

# Flexibilities for Housing Development and Design Standards in Oregon



## Senate Bill 1537 Sections 38-43 Mandatory Adjustments

### Are you a developer seeking a building permit or land use approval for a new housing development?

- ✓ Where is your development project? Is your project on incorporated city land within an urban growth boundary? Is it located in a residential or mixed-use residential land use zone?
- ✓ Does your project meet Senate Bill 1537's minimum net residential density requirements?
- ✓ Are you looking to enhance your development by:
  - Including accessibility or visitability features,
  - Increasing the number of units in the application,
  - Developing units under an affordable housing covenant, or
  - Reducing the sale or rental price of units to increase affordability?

**If so, you may qualify for development or design standard adjustments.**

### What is an adjustment?

An “adjustment” is a deviation from an existing land use regulation intended to make it easier to develop housing in Oregon. Senate Bill 1537 requires local governments to grant development and design standard adjustments to qualifying housing projects.

A full list of qualifications to receive adjustments can be found on the [DLCD website](https://www.oregon.gov/dlcd/).



### Local Considerations

Through the Housing Accountability and Production Office (HAPO), cities can apply to use their local process for accepting adjustments to housing development and design standards instead of the process laid out by Senate Bill 1537. During HAPO's 120-day application decision period, all requested adjustments are reviewed through the local process.

If a city is permitted to use their local process, the qualifications to apply for adjustments may differ.

Explore the [Adjustments to Housing Development and Design Standards](#) dashboard to see which cities have requested exemptions to the adjustment process.



**Questions? Contact the Housing Accountability and Production Office.**

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<https://www.oregon.gov/dlcd/>

## Available Flexibilities for Development and Design Standards

Developers may be granted up to ten adjustments to their development and design standards for a qualifying housing development.

### Examples of possible adjustments include:

- **Building height maximums** (excluding cottage clusters): “One story” or 20% of the base zone height, whichever is greater
- **Building lot coverage:** Up to 10% adjustment
- **Common area, open space, or landscaped area:** Up to 25% reduction
- **Façade materials, color, pattern, articulation:** Full adjustment
- **Parking minimums:** Full adjustment
- **Side or rear setbacks:** Up to 10% reduction
- **Total window area:** Up to 30% reduction if the design includes at least 12% of total façade as window area
- **Unit Density Maximums:** Can be increased to account for increased capacity granted through other adjustments

A full list of adjustments can be found on the [DLCD website](https://www.oregon.gov/lcd).



## Adjustments in Action: Unlocking Housing

The Owens Adair II project in the City of Astoria is a 50-unit affordable housing project currently under construction. Once complete, the project will provide critically needed housing affordable to low-income seniors, people with disabilities, and individuals experiencing chronic homelessness. Prior to Senate Bill 1537, progress on the Owens Adair II was stalled due to the city’s parking requirements and grading and erosion control standards.

The city originally required the project to include 62 parking spaces, which would have required a full underground parking garage, jeopardizing the project’s ability to meet grading and erosion control standards. Adjustments under Senate Bill 1537 reduced the project requirements to only six parking spaces. This adjustment allowed the developer to change the project’s grading plan to accommodate a utility basement instead of the originally proposed parking garage.



Rendering of the Owens Adair II.

*Credit: Northwest Oregon Housing Authority*

The parking adjustments granted under Senate Bill 1537 allowed this project to move forward and develop affordable housing. The Owens Adair II will increase the supply of affordable housing serving some of the most vulnerable seniors and people with disabilities in Astoria.

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