), the approval or denial of an application that was complete when first submitted or deemed complete pursuant to subsection (D)(3) shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

2. Up to the issuance of Notice of Pending Limited Land Use Decision (subsection (F)), an applicant may submit a written request to apply newly adopted standards (those operative at the time of the request) to a submitted land use application. If an applicant requests review under newly adopted standards:

a. Any applicable timelines for completeness review and final decisions restart as if a new application were submitted on the date of the request.

b. Submission of additional information may be required if the request affects or changes information in the application.

c. Additional fees may be required to cover those additional costs incurred by the city to accommodate the request.

d. The applicant may not make more than one request under this subsection (E)(2).

F. Notice of Pending Limited Land Use Decision. The purpose of the notice of pending decision is to provide a 14-day comment period during which nearby property owners and affected agencies can submit written comments on the application before the Planning Official issues their decision.

1. The Planning Official shall mail notice of a pending Limited Land Use Decision to the following individuals and agencies.

a. All owners of record of real property within a minimum of 100 feet of the of the entire contiguous site for which the application is made;

b. Any neighborhood or community organization recognized by the governing body and whose boundaries include the site; and

c. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City and any other affected agencies. The failure of another agency to respond with written comments on a pending application shall not invalidate an action or permit approval made by the City under this Code.

2. The notice of pending Limited Land Use Decision shall briefly summarize the local decision making process for the Limited Land Use Decision being made and shall contain all of the following information:

a. Deadline (date and time) for submitting written comments, which must be at least 14 days prior to the scheduled decision date, the place where written comments are to be submitted, and the name and phone number of the city's contact person;

b. Street address or other easily understood geographical reference to the subject property;

c. List, by commonly used citation, of the applicable criteria for the decision;

d. Statement that all evidence relied upon by the Planning Official to make their decision is in the public record and is available for public review. Copies of this evidence can be obtained at a reasonable cost from the City;

e. Statement explaining that issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing prior to the expiration of the comment period. Such issues must be raised with sufficient specificity to enable the decision maker to respond to the issue; and

f. Statement that after the comment period closes, the City will issue its decision and the decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice.

3. The Planning Official shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and demonstrate that the notice was mailed to the parties listed in subsection (1) and was mailed within the time required by law.

G. Notice of Decision. At the conclusion of the comment period, the Planning Official shall review the comments received and prepare a decision approving, approving with conditions, or denying the application based on the applicable standards and criteria. Within 7 days of making a Limited Land Use Decision, the Planning Official shall mail a notice of that decision.

1. The Planning Official shall mail notice of a Limited Land Use Decision to the following individuals and agencies.

a. Applicant;

b. Property owner (if different);

c. Building Official;

d. Those individuals or agencies who provided written comments on the proposal; and

e. Those individuals or agencies who requested a copy of the decision.

2. The Notice of Decision shall contain all of the following information:

a. A description of the applicant's proposal and the City's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the public record;

b. The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area (a copy of assessor's map may be used);

c. A statement of where the City's decision can be obtained;

d. The date the decision shall become final, unless appealed; and

e. A statement that all persons entitled to notice may appeal the decision to City's appeal body pursuant to subsection (H) by the date specified on the notice.

H. Effective Date. Unless the conditions of approval specify otherwise, a Limited Land Use Decision becomes effective 14 days after the City mails the decision notice, unless the decision is appealed.

I. Appeal of a Limited Land Use Decision. A Limited Land Use Decision made by the Planning Official may be appealed to the Appeal Body designated by the City to hear appeals of decisions made by the Planning Official.

1. Who may appeal. The following people have legal standing to appeal Limited Land Use Decision:

a. The applicant or owner of the subject property;

b. Any person who was entitled to written notice of the decision; and

c. Any other person who participated in the proceeding by submitting written comments on the application to the City by the specified deadline.

2. Appeal filing procedure.

a. Notice of appeal. Any person with standing to appeal, as provided in subsection (1), above, may appeal a Limited Land Use Decision by filing a Notice of Appeal according to the following procedures.

b. Time for filing. A Notice of Appeal shall be filed with the Planning Official within the timeframe specified on the Notice of Decision.

c. Content of Notice of Appeal. The Notice of Appeal shall be accompanied by the required filing fee and shall contain:

i. An identification of the decision being appealed, including the date of the decision;

ii. A statement demonstrating the person filing the Notice of Appeal has standing to appeal;

iii. A statement explaining the specific issues being raised on appeal; and

iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.

3. Scope of appeal. The appeal of a Limited Land Use Decision shall be a hearing de novo before the Appeal Body. The appeal shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the review leading up to the Limited Land Use Decision, but may include other relevant evidence and arguments. The hearing Appeal Body shall allow additional evidence, testimony, or argument concerning any relevant standard, criterion, condition, or issue.

4. Appeal Hearing Procedure. Hearings on appeals of Limited Land Use Decisions shall follow the city's procedures used for public hearings.

9.4 Application – Zoning Review

A. Method of review.

1. Limited Land Use Decision. Zoning Review applications for proposed developments meeting one or more of the following criteria require Limited Land Use approval:

   a. Development with more than 50 units;

   b. Site size greater than 1 acre (43,560 square feet) in size; or

   c. Applicant is requesting a Modification pursuant to Section 9.5.

2. Ministerial Decision. Zoning Review applications for all other proposed developments require Ministerial approval.

B. Requirements. Zoning Reviews may be processed concurrently with a building permit application or submitted in advance of a building permit application. In either case, a building permit shall not be issued until the Planning Official has approved a Zoning Review for the proposed project.

C. Zoning Review Application Requirements.

1. The applicant has the responsibility to obtain the property owner's permission for the request.

2. Applicants must submit information showing that the proposal complies with this Code, including:

   a. Information requested on the application form. A Ministerial Zoning Review submitted concurrently with a building permit application does not require a separate application form;

   b. The applicable housing type. In instances where a development can meet the definition of more than one housing type, the applicant shall specify the housing type on the application;

   c. A site plan and elevations as specified in subsection (D) which provides sufficient detail to determine the standards are met; and

d. Service provider letters or other documentation demonstrating that sufficient infrastructure is available or will be available prior to certificate of occupancy to serve the proposed development, based on applicable public works standards.

3. Applications must be filed with the required fee, based on the applicable local fee schedule.

D. Site Plan and Building Elevation Requirements.

1. The site or development plan must be drawn accurately to scale and must show the following existing and proposed information:

   - All property lines with dimensions and total lot area;
   - North arrow and scale of drawing;
   - Adjacent streets, access (driveways), curbs, sidewalks, and bicycle routes;
   - Existing Goal Protected Resources, if any are present on the site;
   - Easements and on-site utilities;
   - Existing and proposed development with all dimensions, including floor area and building footprint (if applicable);
   - Distances of all existing and proposed development to property lines;
   - Types and location of outdoor area and required usable open space (if required);
   - Percentage of the site proposed for outdoor area coverage;
   - Motor vehicle and pedestrian access and circulation systems, including connections off-site, and associated dimensions; and
   - Motor vehicle and bicycle parking areas and design, number of spaces, and loading areas.

