
Housing Model Codes Implementation Guidance

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An editable Word version of this document may be accessed at the following link:

https://www.oregon.gov/lcd/Housing/Documents/HousingModelCodes_Implementation_Guidance.docx

Quick Reference Links to Guidance Documents

Housing Model Codes User's Guide – Small Cities

Housing Model Codes User's Guide – Medium and Large Cities

Template Sample Ordinance – Adoption by Reference

Sample Application Forms –

Zoning Review

Middle Housing Land Division Tentative Plan

Housing Model Codes User's Guide – Small Cities

This User's Guide is intended to assist local governments in understanding and implementing the Housing Model Code for Small Cities ("model ordinance", "model code" or "code"). This guide includes background information about the model code, explains how the code is organized and formatted, and provides commentary related to the intent of the standards, how they are meant to operate, and how they can be implemented.

Model Code Background

The Land Conservation and Development Commission (LCDC) was directed to adopt model ordinances under Oregon Laws 2024, chapter 111, section 2¹ for three city sizes: small cities (< 2,500), medium cities (2,500 - 25,000), and large cities (≥ 25,000+). (Note, large cities also include Metro cities with populations of 1,000 or greater and all cities within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.)

The Housing Model Code for Small Cities has been specifically calibrated for cities with populations under 2,500.

The statute directs each model code to address four specific housing types: detached single-unit, accessory dwelling unit, middle housing, and multi-unit dwellings.

The model code is intended to serve multiple functions. Some of these functions are specified by law, while others were subsequently established during the Goal 10 rulemaking process, which concluded in December 2025. Oregon Administrative Rules (OAR) 660-008-0400 through -0430 guide the use and implementation of the model code and specify its various functions. To summarize, the code:

1. Is **adoptable by reference**² to enable a jurisdiction to apply the code for one or more housing types – this is especially intended as a resource for smaller cities with limited resources for code work. ([OAR 660-008-0415](#))
2. May be applied directly to **comply with a housing law** when a local government has not adopted conforming amendments to comply. ([OAR 660-008-0420](#))
3. Serves as **guidance and promising practice** in facilitating housing production, affordability, and choice. As such, it goes beyond minimum state requirements in many ways. ([OAR 660-008-0425](#))
4. Serves a **compliance and regulatory function** for both the Housing Accountability and Production Office (HAPO) and as an enforcement tool for the Land Conservation and Development Commission (LCDC). ([OAR 660-008-0430](#))

¹ Senate Bill 1564 (2024 Session) - <https://olis.oregonlegislature.gov/liz/2024R1/Measures/Overview/SB1564>

² See corresponding guidance for adoption by reference, including a sample ordinance for adoption for more detail.

Key Objectives

This model code intends to meet the following key objectives:

- Provide a **broadly useful** resource in both complying with housing laws and supporting production in varying local contexts for the four housing types prescribed by law.
- Establish a **reasonable baseline for development** with standards that are substantially less restrictive than most modern development codes.
- Integrate **additional flexibilities** to encourage the delivery of public policy objectives. For small cities, these flexibilities focus on supporting accessible housing.

Sideboards and Limitations

This model code has a specific focus and direction prescribed by law. It focuses on providing specific development and design regulations for the four housing types specified by the bill as well as a set of model procedures. Because of this, it is important to note the following limitations of the model code:

1. **The model code is not a (Euclidean) zoning code** – Zoning codes in the U.S. regulate uses and intensity based on specific geographic districts, which the model code does not do. Rather, the model code provides specific development and design standards for four housing types specified in Oregon Laws 2024, chapter 111, section 2, segmented by city size. The model code can be applied in any geographic area, consistent with parameters established in statute and rule.
2. **The model code does not regulate peripheral aspects of development** – Development includes many applied regulatory requirements, ranging from land division, goal protections, public works, fire code, to tree standards and beyond. Oregon Laws 2024, chapter 111, section 2 did not provide the direction nor resources to address every aspect of development. Accordingly, the Code specifies where other local standards apply to development allowed under the Code. Over time, the model code will incorporate additional modules to regulate other aspects of development where they would best support the overall goals of the program.
3. **The model code generally aligns with, but does not replace, other DLCD model codes** – To the extent practicable, the Code generally aligns with other model codes DLCD has developed. However, the Code serves a different purpose and accordingly deviates from other codes for specific standards or approaches to regulating development.

Additional commentary regarding the purpose of the model code is provided in Section 1.1 Purpose.

Model Code Organization

The model code is organized as follows:

Chapter 1 – General Provisions	Describes the purpose and applicability of the code, explains how it relates to other regulations, and provides certain clarifications and exceptions from statute related to middle housing and residential design standards.
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Chapters 2 – 7 Housing-Specific Standards	Each chapter provides siting and design standards for specific housing types.
Chapter 8 – Procedures and Applications	Provides model procedures as a resource for implementation of the housing standards – including for Ministerial and Limited Land Use Decisions, Zoning Review, and Modification.
Chapter 9 – Measurement Methodologies and Definitions	The Measurement Methodologies section describes how certain measurements are made, what features are required, and provides other specifications for certain standards. It is important to reference this section in tandem with the siting and design standards.

The Definitions section defines key terms used in the model code.

This User’s Guide generally follows the organization of the model code.

Recommended Standards

In some places, standards are identified as “Recommended” – these items are shown in brackets, – e.g.: [Recommended: 3. If a community building meets the definition of a dwelling unit...]. These standards represent promising practice but allow for optional deviation where adopted or applied by a city. Recommended standards function differently depending on how the model code is applied:

- **Adoption by Reference** – The recommended standards **apply** unless a city specifies otherwise in its adoption ordinance (e.g., specifies that a recommended standard does not apply or that an alternative standard applies in lieu of the recommended standard).
- **Optional Adoption** – The city may choose whether or not to include the recommended standard.
- **Direct Application to Comply with a Housing Law** – When a city is applying the model code directly to an application for the development of housing in order to comply with a housing law, the recommended standards **do not apply**.
- **Mandatory Application** – When a city is required to apply the model code as part of an enforcement order, the recommended standards **do apply**.

Chapter I – General Provisions

Sections:

- I.1 Purpose
- I.2 Applicability
- I.3 Relationship to Other Regulations
- I.4 Conversions

I.1 Purpose

The Housing Model Code is intended to facilitate housing production, affordability, and choice by removing barriers to development that are sometimes found in zoning codes.

I.2 Applicability/Adoption by Reference

The model code is organized so that a city can adopt by reference the standards for a single type of housing or the Code in its entirety. OAR 660-008-0400 through -0430 describes how different applications of the model code function (adoption by reference, direct application, etc.).

The Applicability section also explains how the model code is divided into discrete “modules” that can be adopted individually or in combination. Some modules require adoption of other modules – for example, adoption of any of the housing type modules also requires adoption of certain sections of Chapter I as well as the Definitions and Measurement Methodologies in Chapter 9.

I.3 Relationship to Other Regulations

This section specifies the relationship between the model code and a city’s local housing regulations.

- **Conflicts.** If adopted by reference, Subsection (A)(1) states the standards of the model code would prevail in the case of a conflict with other locally adopted housing standards. There is a recommended exception in A(1) that references a recommended A(2). If included, Subsection (A)(2) allows applicants the option of choosing a city’s existing development standard(s) if that would allow more housing (either more units or larger units). For example, if a city has taller height allowances than specified in the model code, the applicant can apply under the local height standards.
- **Additional Standards Applicable to Regulated Housing.** This section specifies what other regulations apply to housing, in addition to the model code, and is generally based on Oregon Laws 2024, chapter 110, section 38.³ This ensures that cities can still apply important regulations like statewide goal protections and public works standards, but that they will not apply standards that could inhibit housing development, such as restrictive design standards.
- **Exceptions.** This section specifies the local regulations that the model code will never supersede – specifically those related to safety, hazards, and fire or building codes.

³ Senate Bill 1537, section 38 (Housing Land Use Adjustments)

I.4 Exception to Certain Design Standards

This section recognizes that due to the passage of Oregon Laws 2025, chapter 330, section 8,⁴ some design standards in the model code may only be applicable to developments of fewer than 20 units and multi-unit developments.

SB 974 (a) “Residential design standards” means standards intended to preserve the desired character, architectural expression, decoration or aesthetic quality of new homes, including standards regulating:

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

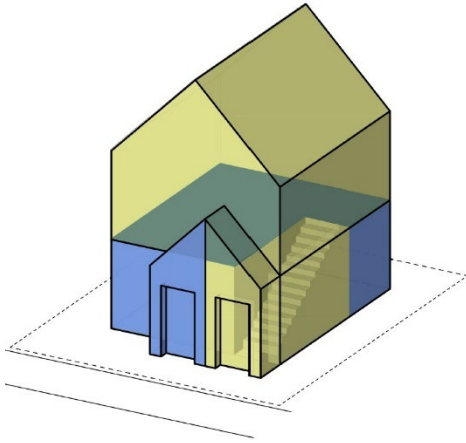
Chapter 2 – Detached Single-Unit and Duplex

Sometimes referred to as a “single-family house,” a detached single-unit (DSU) dwelling is a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single-unit dwellings may be constructed on-site or off-site (e.g., manufactured dwellings or prefabricated homes).

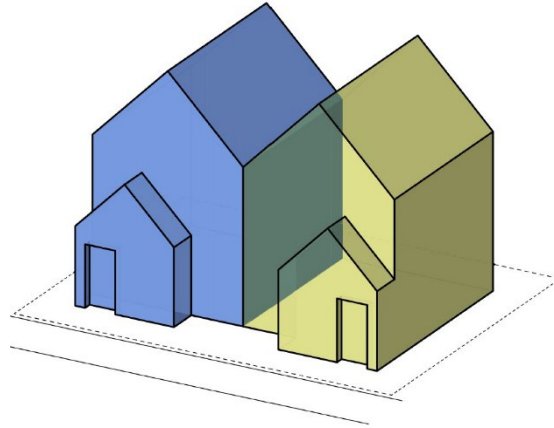
A duplex is two attached dwelling units on a lot in any configuration.

⁴ Senate Bill 974 (2025).

Stacked Duplex



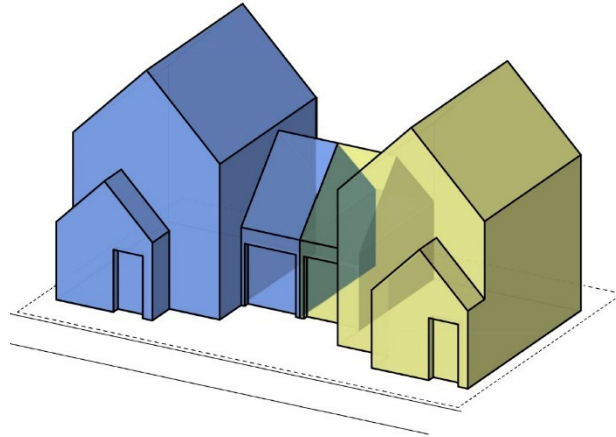
Side-by-Side Duplex



Duplex Attached by Breezeway



Duplex Attached by Garage Wall



Duplexes and DSUs are combined into the same model code module because best practice is to treat them essentially the same (i.e., to allow duplexes wherever DSUs are allowed) and to not subject duplexes to standards that are more restrictive than those for DSUs.

2.1 Siting Standards - Detached Single-Unit and Duplex

The siting standards in the model code regulate the basic features of the development, including the maximum building height, minimum setbacks, and minimum required outdoor area. The model code does not include a minimum lot size – minimum lot size is determined by the zone in which the module is applied. The model code would allow a duplex on any lot or parcel that allows a DSU provided the siting standards are met.

The following commentary is meant to explain and clarify the model code’s applicable siting standards.

Siting Standards – Detached Single-Unit and Duplex	
Standard	Commentary
Maximum Building / Structure Height	Section 9.1.3 includes details about how height is calculated. For the sake of simplicity for applicants, the model code refers to the building code measurement of building height. The building code measures height as the vertical distance from the grade plane (as defined in the building code) to the average height of the highest roof structure. Section 9.1.3 also includes exceptions for appurtenances such as roof mounted solar panels.
Minimum Setbacks	Section 9.1.4 includes details about how setbacks are measured. Exceptions are provided for a range of building elements (e.g., eaves, trim, bay windows, ramps, etc.) and could be provided for covered porches and entrances as well. Table 2.1 provides two options for the garage entrance setback. The garage entrance must be either 18 feet or farther from a street lot line, or 5 feet from an alley. (Note: garages are not required and an 18-ft driveway can count as a parking space)
Required Outdoor Area and Usable Open Space	Section 9.1.5 includes details about how required outdoor area is calculated. The list of areas that count toward the minimum outdoor area is very flexible, and includes all areas not covered by buildings or vehicle parking/circulation areas.
Vehicle Parking	Section 9.1.6 includes details about how off-street vehicle parking spaces are measured and calculated. The model code recommends not requiring more than a one space per unit. In addition, the code includes a “credit” for adjacent on-street spaces in Section 9.1.6(B)(2) and a recommended exemption for accessory dwelling units.

2.2 Design Standards - Detached Single-Unit and Duplex

The recommended design standards for DSUs and duplexes in the model code are intended to encourage pedestrian-friendly and walkable residential neighborhoods by requiring elements such as:

- Building entrances that face the street,
- Walkways that connect to the street,
- Windows facing the street (not blank walls), and
- Limits on garage and driveway widths so that parking areas do not dominate the front of the dwelling(s).

The design standards are based on and calculated for the entire structure, not each unit individually, so, for example, the entry orientation requirements just have to be met by one of the units in a duplex.

A few notes about each design standard:

Standard	Commentary
<p>2.2.1 Entry Orientation and Pedestrian Connectivity</p>	<p>These standards are similar to the entry orientation standards in the Middle Housing Model Code, but they include some minor refinements and clarifications.</p> <p>The standards require a separate walkway connection to the main entrance to enable pedestrian access. However, the required width is minimal (2 ft), and the walkway may abut the driveway (i.e., may effectively be an extension of the driveway).</p> <p>In addition, the Code provides additional flexibility by exempting accessible or adaptable units from meeting the entry orientation standard (provided there is an accessible walkway to the entrance). This allows flexibility for different configurations or development on irregular sites, as long as the units are designed for adaptability or accessibility.</p>
<p>2.2.2 Windows and Doors</p>	<p>These standards are adapted from the Middle Housing Model Code, but with some minor refinements. In particular, flexibility for design on corner lots is enabled by applying a lower window coverage requirement for the secondary street-facing façade (10% vs. 15% for the primary façade). In addition, facades that are more than 40 feet from the street lot line are exempted; this recognizes that facades that are far from the street do not contribute to the pedestrian environment and do not need to be regulated in the same way.</p>
<p>2.2.3 Off-Street Parking Areas</p>	<p>Again, these standards are adapted from the Middle Housing Model Code (adapting the triplex/quadplex standards), but with some minor refinements. The maximum 32-foot driveway width is borrowed from the triplex/quadplex “Driveway Access and Parking” standards in the Middle Housing Model Code.</p>

2.3 Conversions - Duplex

This section enables conversion of existing single-unit dwellings into duplexes. It is copied nearly verbatim from the Middle Housing Model Code, and mirrors the provisions in OAR 660-046-0130 and -0230. While the OAR provisions are not required for small cities, they are recommended best practices.

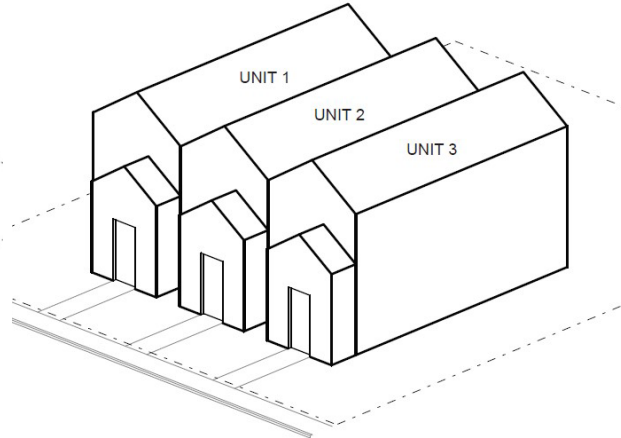
Chapter 3 – Triplex and Quadplex

This module allows both triplexes (3 attached dwelling units on a lot) and quadplexes (4 attached dwelling units on a lot). The units can be attached in a variety of configurations (see figures below from the Middle Housing Model Code).

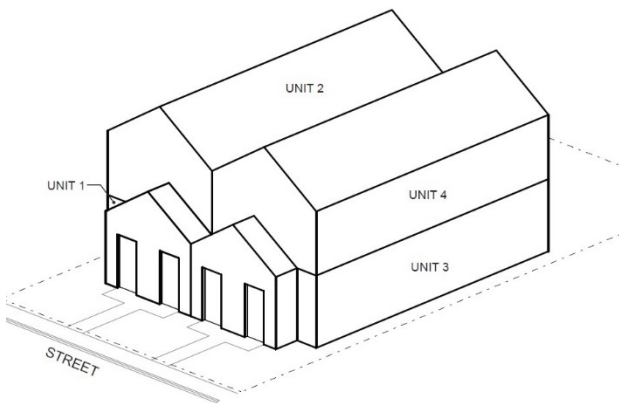
Attached Triplex Front and Back



Attached Triplex Side-by-Side



Stacked Quadplex



3.1 Siting Standards - Triplex and Quadplex

The commentary for Triplex and Quadplex siting standards is the same as for DSU and Duplex (see comments for Section 2.1, above).