2. Building elevations showing required entries and windows and associated dimensions.

E. Criteria. The Planning Official's evaluation of a Zoning Review application will determine whether minimum code requirements have been or will be met.

F. Expiration of Approvals. An approval under this section expires if:

1. Within 2 years of the date of the final decision, a building permit has not been issued for approved development.

2. Within 2 years of the date of the issuance of a building permit, if the approved development has not commenced.

G. Extension. The Planning Official, upon written request by the applicant, may grant an extension of the approval period not to exceed one year; provided that:

1. No changes are made on the original approved plan;

2. The applicant provides evidence demonstrating substantial progress toward commencing construction on the site within the next year; and

3. The applicant provides evidence demonstrating that failure to obtain building permits and substantially begin construction within 2 years of Zoning Review approval was beyond the applicant's control.

9.5 Application – Modification

A. Method of review. An applicant may request one or Modifications of the standards in this Model Code. The approval criteria for a Modification requires the use of discretion, therefore applications for Modifications are subject to the Limited Land Use Decision procedure in Section 9.3. Nothing in this section implements Oregon Laws 2024, Chapter 110, Section 38.

Requested Modifications shall be submitted and reviewed concurrently with a Zoning Review application.

B. Modification Application Requirements.

1. In addition to the information required for the Zoning Review application, applicants requesting one or more Modifications must submit a written statement for each requested Modification explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
2. Applications must be filed with the required fee, based on the applicable local fee schedule.

C. Criteria. A Modification to a standard will be approved if the applicant demonstrates that the following criteria have been met.

1. Granting the Modification will equally or better facilitate housing production, affordability, and choice under Goal 10.
2. Granting the Modification will not impact the provision of sufficient infrastructure.
3. The proposed development will equally or better address all of the considerations in Table 9.5 applicable to the standard(s) to be modified.
4. Any significant negative impacts resulting from the Modification are mitigated to the extent practical.

TABLE 9.5: CONSIDERATIONS FOR GRANTING A MODIFICATION

For Modifications of standards relating to:	Considerations for granting a Modification include:
Setbacks, building height, building floor area, and floor area ratio	The proposed modification(s) do not decrease setbacks or increase building height, building floor area, or floor area ratio by more than 5 percent, except as otherwise permitted by one or more bonuses in Chapter 8. In addition, the impact of the mass/bulk of proposed buildings on neighboring uses, including opportunities to minimize those impacts through design. For garage entrance setbacks (driveway length), the impact of the driveway on the public right-of-way and pedestrian environment. Bonuses in Chapter 8 may not be modified, and modifications under this section do not limit bonuses in Chapter 8.
Minimum density	Whether the proposal will help the city meet its housing production, affordability, and accessibility goals.

TABLE 9.5: CONSIDERATIONS FOR GRANTING A MODIFICATION	
For Modifications of standards relating to:	**Considerations for granting a Modification include:**
Minimum or maximum vehicle parking	Whether the reduction or increase in parking will help the city meet its transportation, environmental, housing production, affordability, and accessibility goals.
Bicycle parking, amount and design and location of spaces	Whether the reduction in amount or changes in design ensure bicycle parking that is adequate and user-friendly; or why the standard(s) are not appropriate for the proposed project context or location.
Entry orientation and pedestrian access	Opportunities to support pedestrian friendly neighborhoods, on-site pedestrian access, and pedestrian connections to the street.
Entry orientation and required percentage of windows and doors	How the proposed building façade(s) will contribute to a safe and comfortable pedestrian-oriented environment on the abutting street or why this is not appropriate in this location.
Cottage orientation	Opportunities to ensure that an adequate number of cottages have a direct relationship to the common courtyard and that the common courtyard provides shared community space for the cottage cluster.
Transitions to residential entrances	Opportunities to provide separation and transitions between private entrance areas and the public realm.
Off-street parking design; driveway and garage design	The impact of parking and vehicle access on the public right-of-way and pedestrian environment on- and off-site, and opportunities to minimize those impacts through design.
Required outdoor area and usable open space; common courtyards	Ensuring livable design for residents, including access to light, air, open space, and active or passive recreation amenities; supporting shared community space for residents; and enabling culturally-sensitive amenities.
Screening of parking areas and trash storage	Opportunities to minimize the impact of parking areas or trash storage on the pedestrian environment; and, for trash storage, opportunities to minimize the impact on abutting residential properties.
Screening from arterials	Opportunities to minimize noise and air quality impacts from abutting transportation facilities on residents.

D. Expiration of Approvals. An approval under this section expires if:

1. Within 2 years of the date of the final decision, a building permit has not been issued for approved development.
2. Within 2 years of the date of the issuance of a building permit, if the approved development has not commenced.

9.6 Middle Housing Land Division

A. Purpose. A Middle Housing Land Division (MHLD) is a partition or subdivision of a lot on which the development of middle housing is allowed under ORS 197A.420 (2) or (3) or under Oregon Laws 2025, Chapter 476, Section 3.

MHLDs are regulated by this Code and ORS 92.031. The purpose of an MHLD is to provide a simplified and expedited process for subdividing or partitioning lots with middle housing so that each unit is on a separate property, which enables the units to be sold and owned individually.

B. Applicability.

1. **Eligible Housing.** Any lot (parent lot) developed, or proposed to be developed, with middle housing pursuant to ORS 197A.420(3) is eligible for an MHLD. [Recommended Alternative: Any lot (parent lot) developed, or proposed to be developed, with middle housing is eligible for an MHLD.] Middle housing development that is eligible for an MHLD may consist of:

   a. A single duplex or a single structure containing two townhouses;

      [Recommended Alternative: A single triplex, quadplex, cottage cluster, or a single structure containing three or more townhouses;]

   b. Additional "bonus" units as allowed by Section 8.2 or by Oregon Laws 2025, Chapter 476, Section 3 (3), as applicable; and

   c. Any retained or rehabilitated existing units on the lot, as allowed by Section 1.4, including:

      i. One detached single-unit dwelling;

      ii. One detached single-unit dwelling plus one accessory dwelling unit; or

      iii. One duplex.

2. **Applicability of Middle Housing Regulations**. An MHLD creates 2 or more lots from a single parent lot on which middle housing is developed or proposed. After an MHLD is completed, the resulting lots are "child lots." The development is still subject to the requirements and standards that applied to the parent lot prior to the MHLD. In other words, the middle housing development is still defined and regulated as the original middle housing type after an MHLD is completed. For example, an attached triplex that undergoes an MHLD does not become a townhouse development; the structure and property are still subject to requirements/standards for a triplex.

3. **Application Timing and Sequencing.**

   a. An application for a tentative plan for an MHLD may be submitted before, after, or at the same time as the submission of an application for building permits for the middle housing.

   b. An application for a tentative plan for an MHLD may be submitted at the same time as an application for a standard land division, subject to the following:

      i. The standard land division creates the parent lots, and the MHLD further subdivides the lots into middle housing child lots.

ii. The parent lots must meet the city's requirements applicable to lots created by a standard land division.

iii. For a townhouse project, each townhouse structure must be on its own parent lot. Lots for individual townhouses may be created concurrently through an MHLD.

iv. For a cottage cluster project, each cottage cluster must be on its own parent lot. Lots for individual cottages may be created concurrently through an MHLD.

c. An application of one or more MHLDs submitted at the same time as an application for a standard land division will be consolidated into a single application subject to the procedural requirements for the standard land division.

d. Within the same calendar year as an original partition that was not an MHLD, one or more of the resulting vacant parcels may be further partitioned into not more than 3 parcels through an MHLD.

[4. Recommended: **Further Division of Child Lots.** Middle housing child lots may be further divided by a subsequent MHLD if at least one of the following conditions is met:

a. The child lot is two or more times larger than the minimum lot size of the zone, meaning that it could be divided through a standard land division into two or more lots that meet the minimum lot size; or

b. Further division of the child lot would enable the applicable minimum density requirement to be met.]

C. Tentative Plan Approval Criteria. Approval of a tentative plan for an MHLD will be granted if the Planning Official finds that the applicant has met all of the criteria in subsections (1) through (7), below. The city's standard tentative plan approval criteria do not apply.

1. Except as provided in Section 1.4, the middle housing development complies with:

a. The Oregon Residential Specialty Code; and

b. The middle housing regulations applicable to the parent lot, including but not limited to, the provisions in this Code and any applicable provisions in the city's development code.

2. Exactly one dwelling unit will be located on each resulting child lot except for:

a. Lots, parcels, or tracts used as common areas, on which no dwelling units will be permitted; or

b. Lots with 2 retained or rehabilitated existing units, as allowed under Section 1.4. Such retained units shall be considered a single middle housing unit for the purposes of the MHLD.

3. Separate utility service connections will be provided for each child lot, [Recommended: unless the applicant records a Covenant, Condition, or Restriction (CC&R) outlining the shared maintenance obligations of individual owners for all shared utilities. Shared maintenance obligations may be through a homeowners association or other legal entity.]

4. Easements will be provided as necessary for each dwelling unit on the site for:

a. Locating, accessing, replacing, and servicing all utilities;

b. Pedestrian access from each dwelling unit to a private or public road;

c. Access to any common use areas or shared building elements; and

d. Access to any dedicated driveways or parking.

5. Buildings or structures on a resulting child lot will comply with applicable building code provisions relating to new property lines.

6. Notwithstanding the creation of new child lots, all structures or buildings located on the newly created lots will comply with the Oregon Residential Specialty Code.

7. Where a resulting child lot abuts a street that does not meet city standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to the city's public works standards and design and construction specifications.

D. Tentative Plan Submittal Requirements. An application for an MHLD tentative plan shall include the following:

1. Any information required by the city for a standard land division.

2. A description of the manner in which the proposed land division will satisfy the approval criteria in subsection (C).

3. Copies of approved building permits, building permit applications, or comparable information necessary to demonstrate compliance with building code standards, and an accompanying site plan demonstrating compliance with criteria in subsections (C)(1), (5), and (6).

4. In addition to the items required by the city to be shown on a tentative plan or preliminary plat for a standard land division, the MHLD tentative plan shall show the following details:

   a. Utility connections for each dwelling unit, demonstrating compliance with approval criterion (C)(3).

   b. Existing or proposed easements necessary for each dwelling unit on the plan, demonstrating compliance with the criterion (C)(4).

5. Draft copies of all necessary easements required by criterion (C)(4).

E. Tentative Plan Conditions of Approval.

1. The city may attach conditions of approval of a tentative plan for an MHLD to:

   a. Prohibit further division of the resulting child lots. [Recommended: However, further division of the child lots may be permitted as provided in subsection (B)(4).]

   b. Require that a notation appear on the final plat indicating:

      i. The approval was given under ORS 92.031.

ii. The type of middle housing approved on the subject site and noting that this middle housing type shall not be altered by the MHLD.

iii. Accessory dwelling units are not permitted on resulting child lots. [Recommended: except as provided below.

(A) The child lots are used to create housing that is at or above the applicable minimum density standard; or

(B) The accessory dwelling unit is provided as a bonus unit under Section 8.2.]

c. Require that all public improvements and site improvements that are required to satisfy approval criteria in subsection (C) and applicable standards of the city's code are constructed prior to issuance of a Certificate of Occupancy for the development.

2. The tentative approval of an MHLD is void if and only if a final MHLD plat is not approved within 3 years of the tentative approval.

F. Tentative Plan Procedure.

1. **Standard Procedure.** Unless the applicant requests to use the procedure for an expedited land division as provided in subsection (2), the city shall review an MHLD under the same procedure that applies to a standard land division. An application of one or more than one MHLD submitted at the same time as an application for a standard land division will be consolidated into a single application subject to the procedural requirements for the standard land division.

2. **Expedited Procedure.** If requested by the applicant, the procedure used for an expedited land division shall apply to the review and approval of an MHLD, as provided below and in ORS 197.365. A decision for an MHLD processed under ORS 197.365 is not subject to the requirements of ORS 197.797.

a. The applicant shall pay a filing fee according to the city's fee schedule, or as otherwise specified by the city in accordance with ORS 197.365(2)(e).

b. The Planning Official shall follow the procedure specified in Section 9.3(D) for determination and notification of a complete application.

c. The Planning Official shall make a decision to approve or deny the application and shall provide notice of the decision to the applicant within 63 days of receiving a completed application. Notice shall not be provided to any other person.

d. The MHLD review process does not include a hearing and the city does not accept public comment from third parties.

e. The city shall issue a written determination of compliance or noncompliance with the approval criteria in subsection (C). An approval may include conditions of approval pursuant to subsection (E) to ensure that the application meets all applicable requirements.

f. The written determination shall include a summary statement explaining the determination and an explanation of the applicant's right to appeal the determination under ORS 197.830 to 197.855.

g. Only the applicant may appeal a decision for an MHLD processed as an expedited land division made under this section.

G. Final Plat Requirements. An application for an MHLD final plat shall meet the city's requirements and approval criteria that apply to a standard land division final plat, unless those requirements conflict with statutory requirements for MHLDs, in which case the statutory requirements apply.

Chapter 10 – Measurement Methodologies and Definitions

Sections:
10.1 Measurement Methodologies
10.2 Definitions

10.1 Measurement Methodologies

10.1.1 Floor Area and Floor Area Ratio

A. Standard.

1. Average cottage size (i.e., average floor area) for cottage clusters is specified in Table 5.1.
2. Maximum floor area for accessory dwelling units is specified in Section 7.1.3.
3. Maximum floor area ratios for other housing types are stated in Tables 2.1 - 4.1 and 6.1. Floor area ratio works with height, setback, and outdoor area requirements to control the overall bulk and placement of buildings.