3.2 Design Standards - Triplex and Quadplex

The design standards for triplexes and quadplexes in the model code are similar to those for DSUs and duplexes, and are intended to encourage pedestrian-friendly and walkable residential neighborhoods.

The design standards are based on and calculated for the entire the structure, not each unit individually, so, for example, the entry orientation requirements just have to be met by one of the units.

A few notes about each design standard:

Standard	Commentary
3.2.1 Entry Orientation and Pedestrian Connectivity 3.2.2 Windows and Doors 3.2.3 Off-Street Parking Areas	These standards are essentially the same as those for DSUs and duplexes. See comments for Sections 2.2.1 – 2.2.3, above.
3.2.4 Driveway Approach	These standards are adapted from the Middle Housing Model Code, but with some minor refinements. They are intended to support pedestrian safety and comfort by limiting the number and width of driveway approaches. In order to accommodate space for getting in and out of accessible vehicles, accessible and adaptable units are exempt from meeting the maximum driveway width standards.
3.2.5 Trash Storage	These standards address the placement and screening of shared trash and recycling storage facilities. They are intended to limit the impact of these facilities on the pedestrian environment and on abutting residential properties.

3.3 Unit Configuration and Conversions – Triplex and Quadplex

This section mirrors the provisions in Section 2.3. Refer to the commentary for that section, above.

Chapter 4 – Townhouse

A “townhouse” is 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.” Having each dwelling on its own lot is essential to it being a “townhouse.” It is also possible to build similar looking buildings as triplexes, quadplexes, or multi-unit dwellings and condominiums.

The 2 to 4 townhouses that are attached together form a single townhouse structure. A “townhouse project” is the entire 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 (e.g., shared open space tracts). There can be more than one townhouse structure and townhouse site in a townhouse project.

4.1 Siting Standards - Townhouse

The following commentary is meant to explain and clarify the applicable siting standards for townhouses. For general commentary about standards common to all housing types, see Section 2.1.

Standard	Commentary
Recommended: Minimum Size for New Townhouse Lots	Townhouses are generally located on smaller lots than DSUs. Because some small cities may not have minimum lot size standards for townhouses in their existing development codes, the model code includes a recommended minimum lot size of 1,800 sf, although cities with smaller minimum lot sizes for townhouses are encouraged to retain those.
Recommended: Minimum Lot Width for New Townhouse Lots	Townhouses lots need to be narrower than DSUs in order for the units to be attached. Because some small cities may not have minimum lot width standards for townhouses in their existing development codes, the model code includes a recommended minimum lot width of 20 feet, although cities with smaller minimum lot widths for townhouses are encouraged to retain those.
Maximum Building / Structure Height	See commentary in Section 2.1.
Minimum Setbacks	Note, the minimum setback where townhouses are attached is 0 feet.
Required Outdoor Area	Required outdoor area is based on the entire townhouse project (not each townhouse lot).
Vehicle Parking	See commentary in Section 2.1.
Areas Owned in Common	These provisions are adapted from the Middle Housing Model Code. They require any common areas in a townhouse project to be maintained by a homeowners association or other legal entity (such as a housing cooperative or land trust).

4.2 Design Standards - Townhouse

The design standards for townhouses in the model code are similar to those for DSUs, duplexes, triplexes, and quadplexes, and are intended to encourage pedestrian-friendly and walkable residential neighborhoods. The driveway access and parking standards are the only standards unique to townhouses.

A few notes about each design standard:

Standard	Commentary
4.2.1 Entry Orientation and Pedestrian Connectivity 4.2.2 Windows and Doors	These standards are the same as those for DSUs and duplexes. See comments for Sections 2.2.1 and 2.2.2, above.

Standard	Commentary
4.2.3 Driveway Access and Parking	These standards are adapted from the Middle Housing Model Code, but with some minor refinements. They enable several types of driveway/access configurations, including front-loaded driveways, shared-access driveways, and alley access. In order to accommodate space for getting in and out of accessible vehicles, accessible and adaptable units are exempt from meeting the maximum driveway/garage width standards.
4.2.4 Trash Storage	These standards are the same as those for triplexes, and quadplexes. See comments for Section 3.2.5, above.

Chapter 5 – Cottage Cluster

A “cottage cluster” is a grouping of up to eight detached dwelling units that: (1) share a common courtyard and (2) each have a small footprint or floor area.

5.1 Siting Standards - Cottage Cluster

As with other housing types, the siting standards in the model code regulate the basic features of the development, including the maximum building height and minimum setbacks. In addition, siting standards unique to cottage clusters include maximum cottages per cluster, average cottage size, and average footprint. The model code does not include a minimum lot size – minimum lot size is determined by the zone in which the module is applied.

The following commentary is meant to explain and clarify the applicable siting standards for cottage clusters. For general commentary about standards common to all housing types, see Section 2.1.

Siting Standards – Cottage Cluster	
Standard	Commentary
Maximum Number of Cottages per Cottage Cluster	This standard sets a limit on the number of cottages within a single cluster (i.e., how many cottages may share a single common courtyard). However, a cottage cluster project may include multiple cottage clusters provided there are multiple common courtyards; the model code does not limit the overall size of a cottage cluster project.
Average Cottage Size	<p>This standard is carried over from the Middle Housing Model Code. It regulates the average floor area of all cottages and community buildings within a cottage cluster. This enables some cottages to be larger than the average, as long as those cottages are balanced by smaller cottages within the cluster.</p> <p>As described in Section 9.1.2(B)(2), the average cottage size is calculated and regulated separately for each cluster within a cottage cluster project.</p>

Siting Standards – Cottage Cluster	
Standard	Commentary
Average Cottage Footprint	<p>The cottage footprint standard:</p> <ul style="list-style-type: none"> • Is based on <i>average</i> footprint, allowing some variation in footprint size. • Allows greater flexibility for single-story cottages by allowing a larger average footprint (up to 1,400 sf) compared to the maximum for cottages with more than one story (average footprint of up to 900 sf).
Maximum Building/ Structure Height	The height maximum is 25 feet, which mirrors the Middle Housing Model Code.
Minimum Setbacks	Minimum setbacks apply to the cottage cluster project. No minimum building separation is specified; instead, the building code will control minimum separation distances between buildings. The required separation varies based on the fire-resistance rating of the exterior walls and whether openings are protected.
Required Open Space - Courtyard	Instead of required outdoor area, cottage clusters are required to provide a minimum amount of courtyard area for each cottage within a cluster. The standard (150 sf per cottage) mirrors the Middle Housing Model Code. Dimensional and design standards for common courtyards are specified in Section 5.2.2.
Vehicle Parking	The model code recommends not requiring more than a one space per unit. In addition, the code includes a “credit” for adjacent on-street spaces in Section 9.1.6(B)(2).
Areas Owned in Common	This mirrors the requirement for townhouses in Section 4.1, but is also applicable to cottage clusters, which need similar maintenance agreements for common spaces.

5.2 Design Standards - Cottage Cluster

Most of the design standards for cottage clusters are carried over from the Middle Housing Model Code, but with minor refinements and clarifications made throughout.

A few notes about each design standard.

Standard	Commentary
5.2.1 Cottage Orientation	<p>Cottages must be clustered around a common courtyard. This section simplifies the standards from the Middle Housing Model Code by removing redundant or unnecessary language.</p> <p>It also adds flexibility for meeting the entry orientation standard. For units to qualify for the 50% orientation requirement, this model code</p>

Standard	Commentary
	adds an option for the main entrance to be located within 20 feet of the common courtyard as an alternative to facing the courtyard. (For example, a unit could be adjacent to a central courtyard, but with its entrance facing the front lot line.)
5.2.2 Common Courtyard Design Standards	This section establishes minimum width and improvement standards for common courtyards, and remains mostly unchanged from the Middle Housing Model Code.
5.2.3 Community Buildings	<p>One community building is allowed per cluster, which can provide a variety of amenities for residents. However, this subsection clarifies that community buildings may not provide individual storage spaces for residents.</p> <p>Subsection (A)(3) is from the Middle Housing Model Code; however, in this model code, the standard is identified as “Recommended,” not required. It is intended to ensure that community buildings are not used as dwelling units unless they meet the standards for a cottage within a cottage cluster.</p>
5.2.4 Pedestrian Access	Walkway connections are required within cottage clusters. A new definition for “hard surfaced” walkway is provided in Section 9.2.
5.2.5 Windows and Doors	This section mirrors the window and door requirements that apply to other middle housing types, but only for cottages located near the street.
5.2.6 Parking Design	This section regulates the design of shared parking areas, parking location (i.e., minimum setbacks), screening from common courtyards and streets, and garage/carport size.
5.2.7 Accessory Structures	Limits accessory structures (e.g., sheds) to 400 sf.
5.2.8 Existing Structures	This section allows an existing dwelling or dwellings to remain within a cottage cluster. These provisions are carried over from the Middle Housing Model Code (and reflect OAR 660-046-0230(3)). They have been updated for consistency with the new allowances added by Oregon Laws 2025, chapter 476; this is not required for small cities but is a recommended best practice.
5.2.9 Trash Storage	These standards are the same as those for triplexes, quadplexes, and townhouses. See commentary for Section 3.2.5, above.

Chapter 6 – Multi-Unit Housing

“Multi-unit housing” means 5 or more dwelling units located on the same lot or development site, but excluding middle housing. The model code is structured to enable multi-unit housing to be sited on two or more abutting lots. The definition of “site” / “development site” allows for development of

multiple lots/parcels under the same ownership. This way, standards like setbacks and required outdoor area are based on the overall site, not each individual lot. (Please note that the building code would also require a recorded restrictive covenant where a building crosses lot lines.⁵)

6.1 Siting Standards

The following commentary is meant to explain and clarify the applicable siting standards for multi-unit housing. For general commentary about standards common to all housing types, see Section 2.1.

Siting Standards – Multi-Unit Housing	
Standard	Commentary
Maximum Building/Structure Height	The maximum height of 40 feet would typically allow a 3-story multi-unit structure, but could accommodate up to 4 stories if each floor is only 10 feet.
Minimum Setbacks	Section 9.1.4 includes details about how setbacks are measured. For multi-unit housing proposed on a site that includes more than one lot, setbacks are calculated based on the lot lines of the overall site, rather than individual lots.
Required Outdoor Area and Usable Open Space	For required outdoor area, see commentary in Section 2.1. For usable open space, see commentary in Section 6.2.5.
Vehicle Parking	The model code recommends not requiring more than a one space per unit. In addition, the code includes a “credit” for adjacent on-street spaces in Section 9.1.6(B)(2).
Minimum Number of Bicycle Parking Spaces	Section 9.1.7 includes details about how bicycle parking spaces are measured and calculated. The multi-unit standards for <i>long-term</i> bicycle parking reflect OAR 660-012-0630(3) which requires a minimum of one-half of a covered bicycle parking space per unit for multi-unit and mixed-use residential uses. The OAR doesn’t specify that the spaces must be for long-term parking, but the stated requirements suggest that they work for long-term parking (e.g., secure, covered, etc.). The model code allows a certain percentage of spaces to be in dwelling units (up to 100% of spaces for smaller developments). It also exempts senior housing and accessible housing.

6.2 Design Standards – Multi-Unit

Many of the design standards for multi-unit housing in the model code are similar to those for other housing types and are intended to encourage pedestrian-friendly and walkable residential neighborhoods. However, some standards are unique to multi-unit housing, including usable open space, parking location and design, and screening from arterials.

⁵ <https://www.oregon.gov/bcd/codes-stand/Documents/interp-22-05-buildingacrosslotlines.pdf>

While multi-unit housing can take various forms, the standards are generally optimized for **stacked formats**. However, **townhouse style** multi-unit housing is subject to standards for entry orientation (Section 6.2.2) and parking design (Section 6.2.7) that are tailored to a different multi-unit format. 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. Townhouse style multi-unit housing may look identical to standard townhouses, but the land underneath the units is not divided into individual lots.

A few notes about each design standard for multi-unit housing:

Design Standards – Multi-Unit Housing	
Standard	Commentary
6.2.1 Entry Orientation – Non-Townhouse Style	<p>These standards incorporate aspects of the CFEC Walkable Design Standards Model Code, but modified to be less restrictive. One building façade containing a main entrance is required to be within a certain distance of a street lot line. Entry orientation is prioritized on transit streets or higher-classification streets.</p> <p>However, the code includes exceptions for very busy arterials (those with 4+ travel lanes) to allow buildings to be setback further from those sources of noise and exhaust. The intent is to mitigate potential harm that this standard can create for multi-unit housing that is adjacent to a wide, car-dependent arterial, given the additional noise and pollution that these environments generate. Also, see commentary for the screening standards in Section 6.2.8, below.</p>
6.2.2 Entry Orientation – Townhouse Style	<p>The townhouse style entry orientation standards mirror the standards for townhouses in Section 4.2.1. These standards apply only to units that are located within 40 feet of a street lot line. Other units are less likely to contribute to the pedestrian environment, and therefore need not be regulated.</p>
6.2.3 Pedestrian Connections	<p>The pedestrian connections standards are partially drawn from the CFEC Walkable Design Standards Model Code, and require a system of walkways connecting main entrances, public sidewalks, and common areas of a site. The standards also specify the material and width of walkways and required treatment at crossings. To limit costs and pavement for limited-use walkways, narrower widths are allowed where walkways connect to individual unit entries, as long as accessibility standards are met.</p> <p>Larger sites (over 50,000 square feet) are required to connect or enable future walkway connections to abutting properties</p>

Design Standards – Multi-Unit Housing	
Standard	Commentary
	that have existing or planned public transportation facilities (e.g., planned trail connections).
6.2.4 Windows and Doors	See commentary in Section 2.2.3.
6.2.5 Required Outdoor Area and Usable Open Space	<p>Required Outdoor Area. The standards this section provide a flexible standard that can be met in various ways, including landscaping, private open space, shared open space, etc. For multi-unit housing, this may include private balconies/patios or shared rooftop garden space.</p> <p>Usable Open Space. Multi-unit housing on sites over 10,000 sf must also provide a minimum amount of usable open space, which ensures there is some functional space for recreation or relaxation. The minimum requirement is expressed as a percentage of the required outdoor area; the percentage is higher for larger sites (over 50,000 sf).</p> <p>Key flexibilities and exceptions for usable open space:</p> <ul style="list-style-type: none"> • For sites that include a lot of natural resources, those areas can be counted as usable open space as long as there are benches for residents. Tree groves can also be counted. • For townhouse style multi-unit housing, 100% of the required usable open space may be provided as private yards for each unit. • Sites that are under 10,000 in size and located within ¼ mile walking distance of a public park of least 1 acre are exempt from the usable open space requirement. <p>Section 9.1.5 provides a menu of amenities that can be used to meet the required outdoor area and usable open space standards. The lists are intended to be very flexible and account for a wide range of needs and preferences.</p>
6.2.6 Parking Location and Design	The vehicle parking standards are adapted from the CFEC Walkable Design Model Code. They allow surface parking to the side or rear of a building provided it is screened from view.
6.2.7 Driveway Access and Parking – Townhouse Style	<p>These standards apply to townhouse style units that have parking or driveways located between the units and a public street (other than an alley). The standards are similar to the townhouse standards applicable to parking areas in front of units in Section 4.2.3(A)(1).</p> <p>Townhouse-style developments (especially larger developments) may have other parking areas on the site that are not adjacent to</p>

Design Standards – Multi-Unit Housing	
Standard	Commentary
	the street. Those areas are subject to the parking standards for typical multi-unit housing in Section 6.2.6.
6.2.8 Screening from Arterials	The model code includes special standards for multi-unit sites abutting busy arterials with 4+ travel lanes. The screening standards are intended to mitigate impacts of noise and exhaust by requiring rows of evergreen trees. Arterials with frequent transit service are excluded from this standard, so as not to inhibit pedestrian access to transit.
6.2.9 Trash Storage	These standards are the same as those for middle housing types. See commentary for Section 3.2.5, above.

Chapter 7 – Accessory Dwelling Unit

“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. With allowances for middle housing, there may not be much practical difference between a duplex and a single-unit dwelling with an attached ADU. As such, where a development can meet the definition of more than one housing type, the applicant may specify the housing type on the development application (per Section 10.2(B)(22)).

ADU standards are provided in a separate module so it can be adopted individually by a city looking to add ADU provisions to its code. However, this chapter relies heavily on a city’s siting standards for detached single-unit dwellings – whether in model code Chapter 2 or in the city’s local development code. Also, note that ADUs are exempt from design standards.