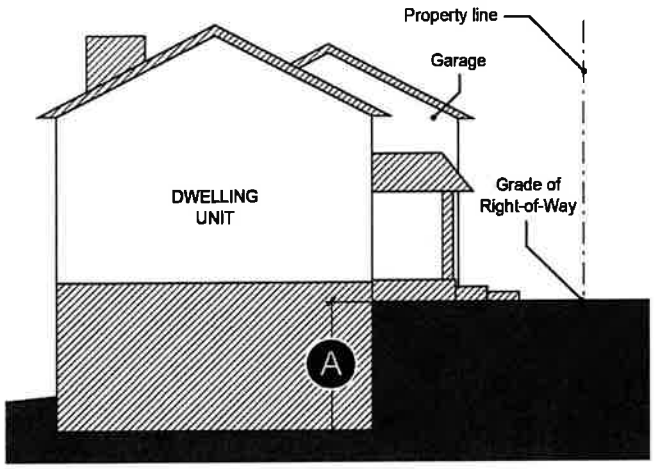
B. Measurement Methodology.

1. **Floor Area.** Floor area is measured for each floor from the exterior faces of a building. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking.

   Floor area does not include the following (see Figure 10.1.1.a):

   - Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way, as measured at the property line;
   - Basements. For the purposes of the floor area calculation, basement area includes the portion of a building that is partly or completely below grade. A minimum of 50 percent of the total combined area of the basement walls must be below grade to be considered a basement;
   - Areas where the ceiling height is less than 6 feet 8 inches;
   - Roof area, including roof top parking;
   - Roof top mechanical equipment;
   - Roofed outdoor living areas that are structurally attached to the building (e.g., porches and exterior balconies), unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter; and
   - Covered carports.
   - Stairwells are only counted as floor area on one level.

Figure 10.1.1.a. Areas Excluded from Floor Area Calculation



Area excluded from floor area calculation

A — Floor 4 feet or more below grade of right-of-way, measured at property line

2. **Average Cottage Size.** Within each cottage cluster, the average cottage size is calculated as follows:

   a. Total floor area of all cottages and community buildings within the cluster divided by the number of cottages and community buildings within the cluster.

   b. The average floor area within a cluster may not exceed the maximum stated in Table 5.1.

   c. Where dwelling units are attached, the floor area of each dwelling unit is calculated separately.

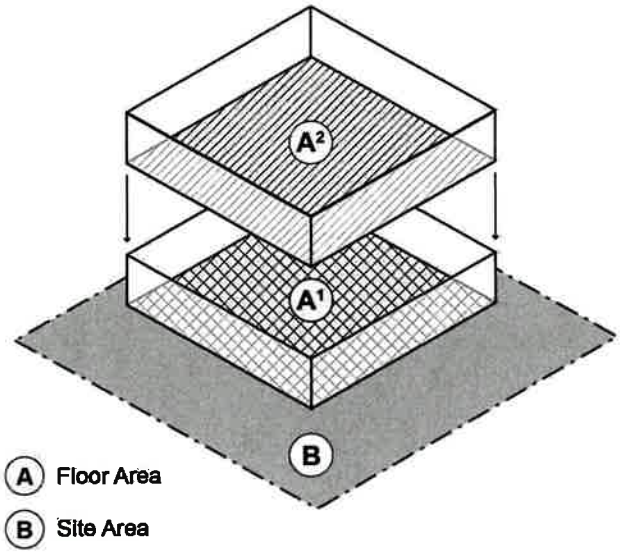
   d. An applicant may choose to exclude existing structures retained under Section 5.2.8 from the calculation.

   e. For cottage cluster projects with multiple clusters, the average cottage size is calculated for each cluster separately.

3. **Floor Area Ratio (FAR).** FAR is the amount of floor area of a building or structure in relation to the amount of site area. FAR is expressed as a ratio of X:1, where X represents the total building floor area permitted for each square foot of site area. For example, FAR of 0.7:1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of all buildings on a site by the total site area (See Figure 10.1.1.b).

   The maximum FAR applies to all buildings on a site, cumulatively. Refer to Section 10.2 for the definition of "site."

Figure 10.1.1.b. Floor Area Ratio (FAR) Calculation



$$FAR = \frac{A^1 + A^2}{B}$$

C. FAR Exceptions. The following are not included in the calculation of FAR.

1. Floor area for required long term bicycle parking that is not located in a dwelling unit.
2. Floor area for indoor common area used to meet the requirements of Section 6.2.6.
3. Accessory structures under 15 feet high and less than 200 square feet.

10.1.2 Height

A. Standard. Maximum building/structure height allowed for each housing type are stated in Tables 2.1 - 6.1. It is intended to work with FAR, setback, and outdoor area requirements to control the overall bulk and placement of buildings. Exceptions to the maximum height are stated in subsection (C).

B. Measuring Building Height. Building height shall be calculated in accordance with the applicable building code.

C. Exceptions.

1. Chimneys, vents, flag poles, satellite receiving dishes and other projecting items with a width, depth, or diameter of 3 feet or less may extend above the height limit, as long as they are attached to a building and do not exceed 5 feet above the top of the highest point of the roof. If they are greater than 3 feet in width, depth, or diameter, they are subject to the height limit.
2. Roof mounted solar panels are not included in height calculations.
3. For buildings over 3 floors in height, rooftop mechanical equipment and stairwell enclosures that provide rooftop access may extend above the height limit as follows, provided that the equipment and enclosures are set back at least 15 feet from all roof edges on street-facing facades.

a. Elevator mechanical equipment may extend up to 16 feet above the height limit; and

b. Other mechanical equipment and stairwell enclosures that cumulatively cover no more than 10 percent of the roof area may extend up to 10 feet above the height limit.

10.1.3 Minimum Density

A. Standard. The minimum density standard for each housing type is stated in Tables 2.1 - 6.1. Minimum density ensures more efficient use of available residential land and helps ensure sufficient residential capacity to accommodate growth. Exceptions to minimum density are stated in subsection (C).

B. Calculating Density. Density is a measurement of the number of dwelling units in relationship to a specified amount of land, based on the minimum area per dwelling unit required by this Model Code. Density is calculated based on the area of a site (refer to the definition of "site" in Section 10.2). In order to avoid penalizing sites with constrained lands, minimum density is based on the net site area. Minimum Density is expressed in Tables 2.1 - 6.1 as the maximum amount of land (net site area) allowed per unit.

Minimum Density (i.e., maximum amount of land per unit) = Net site area / number of dwelling units.

- To calculate the number of units required to meet the minimum density standard, divide the net site area by the maximum land area per unit.
- For affordable housing developments meeting the definition in Section 10.2, dwelling units with three or more bedrooms may be counted as 2 units for the purposes of complying with minimum density.
- For the purpose of calculating minimum density, "net site area" equals the site area less constrained lands. Applicants may choose to classify the following as constrained land: goal protected lands; land with slopes of 25 percent or greater; land within utility easements; and for multi-unit housing developed on a site on which existing unit(s) will be retained, the building footprint and any required setbacks for those unit(s).