7.1.1 Siting Standards, Generally

This section applies a city’s single-unit standards to ADUs, except for the following:

- Outdoor area does not apply to ADUs and it is recommended that cities not require vehicle parking for ADUs.
- ADUs may be converted from existing legal nonconforming accessory structures, such as garages or sheds, provided the conversion does not increase nonconformance.
- The model code allows reduced 5-foot side and rear setbacks for ADUs on alley-access lots or where height is limited to 12 feet. The latter provision recognizes that shorter structures will have less impact on abutting properties.

7.1.2 Number of Units

One ADU is allowed per primary dwelling – the primary dwelling is the detached single-unit dwelling on site to which the ADU will be “accessory.”

7.1.3 Maximum Floor Area

The maximum floor area (unit size) for an ADU is 1,000 sf. Maximum floor area includes attached garages, but excludes basements (per Section 9.1.2(B)(1)). This limit does not apply to ADUs created by converting an entire floor of a primary dwelling. The model code does not limit the size of an ADU relative to the primary dwelling. This means, for example, that an 800 SF primary dwelling could still have a 1,000 SF ADU.

Chapter 8 – Procedures and Applications

This section includes provisions for review procedures (ministerial and administrative) and two types of land use applications (Zoning Review and Modification). These sections are intended to assist cities in implementing the housing standards of the model code.

8.2 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.

This section lays out the application requirements, review procedure, and appeal options for ministerial reviews. These procedures could apply to various types of ministerial decisions, including Zoning Review, which is included in the model code, but also including other types of decisions that a city makes without using discretion.

A few explanatory notes for the Ministerial procedure:

- **Completeness Review:** A ministerial decision is not a “permit, limited land use decision or zone change,” meaning that the procedural requirements of ORS 227.178 do not apply. However, the model code includes the same completeness review timeline (30 days) as ORS 227.178 for consistency.
- **Decision Timeline:** The model code indicates that ministerial decisions are made by the Planning Official within 60 days. Again, ministerial reviews are not subject to the 120-day timeline required by ORS 227.178. However, cities often process ministerial decisions in less than 60 days and could specify a shorter timeline if voluntarily adopting the model code.
- **Appeals:** The model code does not provide an opportunity for local appeal of a ministerial decision. Generally, these decisions are appealed to Circuit Court since decisions that are not land use decisions or limited land use decisions are not appealable to LUBA.

8.3 Procedure – Limited Land Use Decision

The limited land use decision (i.e., administrative decision) procedures closely mirror ORS 197.195 Limited Land Use Decisions and ORS 227.178. These statutes were recently amended by HB 3395 (2023), SB 1537 (2024), and SB 48 (2025).

A few explanatory notes for the limited land use procedure:

- **Decision Timeline:** This section requires the city to make a final decision on a limited land use application within 120 days of the application being deemed complete (ORS 227.178(1)). It also includes a 100-day maximum for affordable housing applications, which is required for cities with populations over 5,000 (ORS 197A.470).
- **Completeness Review:** This section implements requirements in ORS 227.178(2)-(4).
- **Applicable Standards and Criteria:** This section implements ORS 227.178(3), which was updated by Oregon Laws 2024, chapter 110 allowing applicants to opt into new housing regulations. Where a city has updated its housing regulations after an applicant has submitted a land use application, the applicant may request that their application be reviewed under the newly adopted standards.
- **Notice of Pending Decision:** This section implements the noticing and comment-period requirements of ORS 197.195(3)(b)-(c).
- **Notice of Decision:** This section also implements ORS 197.195(3). However, the list of recipients for the notice of decision is limited those who have standing in the land use review or that requested a copy of the decision.
- **Appeals:** The model code recognizes that appeals of administrative decisions are heard by different bodies in different cities. The model code uses a general term of “Appeal Body,” which is defined in Section 8.2 as follow: “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.

8.4 Application - Zoning Review

Zoning reviews are equivalent to “site plan review” or “development review” in some cities. Zoning review is subject to a ministerial or limited land use decision depending on the size of the development, or whether the applicant is requesting a modification. In both cases, applicants are able to choose whether they submit the full building permit application or just submit a site plan for planning review prior to the building permit submittal.

The model code allows most housing through a ministerial approval process. However, the intent of requiring limited land use review for larger developments is to enable a limited public process for larger-scale projects which may be more impactful, and to provide notice to neighboring properties. Keep in mind that while administrative review allows for use of discretion in decision making, the

model code includes only clear and objective standards for housing. (However, some discretion is needed for review of Modifications, per Section 8.5.)

8.5 Application - Modification

Discretionary modifications can be requested for all standards and all housing types (affordable and market rate). The clear and objective model code regulations are designed to be applied in a wide range of locations and situations. Modifications provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the model code regulations. Modifications are an optional, discretionary review pathway under ORS 197A.400(3). Because the criteria are discretionary, development applications that include Modifications are reviewed as a limited land use decision.

The approval criteria rely on a set of “considerations” established in Section 8.5(C). Applicants must demonstrate how the modification will equally or better address the consideration(s) applicable to the standard being modified. Some standards may require applicants to address more than one consideration. For example, modifications of entry orientation standards must address considerations for both pedestrian access and a safe and comfortable pedestrian-oriented environment.

This section does not implement mandatory adjustments under Oregon Laws 2024, chapter 110, section 38.

Chapter 9 – Measurement Methodologies and Definitions

9.1 Measurement Methodologies

9.1.1 Minimum Lot Size for New Lots

This section specifies how minimum lot sizes should be measured. It is recommended, but only needed to implement the model code if a city includes the recommended minimum lot size requirements for townhouses per Section 4.1. No other housing types include minimum lot sizes.

9.1.2 Floor Area

This section describes measurements for floor area and average cottage size. The model code regulates floor area (i.e., building size) for ADUs as well as for cottages, accessory structures, and garages in a cottage cluster.

The list of areas of a building that are excluded from the “floor area” calculation (per subsection (B)(1)) is generally intended to exclude:

- Floors that are mostly below-ground or below-grade, as they do not meaningfully contribute to building intensity (for example, daylight basements on sites that slope down from the street).
- Areas that are not reasonably usable as habitable space (e.g., areas where a sloped ceiling falls below a certain height); and
- Exterior features that do not contribute to building intensity, such as carports, porches, and balconies.

9.1.3 Height

For the sake of consistency and simplicity, the model code relies on the building code's calculation of building height. For reference, the 2025 Oregon Structural Specialty Code and the 2023 Oregon Residential Specialty Code use the following definitions:

HEIGHT, BUILDING. The vertical distance from grade plane to the average height of the highest roof surface.

GRADE PLANE: A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

9.1.4 Building Setbacks

This section includes explanations and several refinements and exceptions to the building setback standards. The list of setback exceptions excludes a number of minor building features that are allowed to extend into a setback.

9.1.5 Required Outdoor Area and Usable Open Space

As noted, the list of areas that count toward the minimum outdoor area is very flexible, and includes all areas not covered by buildings or vehicle parking/circulation areas.

Useable open space is only required for multi-unit housing. The list of amenities that can be used to meet the usable open space standards in subsection (B)(2) accounts for a wide range of needs and preferences.

9.1.6 Vehicle Parking

This section includes specifications for parking spaces that are used to meet *minimum* parking, including eligible on-street spaces. It also includes a recommended exception for accessory dwelling units.

9.1.7 Bicycle Parking

The model code only requires bicycle parking for multi-unit housing. This reflects requirements for long-term bicycle parking from the OAR, included below.

[660-012-0630](#) (3) Cities and counties shall require a minimum of one-half of a covered bicycle parking space per unit for multi-unit and mixed-use residential uses. Cities and counties may:

- (a) Allow for reductions or exemptions to the minimum parking requirement based on development-specific considerations; and*
- (b) Exempt or reduce the minimum parking requirement for certain types of residential uses that are likely to have less future demand for bicycle parking.*

The location and design standards for long-term bicycle parking in model code subsection 9.1.7(B) reflect the following OAR requirements. While not required by the OAR, the design standards for short-term bicycle parking are intended to ensure that these spaces are accessible and of adequate dimensions.

660-012-0630 (4) Cities and counties shall adopt development regulations requiring all required bicycle parking provided must:

- (a) Either allow ways to lock at least two points on a bicycle, or be within a lockable space only available to authorized users;*
- (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position where it may be secured without conflicts from stairs, other parked bicycles, walls, or other obstructions;*
- (c) Be in a location that is convenient and well-lit; and*
- (d) Include bicycle parking spaces to accommodate large bicycles, including family and cargo bicycles.*

9.1.8 Windows and Doors

This section clarifies what areas count toward minimum window and door area requirements. Windows in garage doors and windows into functional spaces (e.g., storage, mechanical, and garbage/recycling areas) do not count. In multi-unit housing, doors into similar functional spaces do not count.

9.2 Definitions

This section defines key terms used in the model code. Many of these definitions originated in the state’s Middle Housing Model Code for Large Cities. Following are explanatory notes about a few of the definitions.

- “Accessible unit” – This definition is from Oregon Laws 2025, chapter 476 and relies on terms and specifications in the state building code.
- “Adaptable unit” – This definition mirrors the “accessible unit” definition, but references “Type B” units from the building code.
- The “Housing Type” definition acknowledges that several of the housing definitions overlap. For example, a duplex and a DSU with an attached ADU could be very similar. However, the applicant may find that there are different advantages to defining a development as one type vs. another. As such, this section allows the applicant to choose which housing type(s) apply at the time of the application.
- “Site” – This definition varies based on the housing type. These distinctions are meaningful because FAR, minimum density, and outdoor area standards are calculated based on a development “site.”

-
- For townhouses and multi-unit housing, “site” refers to a property that is subject to a development application. A multi-unit development could be proposed across multiple abutting properties under the same ownership. This is intended to support flexibility and to avoid the need for lot consolidation prior to development.
 - For detached single-unit and all other types of middle housing, “site” means a single lot (i.e., a parent lot if units are divided by a middle housing land division).

Housing Model Codes User’s Guide – Medium and Large Cities

This User’s Guide is intended to assist local governments in understanding and implementing the Housing Model Codes for Large and Medium Cities (“model ordinance”, “model code” or “code”). This guide includes background information about the model codes, explains how the codes are organized and formatted, and provides commentary related to the intent of the standards, how they are meant to operate, and how they can be implemented.

Model Code Background

The Land Conservation and Development Commission (LCDC) was directed to adopt model ordinances under Oregon Laws 2024, chapter 111, section 2⁶ for three city sizes: small cities (< 2,500), medium cities (2,500 - 25,000), and large cities (≥ 25,000). (Note, large cities also include Metro cities with populations of 1,000 or greater and all cities within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.)

The Housing Model Code for Medium and Large Cities have been specifically calibrated for those city sizes.

The statute directs each model code to address four specific housing types: detached single-unit, accessory dwelling unit, middle housing, and multi-unit dwellings.

The model code is intended to serve multiple functions. Some of these functions are specified by law, while others were subsequently established during the Goal 10 rulemaking process, which concluded in December 2025. Oregon Administrative Rules (OAR) 660-008-0400 through -0430 guide the use and implementation of the model code and specify its various functions. To summarize, the code:

5. Is **adoptable by reference**⁷ to enable a jurisdiction to apply the code for one or more housing types – this is especially intended as a resource for smaller cities with limited resources for code work. ([OAR 660-008-0415](#))
6. May be applied directly to **comply with a housing law** when a local government has not adopted conforming amendments to comply. ([OAR 660-008-0420](#))
7. Serves as **guidance and promising practice** as well as a **comparative benchmark** for cities above 10,000 population in facilitating housing production, affordability, and choice. As such, it goes beyond minimum state requirements in many ways. ([OAR 660-008-0425](#))
8. Serves a **compliance and regulatory function** for both the Housing Accountability and Production Office (HAPO) and as an enforcement tool for the Land Conservation and Development Commission (LCDC). ([OAR 660-008-0430](#))

⁶ Senate Bill 1564 (2024) - <https://olis.oregonlegislature.gov/liz/2024R1/Measures/Overview/SB1564>

⁷ See corresponding guidance for adoption by reference, including a sample ordinance for adoption for more detail.

Key Objectives

These model codes intend to meet the following key objectives:

- Provide a **broadly useful** resource in both complying with housing laws and supporting production in varying local contexts for the four housing types prescribed by SB 1564 (2024).
- Establish a **reasonable baseline for development** with standards that are substantially less restrictive than most modern development codes.
- Integrate **additional bonuses and flexibilities** to encourage the delivery of public policy objectives, especially affordable and accessible housing.

Sideboards and Limitations

These model codes have a specific focus and direction prescribed by law. They focus on providing specific development and design regulations for the four housing types specified by the bill as well as a set of model procedures. Because of this, it is important to note the following of the model code:

4. **The model code is not a (Euclidean) zoning code** – Zoning codes in the U.S. regulate uses and intensity based on specific geographic districts, which the model code does not do. Rather, the model code provides specific development and design standards for four housing types specified in law, segmented by city size. The model code can be applied in any geographic area, consistent with parameters established in statute and rule.
5. **The model code does not regulate peripheral aspects of development** – Development includes many applied regulatory requirements, ranging from land division, goal protections, public works, fire code, to tree standards and beyond. Oregon Laws 2024, chapter 111, section 2 did not provide the direction nor resources to address every aspect of development. Accordingly, the Code specifies where other local standards apply to development allowed under the Code. Over time, the model code will incorporate additional modules to regulate other aspects of development where they would best support the overall goals of the program.
6. **The model code generally aligns with, but does not replace, other DLCD model codes** – To the extent practicable, the Code generally aligns with other model codes DLCD has developed. However, the Code serves a different purpose and accordingly deviates from other codes for specific standards or approaches to regulating development.

Additional commentary regarding the purpose of the model code is provided in Section 1.1 Purpose.

Updates to the Model Codes

To aid local compliance with housing laws, model codes will be periodically updated to reflect new or amended housing laws adopted in future legislative sessions. The intent is to provide an up-to-date resource designed to aid local code amendments or to provide a tool that can be applied directly where local codes are made nonconforming with newly adopted laws. Because of this, there are a few important considerations to keep in mind:

1. **Model codes are adopted by rule by the Land Conservation and Development Commission** – Administrative rules help clarify and implement broader statutory direction. This means that model codes can help clarify and interpret statute where the latter is ambiguous.
2. **All model codes include an adoption date** – Model codes are made conforming with the law as of the adoption date. Also, this means that changes to the law that occur after the adoption date are not yet incorporated into the code.
3. **Local governments can optionally apply model code modules where local code is nonconforming with changes to law** – OAR 660-008-0420 provides local governments an option to directly apply a model code module to a development application where local code is nonconforming. This is in addition to the existing option to apply the new law directly to a land use application under ORS 197.646.
4. **Cities that adopt model codes by reference need not re-adopt model codes** – [OAR 660-008-0415](#)(4) clarifies that, as codes are updated, cities that adopt a code by reference do not need to adopt updates every time they occur in order to take effect. Additionally, nothing in the rule prohibits a city from doing so if they choose.
5. **Model code updates apply to development applications similar to local code changes** – [OAR 660-008-0410](#)(5) clarifies that newly adopted versions of the model code apply to development using the same goal posts that local code changes do.

Model Code Organization

The model code is organized as follows:

Chapter 1 – General Provisions	Describes the purpose and applicability of the code, explains how it relates to other regulations, and provides certain clarifications and exceptions from statute related to middle housing and residential design standards.
Chapters 2 – 7 Housing-Specific Standards	Each chapter provides siting and design standards for specific housing types.
Chapter 8 – Bonuses	Establishes regulatory bonuses (e.g., additional building height, units, etc.) in exchange for provision of affordable or accessible housing.
Chapter 9 – Procedures and Applications	Provides model procedures as a resource for implementation of the housing standards – including for Ministerial and Limited Land Use Decisions, Zoning Review, Modifications, and Middle Housing Land Division.
Chapter 10 – Measurement Methodologies and Definitions	The Measurement Methodologies section describes how certain measurements are made, what features are required, and provides other specifications for certain standards. It is important to reference this section in tandem with the siting and design standards.

The Definitions section defines key terms used in the model code.

This User's Guide generally follows the organization of the model code.

Recommended Standards

In some places, standards are identified as “Recommended” – these items are shown in brackets, – e.g.: [Recommended: 3. If a community building meets the definition of a dwelling unit...]. These standards represent promising practice but allow for optional deviation where adopted or applied by a city.

Recommended standards function differently depending on how the model code is applied:

- **Adoption by Reference** – The recommended standards **apply** unless a city specifies otherwise in its adoption ordinance (e.g., specifies that a recommended standard does not apply or that an alternative standard applies in lieu of the recommended standard).
- **Optional Adoption** – The city may choose whether or not to include the recommended standard.
- **Direct Application to Comply with a Housing Law** – When a city is applying the model code directly to an application for the development of housing in order to comply with a housing law, the recommended standards **do not apply**.
- **Mandatory Application** – When a city is required to apply the model code as part of an enforcement order, the recommended standards **do apply**.