C. Exceptions.

1. Where the application of the minimum density standard to a site would result in a fraction of a unit, the number of units required may be rounded down to the nearest whole unit.
2. The following developments are exempt from meeting the minimum density requirements:
   a. The conversion of an existing dwelling unit into two or more units;
   b. The addition of accessory dwelling unit(s) to a lot;
   c. The addition of middle housing to a lot with retained units pursuant to Section 1.4; and
   d. Mixed-use developments, provided at least 5 percent of the total floor area is dedicated to commercial uses.

10.1.4 Building Setbacks

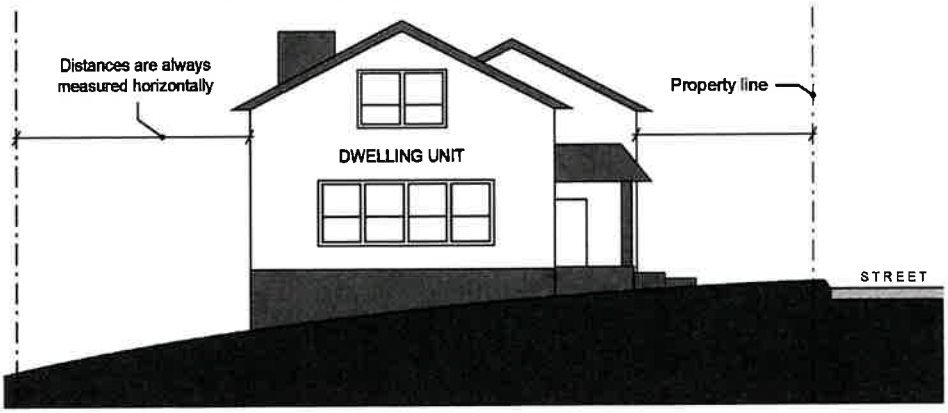
A. Standard. The minimum setbacks required for each housing type are stated in Tables 2.1 - 6.1. Minimum setbacks work with FAR, height, and outdoor area requirements to control the overall bulk and placement of buildings.

1. Garage Entrance Setbacks (Driveway Length).
   a. Where Tables 3.1 – 6.1 specify either a minimum or maximum garage entrance setback, the garage entrance must be either 18 feet or farther from the street lot line or 5 feet or closer to the street lot line.
   b. If there is a driveway but no garage, the driveway length must be at least 18 feet. This includes driveways covered by a carport.
   c. Driveways accessed from an alley are exempt from garage entrance setback standards.
2. Exceptions to the minimum setbacks are stated in subsection (C).

B. Measuring Building Setbacks.

1. Setback distances are measured along a horizontal plane from the appropriate property line to the edge of the building (see Figure 10.1.4.a).

Figure 10.1.4.a. Setback Measurements



2. For multi-unit housing proposed on a site that includes more than one lot, setbacks are calculated based on the property lines of the overall site, rather than individual lots.
3. For lots divided by a Middle Housing Land Division, setbacks apply to the parent lot, not to child lots.
4. Where the subject property line abuts an existing right-of-way whose width is substandard based on the roadway classification in the city's adopted Transportation System Plan, the setback shall be based on the future right-of-way line after dedication.
5. Measurements are made to the closest wall of the structure. Projections into setbacks allowed pursuant to subsection (C)(4) are not included when determining the closest wall of the structure.

C. Exceptions to Building Setbacks.

1. The interior side lot line between two attached dwelling units is not subject to the minimum side setback standard in Table 4.1 (Townhouses).
2. Alley lot lines are exempt from minimum garage entrance setbacks (driveway length).
3. Portions of structures that are entirely underground are not included in measuring required distances.
4. Projections into Setbacks.
    a. Building eaves may project up to 2 feet into a required setback, provided the eave is at least 3 feet from a lot line.
    b. Canopies and awnings may extend up to 5 feet into a required setback along a street lot line.
    c. The following minor features may extend into entire required building setbacks:
        i. Utility connections attached to the building that are required to provide services, such as water electricity and other similar utility services;
        ii. Gutters and downspouts that drain stormwater off a roof of the structure;
        iii. Stormwater planters that are no more than 2-1/2 feet above the ground;
        iv. Water collection cisterns that are 6 feet or less in height;
        v. Attached decks, stairs, and ramps that are no more than 2-1/2 feet above the ground. However, stairways and wheelchair ramps that lead to one entrance on the street-facing facade of a building are allowed to extend into the required street setbacks regardless of height above ground; and
        vi. On lots that slope down from the street, vehicular or pedestrian entry bridges that are no more than 2-1/2 feet above the average sidewalk elevation.
        vii. Balconies and bay windows may encroach into a required street-facing setback area.
    d. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback, except as indicated. However, the feature must be at least 3 feet from a lot line.
        i. Chimneys, fireplace inserts and vents, mechanical equipment, and fire escapes;
        ii. Wheelchair ramps, water collection cisterns and stormwater planters that do not meet the standards of subsection (C)(4)(c); and
        iii. Decks, stairways, that do not meet the standard for subsection (C)(4)(c), but only along a street lot line.

10.1.5 Required Outdoor Area and Usable Open Space

A. Standard. The minimum amount of outdoor area and usable open space (if applicable) required for each housing type is stated in Tables 2.1 – 6.1. Exceptions to the minimum required outdoor area and usable open space are stated in subsection (C). Except as specified below, site area covered by enclosed buildings or used for vehicle parking and circulation shall not be counted as required outdoor area or usable open space.

B. Measurement Methodology.

1. Required Outdoor Area. Areas which can be counted toward the required outdoor area include:

   - Areas planted with vegetation (including natural areas and existing trees);
   - Private open space, including balconies attached to individual dwelling units;
   - Pedestrian hardscape; and
   - Usable open space pursuant to subsection (B)(2).

2. Usable Open Space. Where usable open space is required, it must include one or more of the following:

   - Outdoor recreation area surfaced with lawn, groundcover, gravel, or hard surface. The area must be contiguous and able to fit a 10-foot by 10-foot square;
   - Balconies, terraces, and rooftop decks with seating areas that are available for use by all residents;
   - Tree grove (e.g., existing mature trees);
   - Turf or grass play fields;
   - Children's play structure or play area;
   - Sports courts;
   - Swimming or wading pool or hot tub;
   - Walking fitness course;
   - Natural area with benches;
   - Gardening area with at least 50 square feet of planting area; or
   - Indoor recreation and community spaces, as provided in subsection (C).

3. Enclosure. Required outdoor areas may be covered, such as a covered patio or gazebo, but they may not be fully enclosed, except as provided in subsection (C). Covered outdoor areas are subject to the applicable setback standards.

C. Exceptions. As provided in Section 6.2.6(A)(3)(c), some of the required usable open space may be provided as shared indoor recreation or community space. Eligible spaces include:

- Community rooms, including exercise, entertainment, cooking/dining, or meeting facilities;
- Day care facilities;
- Support services offices/facilities; and
- Occupational facilities, such as shared remote or live-work facilities.

Indoor common areas that are not recreational or community spaces, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, do not qualify.

10.1.6 Vehicle Parking

A. Standards.

1. The minimum and maximum amount of off-street vehicle parking required for each housing type is stated in Tables 2.1 - 6.1.
2. Fractions. In calculating the required number of vehicle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number and fractions less than 0.5 shall be rounded down to the nearest whole number.
3. Exceptions to the minimum and maximum parking requirements are stated in subsection (C).

B. Vehicle Parking.

1. Parking Location and Design. Off-street vehicle parking spaces required to meet minimum quantity requirements must meet the following standards:
   a. Located on a hard-surfaced area.
   b. Minimum space size:

      Standard:
      - Width: 8.5 feet
      - Depth: 18 feet

      Compact:
      - Width: 7.5 feet
      - Depth: 16 feet

   c. Up to 20 percent of parking stalls in shared parking areas may be compact spaces.
   d. Spaces may be covered or uncovered.
   e. Spaces may be provided on individual lots or in a shared parking area on a common tract.
   f. ADA parking spaces must be provided on site; all other required parking must be provided on site or within 200 feet of the site.
   g. Except for ADA parking spaces, a credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (2).
2. On-Street Parking. If on-street parking spaces meet all the standards in subsections (a)-(d) below, they shall be counted toward the minimum off-street parking requirement.
   a. The space must be abutting the subject site;
   b. The space must be in a location where on-street parking is allowed by the city;
   c. The space must be a minimum of 22 feet long; and
   d. The space must not obstruct a required sight distance area.

3. Maximum Parking. Except as provided in subsection (C)(1), the maximum parking requirement applies to all parking on site, including visitor parking.

C. Exceptions.

1. ADA parking spaces and tandem parking spaces are exempt from the maximum limit on parking spaces.
2. The following are exempt from minimum required parking spaces:
   a. Affordable housing as defined in Section 10.2;
   b. Dwelling units 1,000 square feet or less in size; and
   c. Dwelling units created through the conversion of an existing structure.

10.1.7 Bicycle Parking

A. Standards.

1. The minimum amount of bicycle parking required for each housing type is stated in Tables 2.1 - 6.1.
2. Fractions. In calculating the required number of bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number and fractions less than 0.5 shall be rounded down to the nearest whole number.
3. Exceptions to the bicycle parking requirements are stated in subsection (D).

B. Long-Term Bicycle Parking.

1. Long-term bicycle parking must be provided in one or more of the following locations.
   a. Within a restricted access, lockable room outside of dwelling units with securely anchored racks that allow users to lock at least two points on a bicycle.
   b. Within dwelling units that are at least 400 square feet, in the following circumstances:
      i. Sites containing 12 or fewer dwelling units may provide up to 100 percent of required bicycle parking spaces in the dwelling units.
      ii. Sites containing more than 12 dwelling units where all units above the ground floor have elevator access may provide up to 50 percent of the required bicycle parking spaces in dwelling units.
      iii. Sites containing more than 12 dwelling units where all units above the ground floor do not have elevator access may provide required bicycle parking spaces in ground floor dwelling units only.
   c. Within bicycle lockers that are fully enclosed, lockable, and securely anchored to the ground.
2. The area devoted to bicycle parking must be hard surfaced and lighting must be provided for nighttime use.

3. Bicycle parking spaces shall meet the following dimensional standards:

    a. At least 10 percent of spaces must be large spaces (designed to accommodate large bicycles, including family and cargo bicycles). Each large bicycle space must be a minimum of 3 feet wide, 7 feet long and 3 feet 4 inches tall.

    b. Up to 90 percent of required spaces can be standard spaces. Each standard bicycle space must be a minimum of 2 feet wide, 6 feet long and 3 feet 4 inches tall.

C. Short-Term Bicycle Parking. Short-term bicycle parking shall meet the following standards:

1. Location standards.

    a. For sites that are smaller than 20,000 square feet, short-term bicycle parking spaces may be provided on-site or within the public sidewalk, as allowable under the city's public works standards, provided the space does not obstruct required minimum sidewalk widths or access to doorways.

    b. For sites that are 20,000 square feet or larger, bicycle parking shall be provided on-site.

    c. If bicycle parking is provided on-site, it must be located:

        i. At the same grade as the sidewalk or at a location that can be reached by an accessible route; and

        ii. Within 50 feet of a main entrance to the building, as measured along the most direct pedestrian access route.

2. Dimensional standards. Each short-term bicycle space must be a minimum of 2 feet wide, 6 feet long and 3 feet 4 inches tall.

D. Exceptions. The following are exempt from the long-term bicycle parking requirements:

1. Senior housing projects (those restricted for occupancy by households in which at least one member is aged 55 years or older).

2. Accessible units and any bonus units that are provided in a development where an accessibility bonus is triggered pursuant to Section 8.2.

10.1.8 Windows and Doors

A. Standard. The minimum amount of window and door area required for each housing type is stated in the applicable design standards.

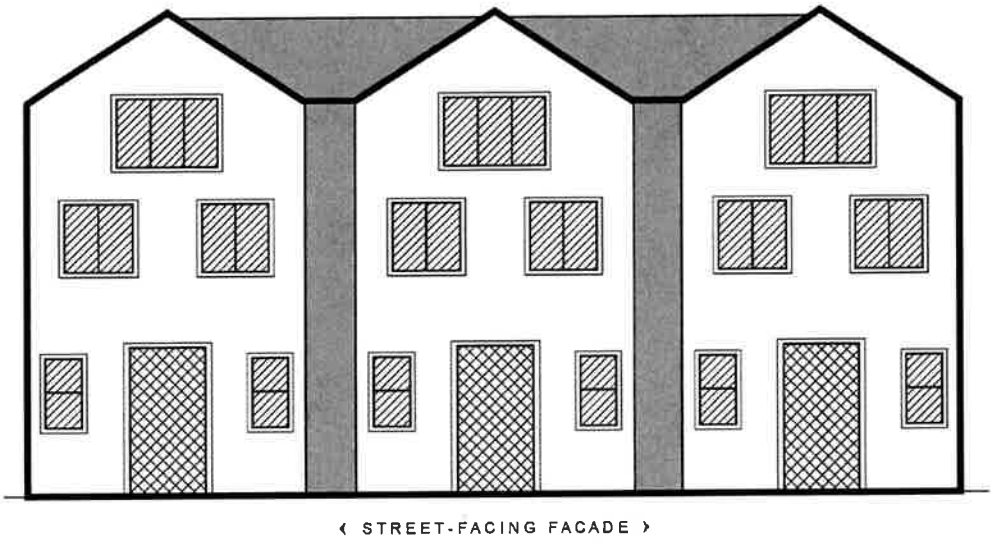
B. Measurement Methodology. Areas that qualify for the window and door coverage calculation are subject to the following (See Figure 10.1.8.a):

1. Windows and pedestrian entrance doors may be used to meet this standard as provided in subsections (2) and (3), below.

2. Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Windows into storage areas, mechanical and utility areas, and garbage and recycling areas do not qualify.

3. Door area is the area of the portion of an entrance door (other than a garage door) that moves and does not include the frame. For multi-unit housing, doors that provide access to dwelling units (either shared or individual access) and community spaces qualify, but all other doors (e.g., into storage areas or mechanical areas) do not qualify.