Chapter I – General Provisions

Sections:

I.1 Purpose

I.2 Applicability

I.3 Relationship to Other Regulations

I.4 Conversions

I.1 Purpose

The Housing Model Code is intended to facilitate housing production, affordability, and choice by removing barriers to development that are sometimes found in zoning codes.

I.2 Applicability

The model code is organized so that a city can adopt by reference the standards for a single type of housing or the Code in its entirety. OAR 660-008-0400 through -0430 describes how different applications of the model code function (adoption by reference, direct application, etc.).

The Applicability section also explains how the model code is divided into discrete “modules” that can be adopted individually or in combination. Some modules require adoption of other modules – for example, adoption of any of the housing type modules also requires adoption of certain sections of Chapter I as well as the Definitions and Measurement Methodologies in Chapter 10. Other sections of the model code are not adoptable as discrete modules – for example, the bonuses in Chapter 8 are reliant on the siting and design standards for the associated housing types. Therefore, a city would need to adopt both the housing type module and the bonus section for the system to work. Alternatively, a city may choose to adopt a housing type module, but not the associated bonuses.

I.3 Relationship to Other Regulations

This section specifies the relationship between the model code and a city’s local housing regulations.

- **Conflicts.** Subsection (A)(2) allows applicants the option of choosing a city’s existing development standard(s) if that would allow more housing (either more units or larger units). For example, if a city has taller height allowances than specified in the model code, the applicant can apply under the local height standards. However, in order to encourage walkable design, this exception would not allow an applicant to opt out of the design standards in the model code even if a city does not have a similar requirement for that housing type.
- **Additional Standards Applicable to Regulated Housing.** This section specifies what other regulations apply to housing, in addition to the model code, and is generally based on Oregon Laws 2024, chapter 110, section 38.⁸ This ensures that cities can still apply important

⁸ Senate Bill 1537 (2024), section 38 (Housing Land Use Adjustments)

regulations like statewide goal protections and public works standards, but that they will not apply standards that could inhibit housing development, such as restrictive design standards.

- **Exceptions.** This section specifies the local regulations that the model code will never supersede – specifically those related to safety, hazards, and fire or building codes.

1.4 Retention of Existing Units with Middle Housing

This section reflects the following requirements of Oregon Laws 2025, chapter 476, section 1 (4):⁹

(4)(a) Each city required to allow middle housing under subsection (2) or (3) of this section, excluding urban unincorporated land not within Metro, shall allow the lot or parcel to include existing housing consisting of:

- (A) One single-unit dwelling;*
- (B) One single-unit dwelling plus one accessory dwelling unit; or*
- (C) One duplex.*

(b) The city may require only the new units, and not the existing units, to comply with siting and design standards adopted under subsection (5) of this section.

Subsection (B) operationalizes “existing units” that is not specified in statute, indicating that existing units must have been in place for at least 5 years to qualify. This is consistent with provisions from OAR 660-046-0230 relating to existing nonconforming housing that may be retained in a cottage cluster development.

Subsection (C) clarifies that lots with existing, retained units are essentially treated as vacant lots. In other words, for the for the purpose of determining how the new units are regulated, the retained units are excluded. For example, when two new units are added to a site with an existing duplex, the new units are regulated as a duplex not a quadplex. In addition to retained units, additional units can be added to a middle housing project using the bonuses in Chapter 8. Note: For Medium Cities, Section 1.4 goes beyond state requirements by allowing retained units to remain on a lot with all types of middle housing, not just duplexes.

Given the provisions for retained units and potential bonus units, there are various configurations that may be possible. The table below summarizes the possible “plex” configurations. The rightmost column indicates what housing type the units would be regulated as – i.e., which siting and design standards would apply.

1.5 Exception to Certain Design Standards

This section recognizes that due to the passage of Oregon Laws 2025, chapter 330, section 8,¹⁰ some design standards in the model code may only be applicable to developments of fewer than 20 units and multi-unit developments.

Precisely which design standards meet the criteria under the law and how the number of units is calculated when determining the applicability of the statute will require further legal interpretation.

⁹ House Bill 2138 (2025).

¹⁰ Senate Bill 974 (2025).

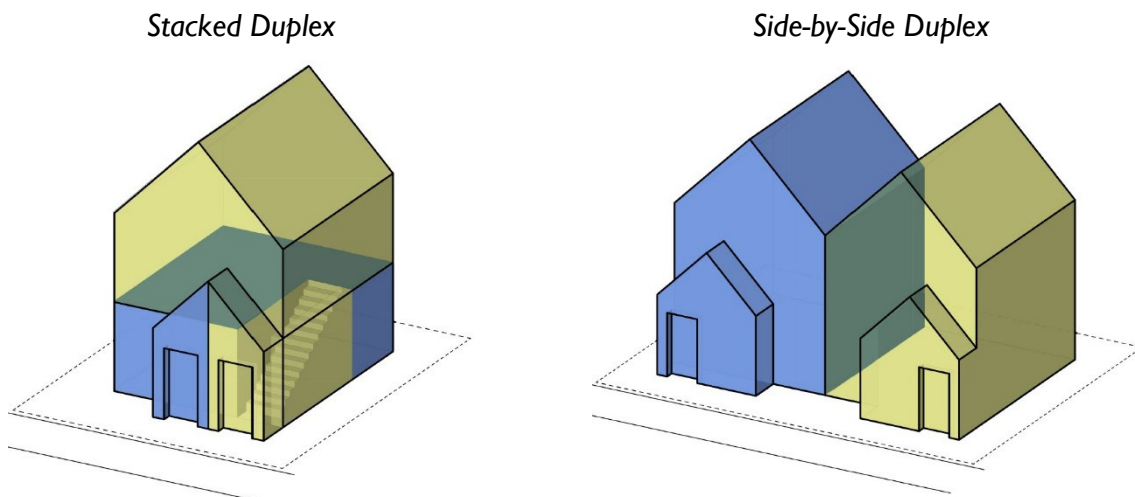
SB 974 (a) “Residential design standards” means standards intended to preserve the desired character, architectural expression, decoration or aesthetic quality of new homes, including standards regulating:

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

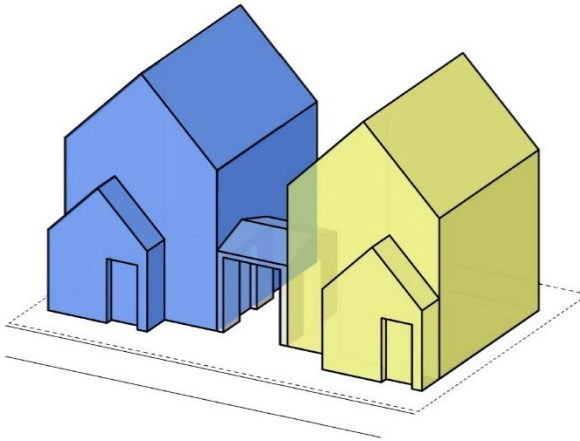
Chapter 2 – Detached Single-Unit and Duplex

Sometimes referred to as a “single-family house,” a detached single-unit (DSU) dwelling is a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single-unit dwellings may be constructed on-site or off-site (e.g., manufactured dwellings or prefabricated homes).

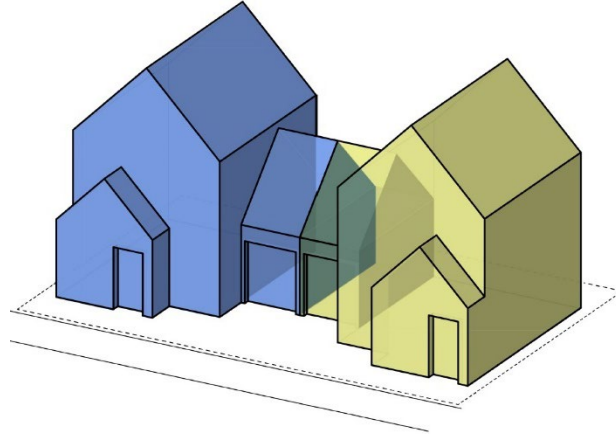
A duplex is two dwelling units on a lot in any configuration. Oregon Laws 2025, chapter 476 modified the duplex definition in statute to allow both attached and detached configurations (see figures below from the Middle Housing Model Code). However, Section 2.3.1 of the Housing Model Code includes some requirements specific to detached duplexes.



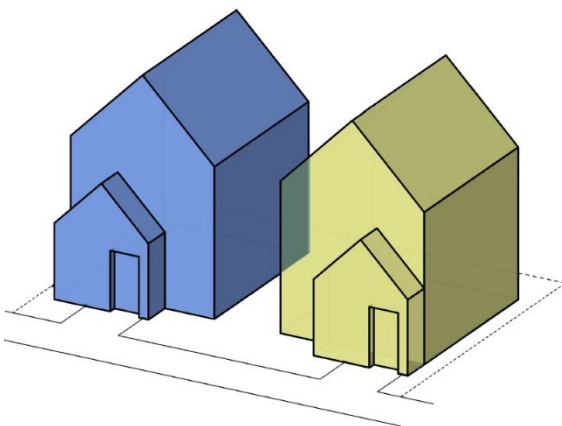
Duplex Attached by Breezeway



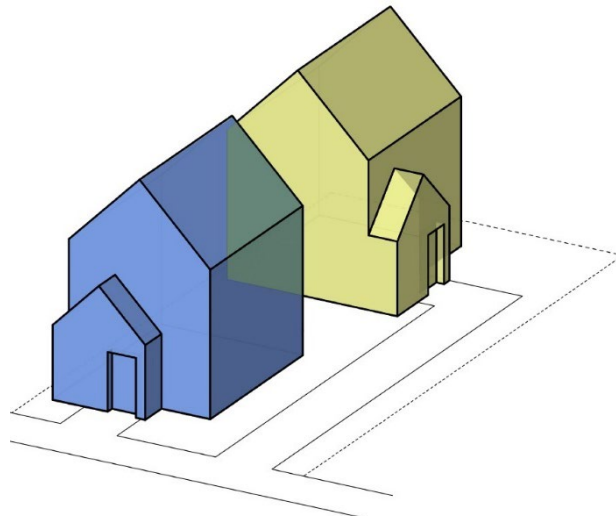
Duplex Attached by Garage Wall



Detached Duplex Units Side-by-Side



Detached Duplex Units Front and Back



Duplexes and DSUs are combined into the same model code module because Large and Medium Cities are essentially required to treat them the same. Large and Medium Cities must allow duplexes on every lot that allows a DSU, and cannot subject duplexes to standards that are more restrictive than those for DSUs.

2.1 Siting Standards - Detached Single-Unit and Duplex

The siting standards in the model code regulate the basic features of the development, including the maximum building height, minimum setbacks, minimum density, and minimum required outdoor area. The model code does not include a minimum lot size – minimum lot size is determined by the zone in which the module is applied. Under OAR 660-046-0120(1), Medium and Large Cities must allow a duplex on any lot or parcel that allows a DSU and that was legally created prior to the city's current

lot size minimum for DSUs. In other words, cities must allow a duplex on an existing lot regardless of its size, provided the siting standards are met.

The following commentary is meant to explain and clarify the model code’s applicable siting standards.

Standard	Commentary
<p>Maximum Floor Area Ratio (FAR)</p>	<p>FAR is the amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. FAR includes garage area, but excludes basements. See Section 10.1.1 for additional details about how FAR is calculated as well as exceptions (e.g., accessory structures under a certain size.)</p> <p>FAR is a way of regulating the overall bulk or scale of development on a site. It provides flexibility in building form, allowing applicants to build taller and narrower or shorter and broader, as long as the total ratio stays within the FAR limit. FAR also tends to better support single-story housing than lot coverage standards, because single-story housing tends to have a larger footprint and may exceed lot coverage maximums. Conversely, FAR balances the larger footprint with limits on the overall building size.</p> <p>The FAR maximum increases based on the number of units on a site, creating more flexibility and effectively giving a bonus for more housing units. Note (1) also allows up to 1,000 sf of floor area for an added unit (either an ADU or additional unit on a lot), even if the maximum FAR is exceeded. This is intended to ensure that a property owner can add a small unit to their lot regardless of the FAR limit.</p> <p>Chapter 8 offers additional FAR bonuses for affordable and/or accessible projects.</p>
<p>Maximum Building / Structure Height</p>	<p>Section 10.1.2 includes details about how height is calculated. For the sake of simplicity for applicants, the model code refers to the building code measurement of building height. The building code measures height as the vertical distance from the grade plane (as defined in the building code) to the average height of the highest roof structure. Section 10.1.2 also includes exceptions for appurtenances such as roof mounted solar panels.</p>
<p>Minimum Density</p>	<p>The minimum density standard for DSUs and duplexes is equivalent to 8 units per net acre.</p> <p>Minimum density standards ensure more efficient use of available residential land and help ensure sufficient residential capacity to accommodate growth. Minimum density applies to new development on a lot; it does not apply to the conversion of an existing dwelling unit into two or more units, or to the addition of units to a lot on which the existing unit(s) will be retained.</p>

Standard	Commentary
	<p>Minimum density is expressed as the maximum amount of land allowed per unit. In order to avoid penalizing sites with constrained lands, minimum density is based on the net site area, which is the site area minus constrained lands (such as natural resource areas). Section 10.1.3 includes details about how minimum density is calculated.</p> <p>Affordable housing projects have the option of counting units with 3 or more bedrooms as 2 units for the purposes of complying with minimum density. This affords additional flexibility for developments with multiple-bedroom units (more applicable to multi-unit housing, but could apply to other housing types too).</p> <p>Further, projects that include adaptable or accessible units are allowed to have lower minimum densities, as provided in bonus Table 8.2-1.</p>
Minimum Setbacks	<p>Section 10.1.4 includes details about how setbacks are measured. Exceptions are provided for a range of building elements (e.g., eaves, trim, bay windows, ramps, etc.) and could be provided for covered porches and entrances as well.</p> <p>Table 2.1 provides two options for the 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. This is intended to prevent parked vehicles from overhanging the sidewalk by ensuring adequate driveway length (or minimal length that would preclude “halfway” driveways where vehicles are likely to partially obstruct the sidewalk).</p> <p>Garage entrance setbacks apply to front and street side lot lines, not alley lot lines. (Note: garages are not required and an 18-ft driveway can count as a parking space)</p>
Required Outdoor Area and Usable Open Space	<p>Section 10.1.5 includes details about how required outdoor area and usable open space are calculated. The list of areas that count toward the minimum outdoor area is very flexible, and includes all areas not covered by buildings or vehicle parking/circulation areas. Useable open space is not required for DSUs and duplexes.</p>
Vehicle Parking	<p>Section 10.1.6 includes details about how off-street vehicle parking spaces are measured and calculated. For Large Cities, no <i>minimum</i> parking is required.</p> <p>For Medium Cities, a <i>minimum</i> of one space per unit is required, but there is a credit for adjacent on-street spaces and Section 10.1.6(C)(2) includes exemptions for the following:</p> <ul style="list-style-type: none"> • Affordable housing as defined in Section 10.2;

Standard	Commentary
	<ul style="list-style-type: none"> • Dwelling units 1,000 square feet or less in size; and • Dwelling units created through the conversion of an existing structure. <p>The <i>maximum</i> parking limit is intended to limit the amount of space on a site devoted to parking vs. housing. Note, however, that ADA parking spaces and tandem parking spaces are exempt from the maximum limit on parking spaces (per Section 10.1.6(C)(1)).</p>
Minimum Number of Bicycle Parking Spaces	No bicycle parking is required for DSUs and duplexes.

2.2 Design Standards - Detached Single-Unit and Duplex

The design standards for DSUs and duplexes in the model code are intended to encourage pedestrian-friendly and walkable residential neighborhoods by requiring elements such as:

- Building entrances that face the street,
- Walkways that connect to the street,
- Windows facing the street (not blank walls), and
- Limits on garage and driveway widths so that parking areas do not dominate the front of the dwelling(s).

The design standards are based on and calculated for the entire structure, not each unit individually, so, for example, the entry orientation requirements just have to be met by one of the units.

A few notes about each design standard:

Standard	Commentary
2.2.1 Entry Orientation and Pedestrian Connectivity	<p>These standards are similar to the entry orientation standards in the Large Cities Middle Housing Model Code, but they include some minor refinements and clarifications.</p> <p>The standards require a separate walkway connection to the main entrance to enable pedestrian access. However, the required width is minimal (2 ft), and the walkway may abut the driveway (i.e., may effectively be an extension of the driveway).</p> <p>In addition, the Code provides additional flexibility by exempting accessible or adaptable units from meeting the entry orientation standard (provided there is an accessible walkway to the entrance). This allows flexibility for different configurations or development on irregular sites, as long as the units are designed for adaptability or accessibility.</p>
2.2.2 Transitions to	This section is adapted from the Climate-Friendly and Equitable

Standard	Commentary
Residential Entrances	Communities (CFEC) Walkable Design Standards Model Code, but the standards have been updated slightly for clarity and simplicity. The standards help ensure that where unit entries are close to the street (within 10 feet), some separation and privacy is provided via landscaping or other design features.
2.2.3 Windows and Doors	These standards are adapted from the Large Cities Middle Housing Model Code, but with some minor refinements. In particular, flexibility for design on corner lots is enabled by applying a lower window coverage requirement for the secondary street-facing façade (10% vs. 15% for the primary façade). In addition, facades that are more than 40 feet from the street lot line are exempted; this recognizes that facades that are far from the street do not contribute to the pedestrian environment and do not need to be regulated in the same way.
2.2.4 Off-Street Parking Areas	Again, these standards are adapted from the Large Cities Middle Housing Model Code (adapting the triplex/quadplex standards), but with some minor refinements. The maximum 32-foot driveway width is borrowed from the triplex/quadplex “Driveway Access and Parking” standards in the Middle Housing Model Code.

2.3 Unit Configuration and Conversions - Duplex

This section addresses the ways that units can be configured (attached vs. detached) and enables conversion of existing single-unit dwellings into duplexes.

2.3.1 Unit Configuration

As noted, Oregon Laws 2025, chapter 476 modified the duplex definition in statute to allow both attached and detached configurations. This section sets some parameters for **detached** duplexes, requiring them to either:

- Be sited on a lot with retained units (per Section 1.5);
- Have no more than one detached unit that exceeds 1,200 square feet; or
- Qualify for at least one bonus category in Chapter 8.

2.3.2 Conversions

This section is copied nearly verbatim from the Large Cities Middle Housing Model Code, and mirrors the provisions in OAR 660-046-0130 and -0230.

Chapter 3 – Triplex and Quadplex

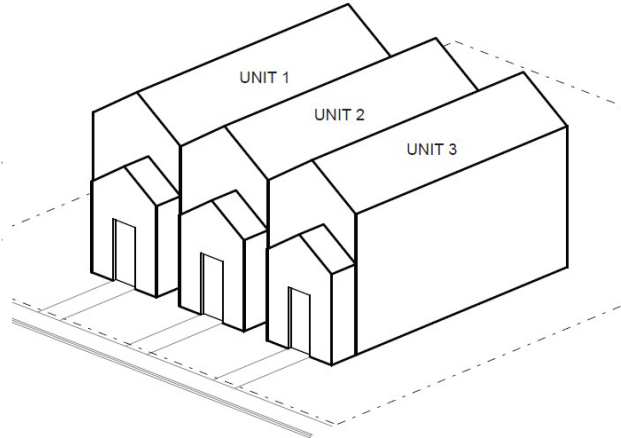
This module allows both triplexes (3 dwelling units on a lot) and quadplexes (4 dwelling units on a lot). In addition, “bonus” units are allowed if the development qualifies for accessibility or affordability bonuses in Chapter 8. However, even with the addition of up to two bonus units, the housing type is still regulated as a quadplex (rather than multi-unit housing).

Similar to duplexes, Oregon Laws 2025, chapter 476 modified the definitions for triplexes and quadplexes in statute to allow both attached and detached configurations (see figures below from the Middle Housing Model Code). Also similar to duplexes, Section 3.3.1 of the model code includes some requirements specific to detached triplexes and quadplexes.

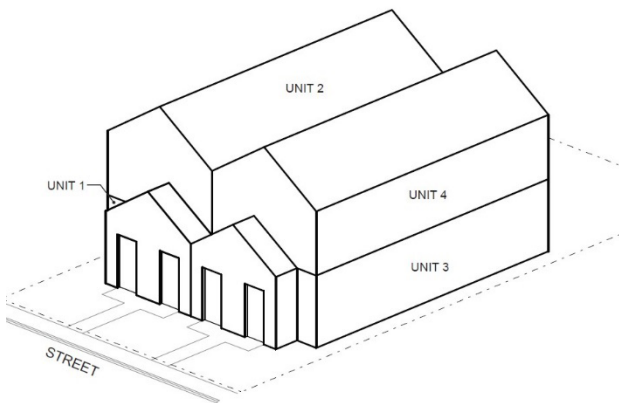
Attached Triplex Front and Back



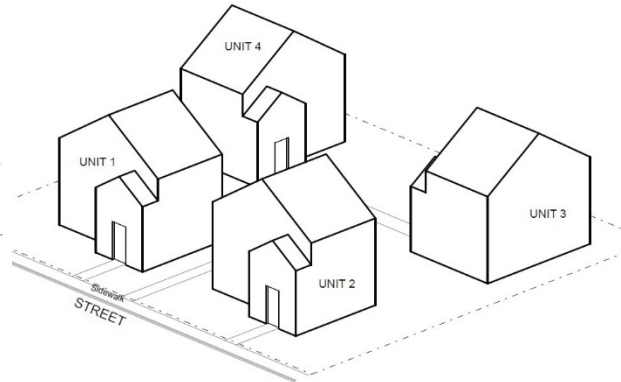
Attached Triplex Side-by-Side



Stacked Quadplex



Detached Quadplex



3.1 Siting Standards - Triplex and Quadplex

The following commentary is meant to explain and clarify the applicable siting standards for triplexes and quadplexes. For general commentary about standards common to all housing types, see Section 2.1.

Standard	Commentary
Maximum Floor Area Ratio (FAR)	In keeping with the approach to DSUs and duplexes, the maximum FAR for triplexes and quadplexes increases based on the number of units on a site, creating more flexibility and effectively giving a bonus for more housing units. Chapter 8 offers additional FAR bonuses for affordable and/or accessible projects.
Maximum Building / Structure Height	See Section 2.1.

Standard	Commentary
Minimum Density	The minimum density standard for triplexes and quadplexes is equivalent to 12 units per net acre.
Minimum Setbacks	See Section 2.1.
Required Outdoor Area and Usable Open Space	Useable open space is not required for triplexes and quadplexes.
Vehicle Parking	For Large Cities, no <i>minimum</i> parking is required for triplexes or quadplexes. <i>Maximum</i> parking is 2 spaces per unit. For Medium Cities, the <i>minimum</i> requirement is 1 space per triplex or 2 spaces per quadplex. There is also a credit for adjacent on-street spaces and exceptions for certain uses in Section 10.1.6(C)(2). <i>Maximum</i> parking is not regulated.
Minimum Number of Bicycle Parking Spaces	No bicycle parking is required for triplexes and quadplexes.

3.2 Design Standards - Triplex and Quadplex

The design standards for triplexes and quadplexes in the model code are similar to those for DSUs and duplexes, and are intended to encourage pedestrian-friendly and walkable residential neighborhoods.

The design standards are based on and calculated for the entire the structure, not each unit individually, so, for example, the entry orientation requirements just have to be met by one of the units.

A few notes about each design standard:

Standard	Commentary
3.2.1 Entry Orientation and Pedestrian Connectivity 3.2.2 Transitions to Residential Entrances 3.2.3 Windows and Doors 3.2.4 Off-Street Parking Areas	These standards are essentially the same as those for DSUs and duplexes. See comments for Sections 2.2.1 – 2.2.4, above.
3.2.5 Driveway Approach	These standards are adapted from the Large Cities Middle Housing Model Code, but with some minor refinements. They are intended

Standard	Commentary
	<p>to support pedestrian safety and comfort by limiting the number and width of driveway approaches.</p> <p>In order to accommodate space for getting in and out of accessible vehicles, accessible and adaptable units are exempt from meeting the maximum driveway width standards.</p>
3.2.6 Trash Storage	<p>These standards address the placement and screening of shared trash and recycling storage facilities. They are intended to limit the impact of these facilities on the pedestrian environment and on abutting residential properties.</p>

3.3 Unit Configuration and Conversions – Triplex and Quadplex

This section mirrors the provisions in Section 2.3. Refer to the commentary for that section, above.

Chapter 4 – Townhouse

A “townhouse” is 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.” Having each dwelling on its own lot is essential to it being a “townhouse.” It is also possible to build similar looking buildings as triplexes, quadplexes, or multi-unit dwellings and condominiums. Note, a triplex or quadplex that is divided by a middle housing land division is still considered a triplex or quadplex, not townhouses.

The 2 to 6 townhouses that are attached together form a single townhouse structure. All the lots underlying a single townhouse structure constitute a townhouse “site.” A “townhouse project” is the entire 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 (e.g., shared open space tracts). There can be more than one townhouse structure and townhouse site in a townhouse project.

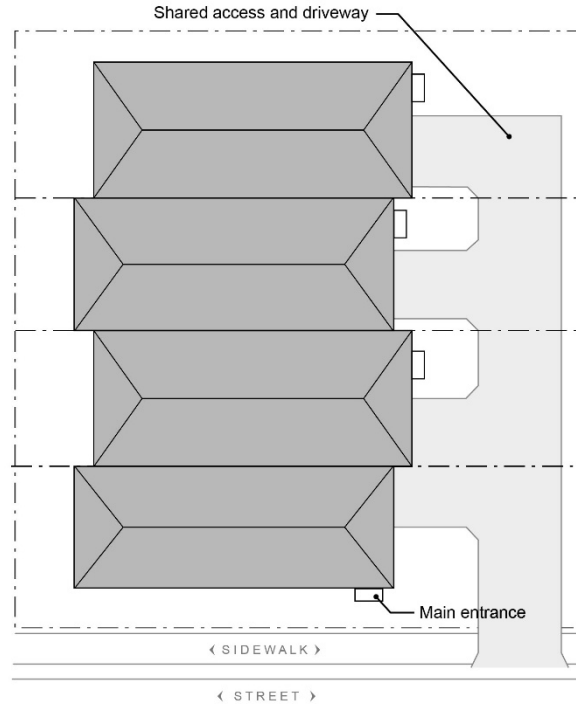
4.1 Siting Standards - Townhouse

The following commentary is meant to explain and clarify the applicable siting standards for townhouses. For general commentary about standards common to all housing types, see Section 2.1.

Standard	Commentary
<p>Minimum Street Frontage for Townhouse Lots with Individual Driveway Access onto a Public Street</p>	<p>This minimum frontage standard applies only to townhouses with individual driveway access from the street (per Section 4.2.4); it is intended to ensure that lots have adequate frontage for a driveway and some space between driveways.</p> <p>However, the model code does not otherwise require street frontage for townhouses. Townhouses may instead take access</p>

Standard	Commentary
	from a private drive, private street, or access easement/tract. See model code Figure 4.2.4.d, copied below.
Maximum Floor Area Ratio (FAR)	<p>For townhouses, FAR is not calculated separately for each townhouse lot. Rather, FAR is calculated based on the townhouse “site” – a single townhouse structure and all the lots underneath. (Note, the definition of “site” in Section 10.2(B)(33) provides a separate definition for townhouse developments to capture this nuance.)</p> <p>The FAR standard for a single townhouse structure is equivalent to the maximum FAR for a quadplex. Chapter 8 offers additional FAR bonuses for affordable and/or accessible projects.</p>
Maximum Building / Structure Height	See commentary in Section 2.1.
Minimum Density	The minimum density standard for townhouses is equivalent to 16 units per net acre. Similar to FAR, minimum density is based on a townhouse “site,” rather than an overall townhouse project.
Minimum Setbacks	Note, the minimum setback where townhouses are attached is 0 feet.
Required Outdoor Area and Usable Open Space	As with FAR and minimum density, required outdoor area is based on the area of a townhouse “site.” Useable open space is not required for townhouses.
Vehicle Parking	<p>For Large Cities, no <i>minimum</i> is required for townhouses. <i>Maximum</i> parking is 2 spaces per unit.</p> <p>For Medium Cities, a <i>minimum</i> of 1 space per unit is required, but there is a credit for adjacent on-street spaces and exceptions for certain uses in Section 10.1.6(C)(2). <i>Maximum</i> parking is not regulated.</p>
Minimum Number of Bicycle Parking Spaces	No bicycle parking is required for townhouses.
Areas Owned in Common	These provisions are adapted from the Middle Housing Model Code. They require any common areas in a townhouse project to be maintained by a homeowners association or other legal entity (such as a housing cooperative or land trust).

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



4.2 Design Standards - Townhouse

The design standards for townhouses in the model code are similar to those for DSUs, duplexes, triplexes, and quadplexes, and are intended to encourage pedestrian-friendly and walkable residential neighborhoods. The driveway access and parking standards are the only standards unique to townhouses.

A few notes about each design standard:

Standard	Commentary
4.2.1 Entry Orientation and Pedestrian Connectivity 4.2.2 Transitions to Residential Entrances 4.2.3 Windows and Doors 4.2.5 Trash Storage	These standards are the same as those for DSUs, duplexes, triplexes, and quadplexes. See comments for Sections 2.2.1 – 2.3.3, above.
4.2.4 Driveway Access and Parking	These standards are adapted from the Large Cities Middle Housing Model Code, but with some minor refinements. They enable several types of driveway/access configurations, including front-loaded driveways, shared-access driveways, and alley access. In order to accommodate space for getting in and out of accessible

Standard	Commentary
	vehicles, accessible and adaptable units are exempt from meeting the maximum driveway/garage width standards.

Chapter 5 – Cottage Cluster

A “cottage cluster” is a grouping of dwelling units that: (1) share a common courtyard; (2) each have a small footprint or floor area; and (3) may be detached or attached, provided no one building or structure contains more than 4 dwelling units. The statutory definition of cottage cluster was updated by Oregon Laws 2025, chapter 476 to allow more flexibility for cottage configurations and sizes.¹¹ Units may now be attached or detached and are no longer limited to a footprint of 900 square feet. The definition in Section 10.2(B)(22) elaborates on the ORS definition to clarify the meaning of “subgroupings of up to four units.”

5.1 Siting Standards - Cottage Cluster

As with other housing types, the siting standards in the model code regulate the basic features of the development, including the maximum building height, minimum setbacks, and minimum density. In addition, siting standards unique to cottage clusters include maximum cottages per cluster, average cottage size, and average footprint. The model code does not include a minimum lot size – minimum lot size is determined by the zone in which the module is applied.

The following commentary is meant to explain and clarify the applicable siting standards for cottage clusters. For general commentary about standards common to all housing types, see Section 2.1.

Standard	Commentary
Maximum Number of Cottages per Cottage Cluster	This standard sets a limit on the number of cottages within a single cluster (i.e., how many cottages may share a single common courtyard). However, a cottage cluster project may include multiple cottage clusters provided there are multiple common courtyards; the model code does not limit the overall size of a cottage cluster project.
Maximum Floor Area Ratio (FAR)	As required by OAR 660-046-0220(2)(f), FAR for cottage clusters is not regulated.
Average Cottage Size	This standard is carried over from the Middle Housing Model Code. It regulates the average floor area of all cottages and community buildings within a cottage cluster. This enables some cottages to be

¹¹ Old definition established in 2019: “Cottage clusters” means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard. New definition per Oregon Laws 2025, chapter 476, section 1(1)(c): “Cottage cluster” means a grouping of dwelling units: (A) That are detached or attached in subgroupings of up to four units in any configuration; (B) That have a common courtyard; and (C) That each have a small footprint or floor area.

Standard	Commentary
	<p>larger than the average, as long as those cottages are balanced by smaller cottages within the cluster.</p> <p>As described in Section 10.1.1(B)(2), where units in a cottage cluster are attached, the floor area of each unit is calculated separately. Also, the average cottage size is calculated and regulated separately for each cluster within a cottage cluster project.</p>
Average Cottage Footprint	<p>The model code takes a different approach to regulating cottage footprint than the Middle Housing Model Code, and reflects the greater flexibility afforded by Oregon Laws 2025, chapter 476. The standard:</p> <ul style="list-style-type: none"> • Is based on <i>average</i> footprint, allowing some variation in footprint size. • Allows greater flexibility for single-story cottages by allowing a larger average footprint (up to 1,400 sf) compared to the maximum for cottages with more than one story (average footprint of up to 900 sf).
Maximum Building/ Structure Height	<p>The height maximum is 25 feet, which mirrors the Middle Housing Model Code.</p>
Minimum Density	<p>Oregon Laws 2025, chapter 476 removed the minimum density of 4 units per acre, which was previously specified in statute. The model code’s minimum density for cottage clusters mirrors the standard for triplexes and quadplexes.</p>
Minimum Setbacks	<p>Minimum setbacks apply to the parent lot, not to child lots created by a middle housing land division. No minimum building separation is specified; instead, the building code will control minimum separation distances between buildings. The required separation varies based on the fire-resistance rating of the exterior walls and whether openings are protected.</p>
Required Open Space - Courtyard	<p>Instead of required outdoor area, cottage clusters are required to provide a minimum amount of courtyard area for each cottage within a cluster. The standard (150 sf per cottage) mirrors the Middle Housing Model Code. Dimensional and design standards for common courtyards are specified in Section 5.2.2.</p>
Vehicle Parking	<p>For Large Cities, no <i>minimum</i> or <i>maximum</i> parking is required for cottage clusters.</p> <p>For Medium Cities, a <i>minimum</i> of 1 space per unit is required, but there is a credit for adjacent on-street spaces and exceptions for certain uses in Section 10.1.6(C)(2). <i>Maximum</i> parking is not regulated.</p>
Minimum Number of	<p>No bicycle parking is required for cottage clusters.</p>

Standard	Commentary
Bicycle Parking Spaces	
Areas Owned in Common	This mirrors the requirement for townhouses in Section 4.1, but is also applicable to cottage clusters, which need similar maintenance agreements for common spaces.