Figure 10.1.8.a. Window and Door Coverage



10.2 Definitions

A. Applicability. The following definitions shall apply for the purposes of this Model Code, notwithstanding other definitions in a locally adopted development code.

B. Definitions.

1. "Accessible unit" means a unit of housing that complies with the "Type A" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.
2. "Accessible walkway" means a walkway designed and built according to the Americans with Disabilities Act (ADA) standards to ensure it is usable by people with disabilities, particularly those who use mobility devices.
3. "Accessory Dwelling Unit" – see "Housing Type."
4. "Adaptable unit" means a unit of housing that complies with the "Type B" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.
5. "Affordable Housing" means income-restricted housing in one of the following categories, as provided in Chapter 8:
    a. 10-Year Affordable Homeownership Unit. A unit of housing is subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, that:
        i. Makes the unit available and affordable to purchase and to own for households with incomes of 120 percent or less of the area median income; and
        ii. Is enforceable for a duration of not less than 10 years from the date of the certificate of occupancy.
    b. 20-Year Affordable Housing. Residential property:
        i. In which the average of all units on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income; and
        ii. Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 20 years.
    c. 30-Year Affordable Housing. Residential property:
        i. In which:
            (A) Each unit on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income; or
            (B) The average of all units on the property is made available to households with incomes of 60 percent or less of the area median income; and

ii. Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 30 years.

d. 90-Year Moderate Income Cooperative Housing: Residential property in which all of the units are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.

6. "Appeal Body" means the local decision-making authority designated by a City to hear and decide appeals of land use decisions and Limited Land Use Decisions. The Appeal Body for an appeal of a decision made by a Planning Official may be a Hearings Officer, Planning Commission, or City Council.

7. "Building footprint" means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access. For attached housing, building footprint is measured for each dwelling unit separately, and is measured to the center of any common walls.

8. "Common courtyard" means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian walkways, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

9. "Common wall" means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.

10. "Cottage" means an individual dwelling unit that is part of a cottage cluster.

11. "Cottage cluster" – see "Housing Type."

12. "Cottage cluster project" means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

13. "Detached single-unit" – see "Housing Type."

14. "Driveway approach" means the edge of a driveway where it abuts a public right-of-way.

15. "Duplex" – see "Housing Type."

16. "Dwelling unit" means a building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar.

17. "Façade" means the vertical wall face of a building, or the sum of multiple vertical faces, facing the same lot line.

18. "Floor area" and "Floor area ratio" – see Section 10.1.1.

19. "Frontage" means the portion of a lot or parcel that abuts a street.

20. "Goal Protected Lands" means lands protected or designated pursuant to any one of the following statewide planning goals:

    - Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
    - Goal 6 Air, Water, and Land Resource Quality
    - Goal 7 Areas Subject to Natural Hazards;
    - Goal 9 Economic Development;
    - Goal 15 Willamette River Greenway;
    - Goal 16 Estuarine Resources;
    - Goal 17 Coastal Shorelands; or
    - Goal 18 Beaches and Dunes.

21. "Hard surfaced," in the context of pedestrian walkways, means built with a durable, solid material that provides a firm, stable, and smooth walking surface, which may include concrete, asphalt, or pavers or bricks set in mortar or compacted base.

22. "Housing Type" means one of the following. (In instances where a development can meet the definition of more than one housing type, the applicant shall specify the housing type on the development application.)

    a. "Accessory Dwelling Unit" or "ADU" means an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a primary dwelling.

    b. "Cottage cluster" means a grouping of dwelling units that share a common courtyard. Each dwelling unit has a small footprint or floor area. The dwelling units may be detached or attached, provided no one building or structure contains more than 4 dwelling units. Cottage cluster may also be known as "cluster housing," "cottage housing," "bungalow court," "cottage court," "courtyard housing," "garden apartments," or "pocket neighborhood."

    c. "Detached single-unit" or "DSU" means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single-units may be constructed on-site or off-site (e.g., manufactured dwellings or prefabricated homes).

    d. "Duplex" means two attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a Middle Housing Land Division.

    e. "Middle housing" means housing that consists of duplexes, triplexes, quadplexes, cottage clusters, or townhouses. "Middle housing" includes retained units under Section 1.4 and additional "bonus" units allowed by Sections 8.2.1 through 8.2.4 or by Oregon Laws 2025, Chapter 476, Section 3 (3), as applicable.

    f. "Multi-unit housing" means 5 or more dwelling units located on the same lot or development site, not including middle housing.

g. "Quadplex" means 4 attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a Middle Housing Land Division.

h. "Townhouse" means a dwelling unit constructed in a row of 2 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. A townhouse is also commonly called a "rowhouse," "attached house," "townhome," or "common-wall house."

i. "Triplex" means 3 attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a Middle Housing Land Division.

23. "Local street" means a street designated as a local street in a city's adopted Transportation System Plan, in the applicable functional classification map, or in the city's public works or engineering standards. Where street classifications have not been established, "local street" means a street that serves primarily local access to property and circulation within neighborhoods or specific areas.

24. "Lot" or "lot or parcel" means any lawfully established unit of land, as defined in ORS 92.010. Lot may also be used generically to refer to units of land created through partitions.

25. "Main entrance" means the ground floor (or first floor) exterior pedestrian door through which residents and visitors enter a residential building or dwelling unit. For buildings where access to some or all dwelling units is via shared hallways, a main entrance is one that enters the lobby or common circulation space. A building may have more than one main entrance meeting these criteria. For buildings in which all units have individual exterior entrances, each entrance to a dwelling unit is considered a main entrance.

26. "Middle housing" – see "Housing Type."

27. "Middle housing land division (MHLD)" means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420 (2) or (3) or Oregon Laws 2025, Chapter 476, Section 3.

a. "Parent Lot" in relation to a Middle Housing Land Division means a lot or parcel which is developed or is proposed to be developed with a middle housing development.

b. "Child Lot" in relation to a Middle Housing Land Division means the unit(s) of land created from a parent lot as the result of a Middle Housing Land Division. A "child lot" may also be referred to as a "middle housing lot."

28. "Multi-unit housing" – see "Housing Type."

29. "Planning Official" means the person(s) or body (including designees) designated by the governing body of a city to administer the city's comprehensive plan, land use regulations, and related requirements. Typically, the Planning Official is an individual employed by a city (e.g., Planning Director or designees) but may be the Planning Commission or City Council.

30. "Primary dwelling" means a principal dwelling on a lot or site that constitutes the main residential use of the property. Where a dwelling unit:

a. Is added to a lot with an existing dwelling that has been in place for at least 5 years, the existing dwelling is designated as the primary dwelling.

b. Is constructed within 5 years of the primary dwelling, the larger unit is designated as the primary dwelling.

c. Could meet the definition of either a primary or accessory dwelling unit, the applicant may designate which dwelling shall serve as the primary dwelling.

31. "Quadplex" – see "Housing Type."

32. "Regulated housing" means residential dwelling units of the following types: Detached Single-Unit, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, Multi-Unit Housing, and Accessory Dwelling Unit.