5.2 Design Standards - Cottage Cluster

Most of the design standards for cottage clusters are carried over from the Middle Housing Model Code, but with minor refinements and clarifications made throughout.

A few notes about each design standard.

Standard	Commentary
5.2.1 Cottage Orientation	<p>Cottages must be clustered around a common courtyard. This section simplifies the standards from the Middle Housing Model Code by removing redundant or unnecessary language.</p> <p>It also adds flexibility for meeting the entry orientation standard. For units to qualify for the 50% orientation requirement, this model code adds an option for the main entrance to be located within 20 feet of the common courtyard as an alternative to facing the courtyard. (For example, a unit could be adjacent to a central courtyard, but with its entrance facing the front lot line.)</p>
5.2.2 Common Courtyard Design Standards	This section establishes minimum width and improvement standards for common courtyards, and remains mostly unchanged from the Middle Housing Model Code.
5.2.3 Community Buildings	<p>One community building is allowed per cluster, which can provide a variety of amenities for residents. However, subsection clarifies that community buildings may not provide individual storage spaces for residents.</p> <p>Subsection (A)(3) is from the Middle Housing Model Code; however, in this model code, the standard is identified as “Recommended,” not required. It is intended to ensure that community buildings are not used as dwelling units unless they meet the standards for a cottage within a cottage cluster.</p>
5.2.4 Pedestrian Access	Walkway connections are required within cottage clusters. A new definition for “hard surfaced” walkway is provided in Section 10.2.
5.2.5 Windows and Doors	This section mirrors the window and door requirements that apply to other middle housing types, but only for cottages located near the street.

Standard	Commentary
5.2.6 Parking Design	This section regulates the design of shared parking areas, parking location (i.e., minimum setbacks), screening from common courtyards and streets, and garage/carport size.
5.2.7 Accessory Structures	Limits accessory structures (e.g., sheds) to 400 sf.
5.2.8 Existing Structures	This section allows an existing dwelling or dwellings to remain within a cottage cluster. These provisions are carried over from the Middle Housing Model Code (and reflect OAR 660-046-0230(3)), but have been updated for consistency with the new allowances added by Oregon Laws 2025, chapter 476. See commentary under Section 1.4, above.
5.2.9 Trash Storage	These standards are the same as those for triplexes, quadplexes, and townhouses. See commentary for Section 3.2.6, above.

Chapter 6 – Multi-Unit Housing

“Multi-unit housing” means 5 or more dwelling units located on the same lot or development site, but excluding middle housing. The model code is structured to enable multi-unit housing to be sited on two or more abutting lots. The definition of “site” / “development site” allows for development of multiple lots/parcels under the same ownership. This way, standards like FAR, setbacks, and required outdoor area are based on the overall site, not each individual lot. (Please note that the building code would also require a recorded restrictive covenant where a building crosses lot lines.¹²)

6.1 Siting Standards

The following commentary is meant to explain and clarify the applicable siting standards for multi-unit housing. For general commentary about standards common to all housing types, see Section 2.1.

Standard	Commentary
Maximum Floor Area Ratio (FAR)	<p>The FAR standards vary based on site size for multi-unit housing. This is intended to address the varying circumstances of urban infill (smaller sites with higher FAR) vs. suburban/greenfield development (larger sites with lower FAR).</p> <p>The FAR standards are also intended to allow room for affordability and accessibility bonuses (see Chapter 8).</p> <p>FAR measurement provisions in Section 10.1.1 enable flexibility by excluding bicycle parking areas and indoor common areas used to meet usable open space requirements.</p>
Maximum	The maximum height of 40 feet would typically allow a 3-story

¹² <https://www.oregon.gov/bcd/codes-stand/Documents/interp-22-05-buildingacrosslotlines.pdf>

Standard	Commentary
Building/Structure Height	multi-unit structure, but could accommodate up to 4 stories if each floor is only 10 feet. Additional height, up to a maximum of 76 feet (6 or 7 stories), is possible with affordability or accessibility bonuses.
Minimum Density	The minimum density standard for multi-unit housing is the equivalent of 20 units per net acre.
Minimum Setbacks	Section 10.1.4 includes details about how setbacks are measured. For multi-unit housing proposed on a site that includes more than one lot, setbacks are calculated based on the lot lines of the overall site, rather than individual lots.
Required Outdoor Area and Usable Open Space	For required outdoor area, see commentary in Section 2.1. For usable open space, see commentary in Section 6.2.5.
Vehicle Parking	<p>For Large Cities, no <i>minimum</i> parking is required for multi-unit housing. For Medium Cities, the <i>minimum</i> requirement is 0.5 spaces per unit. There is also a credit for adjacent on-street spaces and exceptions for certain uses in Section 10.1.6(C)(2).</p> <p>The parking <i>maximums</i> are based on Transportation Planning Rule (TPR) requirements in OAR 660-012-0415, which applies to climate-friendly areas, areas within one-half mile walking distance of priority transit corridors, and Metro Region 2040 centers. Those rules are only applicable in cities with populations over a certain size, but the parking standards serve as a promising practice for limiting space devoted to parking in any large or medium city. ADA accessible parking spaces are exempt from the parking maximums.</p>
Minimum Number of Bicycle Parking Spaces	<p>Section 10.1.7 includes details about how bicycle parking spaces are measured and calculated. The multi-unit standards for <i>long-term</i> bicycle parking reflect OAR 660-012-0630(3) which requires a minimum of one-half of a covered bicycle parking space per unit for multi-unit and mixed-use residential uses. The OAR doesn't specify that the spaces must be for long-term parking, but the stated requirements suggest that they work for long-term parking (e.g., secure, covered, etc.). The model code allows a certain percentage of spaces to be in dwelling units (up to 100% of spaces for smaller developments). It also exempts senior housing and accessible housing.</p> <p>For <i>short-term</i> bicycle parking, smaller sites (under 20,000 sf) are allowed to have less parking, given siting constraints.</p>

6.2 Design Standards – Multi-Unit

Many of the design standards for multi-unit housing in the model code are similar to those for other housing types and are intended to encourage pedestrian-friendly and walkable residential neighborhoods. However, some standards are unique to multi-unit housing, including usable open space, parking location and design, and screening from arterials.

While multi-unit housing can take various forms, the standards are generally optimized for **stacked formats**. However, **townhouse style** multi-unit housing is subject to standards for entry orientation (Section 6.2.2) and parking design (Section 6.2.7) that are tailored to a different multi-unit format. 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. Townhouse style multi-unit housing may look identical to standard townhouses, but the land underneath the units is not divided into individual lots.

A few notes about each design standard for multi-unit housing:

Standard	Commentary
<p>6.2.1 Entry Orientation – Non-Townhouse Style</p>	<p>These standards incorporate aspects of the CFEC Walkable Design Standards Model Code, but modified to be less restrictive. One building façade containing a main entrance is required to be within a certain distance of a street lot line. Entry orientation is prioritized on transit streets or higher-classification streets.</p> <p>However, the code includes exceptions for very busy arterials (those with 4+ travel lanes) to allow buildings to be setback further from those sources of noise and exhaust. The intent is to mitigate potential harm that this standard can create for multi-unit housing that is adjacent to a wide, car-dependent arterial, given the additional noise and pollution that these environments generate. Also, see commentary for the screening standards in Section 6.2.9, below.</p>
<p>6.2.2 Entry Orientation – Townhouse Style</p>	<p>The townhouse style entry orientation standards mirror the standards for townhouses in Section 4.2.1. These standards apply only to units that are located within 40 feet of a street lot line. Other units are less likely to contribute to the pedestrian environment, and therefore need not be regulated.</p>
<p>6.2.3 Transitions to Residential Entrances</p>	<p>These standards are the same as those for DSUs, duplexes, triplexes, quadplexes, and townhouses. See commentary for Section 2.2.2.</p>
<p>6.2.4 Pedestrian Connections</p>	<p>The pedestrian connections standards are partially drawn from the CFEC Walkable Design Standards Model Code, and require a system of walkways connecting main entrances, public sidewalks, and common areas of a site. The standards also</p>

Standard	Commentary
	<p>specify the material and width of walkways and required treatment at crossings. To limit costs and pavement for limited-use walkways, narrower widths are allowed where walkways connect to individual unit entries, as long as accessibility standards are met.</p> <p>Larger sites (over 50,000 square feet) are required to connect or enable future walkway connections to abutting properties that have existing or planned public transportation facilities (e.g., planned trail connections).</p>
6.2.5 Windows and Doors	See commentary in Section 2.2.3.
6.2.6 Required Outdoor Area and Usable Open Space	<p>Required Outdoor Area. The standards this section provide a flexible standard that can be met in various ways, including landscaping, private open space, shared open space, etc. For multi-unit housing, this may include private balconies/patios or shared rooftop garden space.</p> <p>Usable Open Space. Multi-unit housing on sites over 20,000 sf must also provide a minimum amount of usable open space, which ensures there is some functional space for recreation or relaxation. The minimum requirement is expressed as a percentage of the required outdoor area; the percentage is higher for larger sites (over 50,000 sf).</p> <p>Key flexibilities and exceptions for usable open space:</p> <ul style="list-style-type: none"> • A portion of the usable open space may be provided as indoor community space. • For sites that include a lot of natural resources, those areas can be counted as usable open space as long as there are benches for residents. Tree groves can also be counted. • For townhouse style multi-unit housing, 100% of the required usable open space may be provided as private yards for each unit. • Sites that are under 20,000 in size and located within ¼ mile walking distance of a public park of least 1 acre are exempt from the usable open space requirement. <p>Section 10.1.5 provides a menu of amenities that can be used to meet the required outdoor area and usable open space standards. The lists are intended to be very flexible and account for a wide range of needs and preferences.</p>

Standard	Commentary
6.2.7 Parking Location and Design	The vehicle parking standards are adapted from the CFEC Walkable Design Model Code. They allow surface parking to the side or rear of a building provided it is screened from view.
6.2.8 Driveway Access and Parking – Townhouse Style	<p>These standards apply to townhouse style units that have parking or driveways located between the units and a public street (other than an alley). The standards are similar to the townhouse standards applicable to parking areas in front of units in Section 4.2.4(A)(1).</p> <p>Townhouse-style developments (especially larger developments) may have other parking areas on the site that are not adjacent to the street. Those areas are subject to the parking standards for typical multi-unit housing in Section 6.2.8.</p>
6.2.9 Screening from Arterials	The model code includes special standards for multi-unit sites abutting busy arterials with 4+ travel lanes. The screening standards are intended to mitigate impacts of noise and exhaust by requiring rows of evergreen trees. Arterials with frequent transit service are excluded from this standard, so as not to inhibit pedestrian access to transit.
6.2.10 Trash Storage	These standards are the same as those for middle housing types. See commentary for Section 3.2.6, above.

Chapter 7 – Accessory Dwelling Unit

“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. With allowances for middle housing, especially new allowances for detached duplexes and triplexes, there may not be a functional difference between a duplex and a single-unit dwelling with an ADU. As such, where a development can meet the definition of more than one housing type, the applicant may specify the housing type on the development application (per Section 10.2(B)(22)).

ADU standards are provided in a separate module so it can be adopted individually by a city looking to add ADU provisions to its code. However, this chapter relies heavily on a city’s siting standards for detached single-unit dwellings – whether in Chapter 2 or in the city’s local development code. Also, note that ADUs are exempt from design standards.

7.1.1 Siting Standards, Generally

This section applies a city’s single-unit standards to ADUs, except for the following:

- Outdoor area, vehicle parking, and bicycle parking standards do not apply to ADUs.
- ADUs may be converted from existing legal nonconforming accessory structures, such as garages or sheds, provided the conversion does not increase nonconformance.
- The model code allows reduced 5-foot side and rear setbacks for ADUs on alley-access lots or where height is limited to 12 feet. The latter provision recognizes that shorter structures will have less impact on abutting properties. Note, these flexibilities are only relevant if the city relies on its own setback standards for ADUs, since the model code setback for all lot lines is already 5 feet.

7.1.2 Number of Units

Both Medium and Large Cities are allowed up to 2 ADUs with a detached single-unit dwelling. For a proposal for 2 ADUs, Large Cities are offered a bit more flexibility in potential configurations:

- In Medium Cities, one ADU must be attached to the primary dwelling, and one must be detached.
- In Large Cities, one ADU may be attached to the primary dwelling and one detached; or both ADUs may be detached. (Note that the detached units may not be attached to each other.)

For both city sizes, up to 3 ADUs are permitted for projects that qualify for a bonus under Section 8.2.1.

7.1.3 Maximum Floor Area

The maximum floor area (unit size) for an ADU is 1,000 sf. Maximum floor area includes attached garages, but excludes basements (per Section 10.1.1(B)(1)). This limit does not apply to ADUs created by converting an entire floor of a primary dwelling. The model code does not limit the size of an ADU

relative to the primary dwelling. This means, for example, that an 800 SF primary dwelling could still have a 1,000 SF ADU.

Chapter 8 – Bonuses

Support for development of affordable and accessible housing are key housing needs under Goal 10 - Housing. Regulatory bonuses offer flexibilities that enable more or larger housing units in exchange for meeting affordability or accessibility standards. They are intended to enable development of housing with costs or features that market rate development may not otherwise produce.

8.1 Bonuses, Generally

As described in Table 8.1, there are 6 categories of housing that qualify for bonuses in the model code.

Categories 1A and 2A: These categories are available to detached single-unit dwellings and middle housing projects. The definitions and bonuses for Category 1A (10-Year Affordable Homeownership Unit) and Category 2A (Accessible Unit) are based on Oregon Laws 2025, chapter 476, section 3(3).

(3) On any lot or parcel on which middle housing may be sited under ORS 197A.420 (2) or (3), except for urban unincorporated land not within Metro, if one or more of the units of middle housing is an accessible or affordable unit, a city shall allow, subject to ORS 197A.420 (5), the additional development of:

(a) For any allowable duplex or triplex, one additional attached or detached dwelling unit, resulting in a triplex or quadplex.

(b) For any allowable townhouse, quadplex or cottage cluster, up to two additional attached or detached dwelling units, resulting in additional townhouse or cottage cluster units or attached or detached five-unit or six-unit developments.

(4) The additional units under this section are subject to the regulations under ORS 197A.420 (5), except that a city must allow commensurate increases to the developable area, floor area, height or density requirements to allow for the development of the units.

Category 1B: This category is available to all housing types. While Category 1B (10-Year Mixed-Income Housing) uses some thresholds which are similar to those that can be required through an Inclusionary Zoning program, it is not intended to implement ORS 197A.465 (the statute authorizing inclusionary zoning). The 10-year duration aligns with the multiple-unit tax abatement program (ORS 307.600-.637), which also runs for 10 years. Housing eligible for Category 1B may also be eligible for that tax abatement program (if available), and it may be more complicated and harder on the development finances if the affordability obligation outlasts the tax abatement. However, jurisdictions could choose to require a longer duration. The recommended approach is to also include in this bonus category projects where 10% of the units are available to households earning 60% of the area median income (AMI).

To preclude projects from meeting the criteria by simply providing smaller units as the affordable units, the criteria also require a comparable unit mix between affordable and market rate housing. The

example below shows this calculation for a 100-unit apartment complex with 80 market rate units and 20 affordable units. In this example, the project meets the criteria as follows:

- The average number of bedrooms per unit for all affordable units (1.025) is the same or greater than the average number of bedrooms per unit for all market rate units (0.88);
- The average number of bathrooms per unit for all affordable units (1.35) is the same or greater than the average number of bathrooms per unit for all market rate units (1.13); and
- The average floor area per unit for all affordable units (512.5 SF) is no less than at least 90% of the average floor area per unit of all market rate units (506.25 SF).

Example: 100 Unit Apartment with 20 Affordable Units

	Unit Type	Count	Bdrms	Ave. Bdrm	Bath	Ave. Bath	SF	Ave SF
Market Rate 80 units	Studio	10	0.5		1		350	
	Studio	30	0.5		1		450	
	1 Bdrm	20	1		1		600	
	1 Bdrm	10	1		1		700	
	2 Bdrm	10	2		2		900	
	Subtotal		80	70	0.88	90	1.13	45000
								506.25 at 90%
Affordable 20 units	Studio	5	0.5		1		350	
	Studio	8	0.5		1		450	
	1 Bdrm	0	1		1		600	
	1 Bdrm	0	1		1		700	
	2 Bdrm	7	2		2		700	
	Subtotal		20	20.5	1.025	27	1.35	10250

Category IC: This category is available to all housing types. The affordability thresholds in Category IC (30-Year Affordable Housing) are comparable to those in ORS 197A.445 (Affordable Housing Allowed Outright). There are two options. One option requires that all of the units be available to own or rent to households with incomes of 80% AMI or less. The other option allows more flexibility in the specific income limits – the average of all units on the property is made available to families with incomes of 60% AMI or less. This means that the income limits of the units can vary as long as the average of the designated units does not exceed 60% AMI (e.g., some units could be above 80% AMI as long as other units were priced low enough to compensate). Categories IC and ID are potentially the most challenging to achieve and therefore offer the greatest bonuses.

Category ID: This category is available to all housing types. Category ID (90-Year Moderate Income Cooperative Housing) provides bonuses for cooperative housing arrangements, such as residential cooperatives and land trusts, that will keep housing affordable for 90 years. ORS 456.270 defines a

“moderate income household” as a household with income less than or equal to 120% and greater than 80% AMI.

Category 2A: See above.

Category 2B: This category is available to all housing types. The “Standard for Accessible and Usable Buildings and Facilities” published by the International Code Council is a reference to ICC A117.1-2017, which is referenced by the state building code. The exception for townhouses is in recognition that that type of housing is typically 2 or 3 stories, and thus, it may not be practical to make the entire townhouse adaptable.

8.2 Bonuses by Housing Type

The model code provides a bonus table for each housing type. The “Qualified Projects” section preceding the table specifies how the bonus categories in Section 8.1 are applied to a specific project. For example, for a triplex or quadplex project to qualify for Category IA, at least one unit on the parent lot must meet the 10-year affordable homeownership unit criteria. The “Bonuses Earned” section specifies the limitations on how the earned bonuses can be used within a development. Each table identifies the type and amount of bonus that can be earned.

An individual unit can count toward meeting up to one affordability category (Cat. IA – ID) 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. However, some bonuses require that all of the units in the project meet affordability criteria for the category to be achieved – in those cases it would not be possible for units within a development to qualify for different affordability categories. However the bonuses are earned, the cap represents the maximum number of units, FAR, height, etc. allowed for the project. The exception to this general rule are “retained units” within a middle housing development that are permitted pursuant to Section 1.4. Retained units do not count toward the maximum number of units allowed on a lot.

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	1.1:1	+0.15	+0.3	+0.15	1.4:1
• 4 total dwelling units	1.2:1	+0.15	+0.3	+0.15	1.5:1
• 5 - 6 total dwelling units (with bonus)	1.2:1	+0.2	+0.4	+0.2	1.6:1
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

What the code allows with no bonus

The additional units, FAR, height, etc. earned for each bonus provided

The maximum a project can achieve with bonuses*

* For middle housing, the “cap” on units is the maximum except that retained units allowed per Section 1.4 do not count toward the maximum number of units allowed on a lot.

Chapter 9 – Procedures and Applications

This section includes provisions for review procedures (ministerial and administrative) and several types of land use applications. These sections are intended to assist cities in implementing the housing standards of the model code. Pursuant to OAR 660-008-0430, cities may also be required to apply these review procedures as part of an enforcement order from LCDC if they fail to fulfill certain housing-related obligations.

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.

This section lays out the application requirements, review procedure, and appeal options for ministerial reviews. These procedures could apply to various types of ministerial decisions, including Zoning Review, which is included in the model code, but also including other types of decisions that a city makes without using discretion.

A few explanatory notes for the Ministerial procedure:

- **Completeness Review:** A ministerial decision is not a “permit, limited land use decision or zone change,” meaning that the procedural requirements of ORS 227.178 do not apply.

However, the model code includes the same completeness review timeline (30 days) as ORS 227.178 for consistency.

- **Decision Timeline:** The model code indicates that ministerial decisions are made by the Planning Official within 60 days. Again, ministerial reviews are not subject to the 120-day timeline required by ORS 227.178. However, cities often process ministerial decisions in less than 60 days and could specify a shorter timeline if voluntarily adopting the model code.
- **Appeals:** The model code does not provide an opportunity for local appeal of a ministerial decision. Generally, these decisions are appealed to Circuit Court since decisions that are not land use decisions or limited land use decisions are not appealable to LUBA.

9.3 Procedure – Limited Land Use Decision

The limited land use decision (i.e., administrative decision) procedures closely mirror ORS 197.195 Limited Land Use Decisions and ORS 227.178. These statutes were recently amended by HB 3395 (2023), SB 1537 (2024), and SB 48 (2025).

A few explanatory notes for the limited land use procedure:

- **Decision Timeline:** This section requires the city to make a final decision on a limited land use application within 120 days of the application being deemed complete (ORS 227.178(1)). It also includes a 100-day maximum for affordable housing applications, which is required for cities with populations over 5,000 (ORS 197A.470).
- **Completeness Review:** This section implements requirements in ORS 227.178(2)-(4).
- **Applicable Standards and Criteria:** This section implements ORS 227.178(3), which was updated by Oregon Laws 2024, chapter 110 allowing applicants to opt into new housing regulations. Where a city has updated its housing regulations after an applicant has submitted a land use application, the applicant may request that their application be reviewed under the newly adopted standards.
- **Notice of Pending Decision:** This section implements the noticing and comment-period requirements of ORS 197.195(3)(b)-(c).
- **Notice of Decision:** This section also implements ORS 197.195(3). However, the list of recipients for the notice of decision is limited those who have standing in the land use review or that requested a copy of the decision.
- **Appeals:** The model code recognizes that appeals of administrative decisions are heard by different bodies in different cities. The model code uses a general term of “Appeal Body,” which is defined in Section 10.2 as follow: “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.

9.4 Application - Zoning Review

Zoning reviews are equivalent to “site plan review” or “development review” in some cities. Zoning review is subject to a ministerial or limited land use decision depending on the size of the development, or whether the applicant is requesting a modification. In both cases, applicants are able to choose whether they submit the full building permit application or just submit a site plan for planning review prior to the building permit submittal.

The model code allows most housing through a ministerial approval process. However, the intent of requiring limited land use review for larger developments is to enable a limited public process for larger-scale projects which may be more impactful, and to provide notice to neighboring properties. Keep in mind that while administrative review allows for use of discretion in decision making, the model code includes only clear and objective standards for housing. (However, some discretion is needed for review of Modifications, per Section 9.5.)

9.5 Application - Modification

Discretionary modifications can be requested for all standards and all housing types (affordable and market rate). The clear and objective model code regulations are designed to be applied in a wide range of locations and situations. Modifications provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the model code regulations. Modifications are an optional, discretionary review pathway under ORS 197A.400(3). Because the criteria are discretionary, development applications that include Modifications are reviewed as a limited land use decision.

The approval criteria rely on a set of “considerations” established in Section 9.5(C). Applicants must demonstrate how the modification will equally or better address the consideration(s) applicable to the standard being modified. Some standards may require applicants to address more than one consideration. For example, modifications of entry orientation standards must address considerations for both pedestrian access and a safe and comfortable pedestrian-oriented environment.

This section does not implement mandatory adjustments under Oregon Laws 2024, chapter 110, section 38.

9.6 Middle Housing Land Divisions

Middle housing land division (MHLDD) is a required process for medium and large cities subject to ORS 197A.420. This section reflects the requirements of ORS 92.031 and ORS 197A.420. This includes the new provisions of Oregon Laws 2025, chapter 476. Additional notes are included below:

- **Applicability:** Eligible zoning districts and housing depends on the ORS requirements for middle housing and MHLDDs in Medium and Large Cities, or whether a city chooses to allow MHLDDs beyond ORS requirements. With Oregon Laws 2025, chapter 476, cities must allow:
 - Additional “bonus” units (implemented in the model code by Sections 8.2.1-8.2.4); and
 - Up to two existing units that are retained on the site (per model code Section 1.4).

These bonus and retained units must also be allowed to be divided through a MHLD (although two retained units are treated as a single unit for the purpose of an MHLD – meaning they will be located on the same child lot).

For Medium Cities, ORS 197A.420 requires only two units to be allowed (plus bonus and retained units). However, the recommended approach for Medium Cities is to allow all middle housing types, and to allow all types to be divided by an MHLD.

Oregon Laws 2025, chapter 476 also clarified that a “development” eligible for an MHLD is limited to a single duplex, triplex, quadplex, cottage cluster, or a single structure containing townhouses. For example, if an applicant proposes a townhouse project with multiple sets of attached townhouses, each separate structure must be placed on a separate parent lot, and be reviewed through a separate MHLD. Previously, it was unclear whether a large townhouse project could be processed as a single MHLD.

- **Application Timing and Sequencing:** This section incorporates other new provisions of Oregon Laws 2025, chapter 476, which specifies that MHLDs may be submitted before, after, or concurrently with building permit applications. It also specifies that MHLDs may be submitted at the same time as an application for a standard land division that creates the parent lots.
- **Further Division of Child Lots.** This recommended provision responds to Oregon Laws 2025, chapter 476, section 14(6):

ORS 92.031(6) Notwithstanding ORS 197A.425 (1) and subsection (4)(d) and (e) of this section, a city or county may prohibit or add approval criteria to the allowance of a new accessory dwelling unit on, or a subsequent middle housing land division of, a lot or parcel resulting from a middle housing land division:

(a) To the extent allowed under this section and ORS 197A.420; and

(b) Provided that the middle housing land division lots or parcels may be used to create housing that is at or above the minimum density for the zoning of the land.

Prior to the law, the statute simply indicated that local governments were not required to allow further division of MHLD child lots. Now local governments have the option of doing so under certain circumstances. The recommended model code provision specifies that this is only permitted if the further land division would allow oversized lots to further developed or would enable the minimum density standards to be met.

- **Tentative Plan Approval Criteria.** The criteria reflect ORS requirements. Regarding requirements related to utility connections for each unit (subsection (C)(3)): the original MHLD statute required separate utilities for each lot as an approval criterion. While HB 2138 removed this requirement specifically for water and wastewater connections, it adds: (4) *In reviewing an application for a middle housing land division, a city or county ... (g) May require separate water and wastewater utilities for each dwelling unit.*

As such, the base criterion in the model code is to require separate utility service connections for each child lot. However, a recommended add-on to this criterion is to allow an applicant to propose shared utilities only if they record a legal agreement such as a CC&R to ensure ongoing maintenance of any shared utilities.

- **Tentative Plan Conditions of Approval.** This section reflects the allowed conditions under ORS 92.031(3). Subsection (E)(1)(b)(iii) includes a recommended provision that reflects a new allowance under Oregon Laws 2025, chapter 476. The original statute stated that local governments are not required to allow ADUs on a child lot created by an MHL. The revised statute (quoted above) indicates that governments may allow ADUs on child lots provided they are “used to create housing that is at or above the applicable minimum density standard.” The recommended model code provision also reflects that ADUs may be provided as “bonus” units under Section 8.2.
- **Tentative Plan Procedure.** This section incorporates revised provisions for MHL and expedited land divisions. The law clarifies that this expedited procedure is available upon request:

(4) In reviewing an application for a middle housing land division, a city or county:

(a) Shall apply the procedures applicable to an expedited land division under ORS 197.365, if requested by the applicant and without regard to the criteria in ORS 197.360 (1).

Oregon Laws 2025, chapter 476 also significantly streamlined the expedited procedure. It removed the notice requirement for properties within 100 feet of the site, and instead limits notice to just the applicant. Only the applicant may appeal a decision. Oregon Laws 2025, chapter 476 also removed the special appeal procedures for expedited land divisions/MHLs. MHLs are now considered “land use decisions” and may be appealed to LUBA.

Chapter 10 – Measurement Methodologies and Definitions

10.1 Measurement Methodologies

10.1.1 Floor Area and Floor Area Ratio

This section describes measurements for floor area, average cottage size, and floor area ratio (FAR). The model code regulates floor area (i.e., building size) for ADUs as well as for cottages, accessory structures, and garages in a cottage cluster. The code uses FAR to regulate the overall bulk or intensity of development for all housing types except cottage clusters.

The list of areas of a building that are excluded from the “floor area” calculation (per subsection (B)(1)) is generally intended to exclude:

- Floors that are mostly below-ground or below-grade, as they do not meaningfully contribute to building intensity (for example, daylight basements on sites that slope down from the street).

-
- Areas that are not reasonably usable as habitable space (e.g., areas where a sloped ceiling falls below a certain height); and
 - Exterior features that do not contribute to building intensity, such as carports, porches, and balconies.

Additional areas are excluded from the FAR calculation, per subsection (C). In combination, these exclusions help keep the floor area and FAR standards relatively flexible and avoid penalizing developments for providing certain beneficial features in a building.

10.1.2 Height

For the sake of consistency and simplicity, the model code relies on the building code’s calculation of building height. For reference, the 2025 Oregon Structural Specialty Code and the 2023 Oregon Residential Specialty Code use the following definitions:

HEIGHT, BUILDING. The vertical distance from grade plane to the average height of the highest roof surface.

GRADE PLANE: A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

10.1.3 Minimum Density

All housing types in the model code except for ADUs are subject to minimum density requirements. The intent of minimum density requirements is to ensure that housing allowed under the model code meets a baseline of efficient use of land, with certain provisions built in to encourage unit additions and accessible housing. Rather than using minimum units per acre, which is less intuitive on sites under 1 acre, the model code expresses minimum density as the maximum amount of land allowed per unit. This can be easily converted to units per acre by dividing the area of an acre (43,560 sf) by the maximum land area per unit. For example:

Triplex and quadplex min. density: 1 unit per 3,630 sf of net site area.

$$43,560 \text{ sf} \div 3,630 \text{ sf} = 12 \text{ units per net acre}$$

Additional notes about the minimum density calculations:

- **Net Site Area.** The minimum density calculation relies on “net site area,” which excluded constrained lands from the site area calculation. Applicants can choose to exclude the following areas of a site as constrained lands:
 - Goal protected lands (e.g., natural resources protected under Goal 5 and natural hazards protected under Goal 7);
 - 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).

The latter provision is intended to encourage the retention of existing units on a site where multi-unit housing will be built. Subtracting the land around the existing units from net site area makes the minimum density standard easier to meet.

- **Flexibility for Affordable Housing.** The model code offers additional flexibility for affordable housing by allowing units with 3 or more bedrooms may be counted as 2 units for the purposes of complying with minimum density. This responds to comments from affordable housing providers that strict minimum density standards can be difficult to meet for developments that provide “family-size” units with multiple bedrooms.
- **Exceptions.** Several of the exceptions to minimum density are intended to support the retention of existing units on a site – by exempting conversions to middle housing, addition of an ADU, and addition of middle housing to a lot with retained units. Also, to avoid precluding mixed-use development, sites with at least a small amount of commercial space (5% of floor area) are also exempt from meeting minimum density requirements.

10.1.4 Building Setbacks

This section includes explanations and several refinements and exceptions to the building setback standards. As noted, the garage entrance setback standards are intended to prevent parked vehicles from overhanging the sidewalk by ensuring adequate driveway length (or minimal length that would preclude “halfway” driveways where vehicles are likely to partially obstruct the sidewalk).

The list of setback exceptions excludes a number of minor building features that are allowed to extend into a setback.

10.1.5 Required Outdoor Area and Usable Open Space

As noted, the list of areas that count toward the minimum outdoor area is very flexible, and includes all areas not covered by buildings or vehicle parking/circulation areas.

Useable open space is only required for multi-unit housing. The list of amenities that can be used to meet the usable open space standards in subsection (B)(2) accounts for a wide range of needs and preferences. This includes indoor community spaces, which can count towards up to 50% of usable open space requirements, per Section 6.2.6(A)(3)(c).

10.1.6 Vehicle Parking

This section includes specifications for parking spaces that are used to meet *minimum* parking requirements (only applicable for Medium Cities), including eligible on-street spaces. It also includes exceptions for affordable housing, small units (<1,000 sf), and converted units.

The limit on *maximum* parking applies to all parking on site, excluding ADA parking spaces and tandem parking spaces. The exception for tandem parking spaces is intended to allow for a garage and driveway.

10.1.7 Bicycle Parking

The model code only requires bicycle parking for multi-unit housing. This reflects requirements for long-term bicycle parking from the OAR, included below. The model code also requires some short-term bicycle parking for multi-unit housing in Medium and Large Cities.

660-012-0630 (3) Cities and counties shall require a minimum of one-half of a covered bicycle parking space per unit for multi-unit and mixed-use residential uses. Cities and counties may:

- (a) Allow for reductions or exemptions to the minimum parking requirement based on development-specific considerations; and*
- (b) Exempt or reduce the minimum parking requirement for certain types of residential uses that are likely to have less future demand for bicycle parking.*

The location and design standards for long-term bicycle parking in model code subsection 10.1.7(B) reflect the following OAR requirements. While not required by the OAR, the design standards for short-term bicycle parking are intended to ensure that these spaces are accessible and of adequate dimensions.

660-012-0630 (4) Cities and counties shall adopt development regulations requiring all required bicycle parking provided must:

- (a) Either allow ways to lock at least two points on a bicycle, or be within a lockable space only available to authorized users;*
- (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position where it may be secured without conflicts from stairs, other parked bicycles, walls, or other obstructions;*
- (c) Be in a location that is convenient and well-lit; and*
- (d) Include bicycle parking spaces to accommodate large bicycles, including family and cargo bicycles.*

10.1.8 Windows and Doors

This section clarifies what areas count toward minimum window and door area requirements. Windows in garage doors and windows into functional spaces (e.g., storage, mechanical, and garbage/recycling areas) do not count. In multi-unit housing, doors into similar functional spaces do not count.