33. "Site" has different meanings depending on the housing type, as provided below. "Development site" has the same meaning as "site."

    a. For detached single-unit, duplex, triplex, quadplex, and cottage cluster, "site" means a single lot (other than a middle housing child lot) on which the housing unit or units is proposed.

    b. For townhouse, "site" refers to all the lots underlying a single townhouse structure.

    c. For multi-unit housing, "site" refers to a property (or group of abutting parcels or lots under the same ownership) that is subject to a development application.

34. "Site area" means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way or designation of private rights-of-way.

35. "Standard land division" means a subdivision or partition other than a Middle Housing Land Division.

36. "Sufficient Infrastructure" means the following level of public services to serve a new housing development:

    - Connection to a public sewer system capable of meeting established service levels.
    - Connection to a public water system capable of meeting established service levels.
    - Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
    - Storm drainage facilities capable of meeting established service levels for storm drainage.

37. "Townhouse" – see "Housing Type."

38. "Townhouse project" means one or more townhouse structures (i.e., structures formed by attached townhouses) 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 any commonly owned property.

39. "Townhouse style multi-unit housing" means developments in which the units have individual ground floor entries, share one or more common walls with one or more other units, and do not share common floors/ceilings with another unit.

40. "Triplex" – see "Housing Type."

CITY OF JEFFERSON
PLANNING COMMISSION
(LA) HEARING 2025-02
December 18, 2025

PRESENT: Jacquelyn Deeds (arrived 6:45), Michael Lloyd, David Pafundi, Mark Heinrich, Jeramy Vargas

ABSENT: Kyla Bivens, Dustin Bridge (excused)

ZOOM: None

STAFF: Liam Bean, COG Contract Planner, Deanna Donato, Deputy City Recorder

VISITOR: Dennis Persons-Talbot Rd/PO Box 1088 Jefferson, OR 97352

1. **Call to Order:** David Pafundi called the meeting to order at 6:04 pm and read the script required for this type of hearing. He then turned the meeting over to Liam for the staff report.
2. **Legislative Amendment (LA) Hearing 2025-02:** Liam stated that since the script had been read and there were no objections to this body hearing the case, he would start with the staff report. He asked David to officially open the hearing at 6:08 pm. Liam explained the difference between Legislative Amendment and Land Use Hearings. Liam stated that the Legislative Amendment type of hearing is only to adopt policy and therefore isn't as much to read prior to the hearing. Liam stated the applicant was the City of Jefferson and that the proposed text amendments incorporate changes required by legislation introduced and enrolled by the Oregon Legislature between 2023 and 2025. The City voluntarily initiated the application to improve the land use process in Jefferson; he stated that by doing this, we would be a step ahead of the game by having them in place and also bringing the Jefferson Municipal Code current and streamlined with the state. He stated that as of today, no comments have been received prior to the publication of the staff report. The amendments presented are all for the Development Code Ordinances, and bringing them all in line with state mandates. Liam stated that there were several policies and objectives of the Comprehensive Plan that would meet the criteria; the first is citizen involvement and that has been meet by having a Planning Commission with members of the Community on it and the second portion of Citizen involvement is that there must be wide and continuing exchange of information with notification to citizens about available information…that is met by having the public meetings and posting notices and the packets on the City website. Liam noted that the current code has varying noticing requirements and by changing this to the state recommendation of 100 ft noticing area per application makes them all uniform and meets the notification requirements to the public. The third citizen involvement policy states that a decision will be made by mutual agreement after an open planning process and public hearing. Liam stated that the proposed amendments will remove a requirement for a

public hearing for several land use applications; however, the changes are primarily to ensure compliance with changes in notice requirements for limited land use actions resulting from SB 1537 of the 2024 legislative session and changes in notice requirements for expedited land division and middle housing land division resulting from HB 2138 of the 2025 legislative session. Liam stated that goals 1 and 2 of the applicable statewide planning goals have been met. As for goals 3-19 do not apply to Jefferson. Liam cautioned the Planning Commission and will be informing the Council they must consider the short- and long-term impacts. Nothing will happen until more rules for the Legislature happen which should be in the 2026 session. The whole process is to update the codes and make them easier to move through the process. Liam stated that currently the process is all over the place with different expiration dates, no extension dates or only one extension. Liam believes by doing this, it will stream line our process for applications and does not expect to see any negative long- or short-term impacts. Liam directed the Commission to the memo from the City Attorney and then shared what the attorney said and what the City has chosen to do. Liam stated it boils down to we will do the minimum required by the state, because if we were to only adopt the higher requirements not knowing what they are at this point, it would open the City up to LUBA appeals. He then concluded his staff report and turned it back to the Chair, Jacquelyn Deeds (arrived 6:45 as staff report concluded). Jacquelyn asked if there was any oral testimony or staff comments. There were no questions from the Commission. She then asked if the visitor if he had any questions or comments. Mr. Persons introduced himself, and gave a little background about himself. He wanted to caution the Commission to take their time before making rash decisions regarding annexations and large developers that come into town wanting to make huge subdivisions; the Commission should try to keep more control of what is happening within the City. Liam then reminded the Commission that they were all acting as representatives of the community and hopefully for the community as well. This hearing is only about making policies, nothing else. Liam also stated that only the properties within 100 ft of the subject property would be notified…not the tenants of rentals and not the whole town. Jeramy Vargas asked if they could notice 300 ft for large property pieces and Liam said it could be done, but the state is only requiring 100 ft, and by keeping them all the same, it leaves the City less likely to have appeals to LUBA. Mr. Persons started to give advice on how Marion County Planning handled these things and how this PC should do it and have more meeting to give the community time to come to the meetings. Liam interjected and said that there had already been meetings on this, and they had a joint Council & Planning meeting last month and made changes to some things before coming to what is being presented now. All the Commission has to do is decide if they think this is ready to go to Council for the final decision. If not, they can do another meeting, but it will be scheduled next week by zoom in order to meet the Council meeting date that has already been set and advertised for. There was some general discussion on noticing, meeting dates, costs before deciding they were ready to make a decision. Hearing was closed at 7:10 pm. Jacquelyn then read the options of the motions provided and informed the other Commissioners that one of them needed to make the motion. Jeramy asked to see the options. He then moved to recommend the PC adopt the staff report and findings of fact and direct staff to prepare a PC Order granting recommending the City Council approve the proposed amendments to the

Jefferson Municipal Code-LA 2025-02 as written. David Pafundi seconded the motion. There were 4 aye votes: Deeds, Vargas, Pafundi, Lloyd to 1 nay vote: Heinrich. Motion passed.

3. **Approval of Minutes: August 7, 2025:** Mark Heinrich moved to approve the minutes as written and Dave Pafundi seconded. All were in favor. Approved unanimously.
4. **Visitors:** None
5. **Staff/Commission Comments/Questions:** None
6. **Adjournment:** Michael Lloyd moved to adjourn and David Pafundi seconded. All were in favor and the meeting closed at 7:25 pm.

MINUTES APPROVED THIS _____ DAY OF _____, 2026.

_____

, CHAIR

ATTEST:

_____

DEANNA DONATO, DEPUTY CITY RECORDER