10.2 Definitions

This section defines key terms used in the model code. Many of these definitions originated in the state's Middle Housing Model Code for Large Cities. Following are explanatory notes about a few of the definitions.

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- “Accessible unit” – This definition is from Oregon Laws 2025, chapter 476 and relies on terms and specifications in the state building code.
 - “Adaptable unit” – This definition mirrors the “accessible unit” definition, but references “Type B” units from the building code.
 - “Affordable housing” includes several types of affordability, each of which is tied to definitions in statute. See commentary in Section 8.1 for a description of each affordability bonus category.
 - The “Housing Type” definition acknowledges that several of the housing definitions overlap. For example, four detached units on a lot could be a cottage cluster, a detached quadplex, or a detached single-unit dwelling with three ADUs, depending on the configuration. However, the applicant may find that there are different advantages to defining a development as one type vs. another. As such, this section allows the applicant to choose which housing type(s) apply at the time of the application.
 - “Cottage cluster” – As noted, the model code definition slightly modifies the ORS definition (as updated by Oregon Laws 2025, chapter 476) to clarify the meaning of “subgroupings of up to four units.”
 - “Site” – This definition varies based on the housing type. These distinctions are meaningful because FAR, minimum density, and outdoor area standards are calculated based on a development “site.”
 - For townhouses, “site” includes a single townhouse structure and all the lots underneath. As such, FAR, minimum density, and outdoor area standards are calculated based on a townhouse site, not each townhouse lot (and not the overall townhouse project, if it includes more than one site).
 - For detached single-unit and all other types of middle housing, “site” means a single lot (i.e., a parent lot if units are divided by a middle housing land division).
 - For multi-unit housing, “site” refers to a property that is subject to a development application. A multi-unit development could be proposed across multiple abutting properties under the same ownership. This is intended to support flexibility and to avoid the need for lot consolidation prior to development.

Template Sample Ordinance – Adoption by Reference

[OAR 660-008-0415](#) allows cities to adopt, in whole or in part, a model ordinance by reference on land zoned for residential use within an urban growth boundary. There are three model ordinances targeted by city size. A city may always adopt a model ordinance targeted towards its size or for a larger city size¹³. These include:

- The [Housing Model Code for Small Cities](#) – Cities with a population less than 2,500.
 - The [Housing Model Code for Medium Cities](#) – Cities with a population of 2,500 or greater and less than 25,000
 - The [Housing Model Code for Large Cities](#) – Cities with a population of 25,000 or greater
- Note: “Model code” and “model ordinance” are interchangeable terms.*

Model ordinances are divided into smaller “modules” that allow a city to adopt part of a model ordinance, including for just one housing type. Table 1a through c lists all modules included for each model code. A city may choose to adopt one or more modules. When adopted, the model codes do not repeal or amend any existing land use regulations. Instead, adopted model codes simply provide a new option that applicants may consider when producing housing where the model code applies.

A city may choose to apply a module for only one housing type; for example, a city could adopt a module allowing triplexes, but not quadplexes, even though both are contained within the same module. The model ordinances contain “recommended” standards which are optional recommended promising practices but allow for deviation at the discretion of a city (see Table 2 below for more detail and instructions).

To adopt a model code or module, a city must:

- a) Specify the model ordinance, module, or modules proposed for adoption, including the Land Conservation and Development Commission adoption date,
- b) Specify the precise area, zones, or comprehensive plan designations the ordinance or module(s) apply¹⁴, and
- c) If proposing deviations from a recommended standard or standards, specify the standard(s) that apply in lieu of the recommended standard(s).

The sample ordinance on the following page is designed to aid any city with this process. A city may modify this template to suit its specific needs. If you have any questions or need implementation support, please reach out to HAPO via the [inquiry intake form](#).

¹³ Some cities and specific areas within counties are defined as “medium” or “large” cities regardless of population size. See [ORS 197A.015](#) and [197A.420](#) for more detail.

¹⁴ [OAR 660-008-0410](#) and [OAR 660-008-0415](#) contain a few limitations about where and how a model ordinance may be adopted and applied. Please review these before proceeding with adoption by reference.

Post Acknowledgement Plan Amendment Notice

State law requires local governments to notify the public when proposing a change to an acknowledged comprehensive plan or a land use regulation. Part of the process includes notice to DLCD. These amendments are formally known as a “post-acknowledgement plan amendment” or more simply, a “PAPA”.

When a local government adopts a model ordinance or module(s) by reference, the local government also must provide notice as part of the PAPA process. For instructions on how to submit a PAPA to DLCD, please review the following webpage: <https://www.oregon.gov/lcd/CPU/Pages/Plan-Amendments.aspx>

PAPAs are most often submitted via DLCD’s PAPA Online portal. For instructions on how to submit a PAPA, please see the following User Guide: https://www.oregon.gov/lcd/CPU/Documents/PAPA_Online_User_Guide_August_2020.pdf

OAR 660-008-0415 – Model Code Sample Ordinance Language

[INSTRUCTIONS]: This document provides sample ordinance language a city may consider in adopting a model code by reference under [OAR 660-008-0415](#). This document includes instructions in [brackets] to aid implementation. Bracketed instructions should be removed when developing a draft ordinance for city adoption.]

City of _____

Ordinance ###

Adopting Housing Model Ordinances by Reference

Whereas, there is a statewide need to promote housing availability and affordability and affirmatively furthering fair housing.

Whereas, the Housing Model Code for [Small/Medium/Large] Cities facilitates housing production, affordability, and choice under Goal 10.

Whereas, the Housing Model Code for [Small/Medium/Large] Cities provides a means by which the city can comply with housing laws.

Whereas, the City of _____ Comprehensive Plan [goal/policy citation] calls for [list applicable goals and policies that relate to allowing greater housing diversity and choices to community members].

The City of _____ hereby adopts the Housing Model Code for [Small/Medium/Large] Cities (OAR 660-008-0415)

- As subsequently amended by the Land Conservation and Development Commission
- Version dated [list date provided on the rule attachment in [OAR 660-008-0415](#)]

The Housing Model Code for [Small/Medium/Large] Cities modules to be applied within the City of _____ are specified below in Tables 1a through 1c [except as modified by Table 2]. Following the effective date of this ordinance, the City of _____ shall allow applicants for the development of housing to apply the provisions of the selected modules to developments within the zones or locations identified in Table 1.

Table I. Model Code Modules by City Population Size

[INSTRUCTIONS: Cities may adopt a model code or a module that is targeted towards its population size or targeted toward a larger city. A module is a component part of a model code that can be applied by itself, and a city may adopt any individual module, multiple modules, or the full model code. The tables below outline every module for each city size model code. Select the modules that the city intends to adopt by reference. City sizes include:

- “Small cities” are cities with a population of less than 2,500
- “Medium cities” are cities with a population of 2,500 or greater and less than 25,000
- “Large cities” are cities with a population of 25,000 or greater

Note: Some cities and specific areas within counties are defined as “medium” or “large” cities regardless of population size. See [ORS 197A.015](#) and [197A.420](#) for more detail.

“General requirements” apply to the entire code and must be selected/checked. Cities intending to apply the Model Code in its entirety (including all recommended elements) should check all boxes. If the city intends to adopt a module only for one housing type in a module that contains multiple housing types, remove the housing type that the city does not intend to allow.

Cities intending to adopt alternative standards which differ from recommended standards of the Model Code should also complete Table 2.]

Table 1a: Housing Model Ordinance for Small Cities Modules

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	General requirements - Applicability, Relationship to Other Regulations, Definitions and Measurement Methodology, and Exception to Certain Design Standards [NOTE: always required to be checked]	Section 1.1 to 1.4, Chapter 10	All zones/areas listed below
Housing Type Modules			
<input checked="" type="checkbox"/>	Detached Single-Unit and Duplex – All Standards	Chapter 2	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Triplex and Quadplex – All Standards	Chapter 3	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Townhouse – All Standards	Chapter 4	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Cottage Cluster – All Standards	Chapter 5	[List all zones/areas that will be subject to these standards]

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	Multi-Unit Housing – All Standards	Chapter 6	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Accessory Dwelling Unit – All Standards	Chapter 7	[List all zones/areas that will be subject to these standards]
Procedures and Applications			
<input checked="" type="checkbox"/>	Ministerial Decision Procedure	Section 8.1, 8.2	All zones/areas listed above are subject to the selected procedures and applications
<input checked="" type="checkbox"/>	Limited Land Use Decision Procedure	Section 8.1, 8.3	
<input checked="" type="checkbox"/>	Zoning Review Application [NOTE: requires Sections 8.2 and 8.3]	Section 8.1 to 8.4	
<input checked="" type="checkbox"/>	Modification [NOTE: requires Section 8.3]	Section 8.1, 8.3, 8.5	
<input checked="" type="checkbox"/>	Middle Housing Land Division	Section 9.6	

Table 1b: Housing Model Ordinance for Medium Cities Modules

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	General requirements - Applicability, Relationship to Other Regulations, Definitions and Measurement Methodology, and Exception to Certain Design Standards [NOTE: always required to be checked]	Section 1.1, 1.2, Section 1.3, Section 1.5, Chapter 10	All zones/areas listed below
Housing Type Modules			
<input checked="" type="checkbox"/>	Retention of Existing Units with Middle Housing – All Standards	Section 1.4	All zones/areas listed below
<input checked="" type="checkbox"/>	Detached Single-Unit and Duplex – All Standards	Chapter 2	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Detached Single-Unit or Duplex</i>	Section 8.2.1	
<input checked="" type="checkbox"/>	Triplex and Quadplex – All Standards	Chapter 3	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Triplex or Quadplex</i>	Section 8.2.2	
<input checked="" type="checkbox"/>	Townhouse – All Standards	Chapter 4	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Townhouses</i>	Section 8.2.3	
<input checked="" type="checkbox"/>	Cottage Cluster – All Standards	Chapter 5	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Cottage Cluster</i>	Section 8.2.4	
<input checked="" type="checkbox"/>	Multi-Unit Housing – All Standards	Chapter 6	

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	<i>Bonuses for Multi-Unit Housing</i>	Section 8.2.5	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Accessory Dwelling Unit – All Standards	Chapter 7	[List all zones/areas that will be subject to these standards]
<i>Procedures and Applications</i>			
<input checked="" type="checkbox"/>	Ministerial Decision Procedure	Section 9.1, 9.2	All zones/areas listed above are subject to the selected procedures and applications
<input checked="" type="checkbox"/>	Limited Land Use Decision Procedure	Section 9.1, 9.3	
<input checked="" type="checkbox"/>	Zoning Review Application [NOTE: requires Sections 9.2 and 9.3]	Section 9.1 to 9.4	
<input checked="" type="checkbox"/>	Adjustments [NOTE: requires Section 9.3]	Section 9.1, 9.3, 9.5	
<input checked="" type="checkbox"/>	Middle Housing Land Division	Section 9.1, 9.6	

Table 1c: Housing Model Ordinance for Large Cities Modules

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	General requirements - Applicability, Relationship to Other Regulations, Definitions and Measurement Methodology, and Exception to Certain Design Standards [NOTE: always required to be checked]	Section 1.1, 1.2, Section 1.3, Section 1.5, Chapter 10	All zones/areas listed below
<i>Housing Type Modules</i>			
<input checked="" type="checkbox"/>	Retention of Existing Units with Middle Housing – All Standards	Section 1.4	All zones/areas listed below
<input checked="" type="checkbox"/>	Detached Single-Unit and Duplex – All Standards	Chapter 2	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Detached Single-Unit or Duplex</i>	Section 8.2.1	
<input checked="" type="checkbox"/>	Triplex and Quadplex – All Standards	Chapter 3	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Triplex or Quadplex</i>	Section 8.2.2	
<input checked="" type="checkbox"/>	Townhouse – All Standards	Chapter 4	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Townhouses</i>	Section 8.2.3	
<input checked="" type="checkbox"/>	Cottage Cluster – All Standards	Chapter 5	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	<i>Bonuses for Cottage Cluster</i>	Section 8.2.4	
<input checked="" type="checkbox"/>	Multi-Unit Housing – All Standards	Chapter 6	

<input checked="" type="checkbox"/>	Modules	Model Code Citation	Zones [or Locations]
<input checked="" type="checkbox"/>	<i>Bonuses for Multi-Unit Housing</i>	Section 8.2.5	[List all zones/areas that will be subject to these standards]
<input checked="" type="checkbox"/>	Accessory Dwelling Unit – All Standards	Chapter 7	[List all zones/areas that will be subject to these standards]
<i>Procedures and Applications</i>			
<input checked="" type="checkbox"/>	Ministerial Decision Procedure	Section 9.1, 9.2	All zones/areas listed above are subject to the selected procedures and applications
<input checked="" type="checkbox"/>	Limited Land Use Decision Procedure	Section 9.1, 9.3	
<input checked="" type="checkbox"/>	Zoning Review Application [NOTE: requires Sections 9.2 and 9.3]	Section 9.1 to 9.4	
<input checked="" type="checkbox"/>	Adjustments [NOTE: requires Section 9.3]	Section 9.1, 9.3, 9.5	
<input checked="" type="checkbox"/>	Middle Housing Land Division	Section 9.1, 9.6	

Table 2. Recommended Standards

[INSTRUCTIONS: The model codes contain “recommended” standards, which are standards contained within a model ordinance that represent promising practice but allow for optional deviation where adopted or applied by a city. This is designed to give cities more flexibility in adopting a model code by reference. Recommended standards are demarcated or otherwise explicitly identified as recommended in brackets and with clear labelling in the code to indicate that it is recommended. See the excerpt below from the Housing Model Code for Small Cities for an example:

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 (two-unit) dwelling on a lot. Accessory dwelling units are addressed in Chapter 7.

TABLE 2.1 SITING STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX	
Maximum Building/Structure Height (see Section 9.1.3)	35 ft
Minimum Setbacks (see Section 9.1.4)	
<ul style="list-style-type: none"> ● Front and street side building setback 	10 ft
<ul style="list-style-type: none"> ● Side (interior) building setback 	5 ft
<ul style="list-style-type: none"> ● Rear building setback 	10 ft
<ul style="list-style-type: none"> ● Garage entrance setback <ul style="list-style-type: none"> ○ Garage entrances facing a public street access (driveway length) ○ Garage entrances with alley access 	18 ft 5 ft
Minimum Required Outdoor Area (see Section 9.1.5)	30% of lot area
[Recommended: Vehicle Parking (see Section 9.1.6)	
<ul style="list-style-type: none"> ● Minimum number of off-street spaces 	1 space per unit]

If a city adopts an alternative standard, that alternative standard applies in lieu of the recommended standard. Otherwise, the recommended standard applies by default. Note that standards not explicitly demarcated as “recommended” cannot be amended by a city adopting a model ordinance by reference.

Cities that intend to adopt alternative standards which differ from recommended standards in the model code should complete Table 2. We also recommend including an attachment combining and reconciling the model code and local alternative standards, so applicants clearly understand which standards apply to an application. Delete the table if not needed.]

Table 2: Local Modifications of Housing Model Code Recommendations

Recommended Small Cities Housing Model Code Section	Replacement Provision
[List recommended section(s) of Housing Model Code for Small Cities to be replaced or not applied]	[Provide citation of replacement code provision from local zoning code or if recommended Model Code provision will not be replaced or applied, write: "NONE"]

Sample Application Forms – Zoning Review

[Note for Local Governments: Zoning Review is intended to ensure that a proposed housing development meets the standards of the Housing Model Code for Small Cities (OAR 660-008-0410(1)(a); adopted December 4, 2025). Approval of a Zoning Review application is required for development of a new detached single-unit dwelling, accessory dwelling unit, middle housing, and multi-unit housing on an existing lot or parcel. A Zoning Review application may be processed concurrently with a building permit application or submitted in advance of a building permit application.

This Zoning Review application form is optimized for small cities (generally those with a population of less than 2,500)¹⁵ and for use when applying the standards of the Housing Model Code for Small Cities.¹⁶ However, this form may be modified and adapted for larger cities and for other application types administered by a city.

An editable Word version of this document may be accessed at the following link:

https://www.oregon.gov/lcd/Housing/Documents/HousingModelCodes_Implementation_Guidance.docx

Instructions: Please complete the following application form and checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact [Local Government Department Name], [phone], [email], [mailing address].

A. Property Information

Property Address or Legal Description	
Assessor’s Map	
Tax Lot Number	
Zoning	
Lot Area (Acres/square feet)	

B. Project Information

Housing Type (check one)

¹⁵ “Small cities” excludes any Metro cities with populations of 1,000 or greater and all cities within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnne, Neskowin, Netarts, Oceanside and Pacific City/Woods.

¹⁶ This form refers to the Housing Model Code for Small Cities as the “Housing Model Code.”

- | | |
|---|---|
| <input type="checkbox"/> Detached Single-Unit | <input type="checkbox"/> Accessory Dwelling Unit (ADU) |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Cottage Cluster – No. of Units _____ |
| <input type="checkbox"/> Triplex | <input type="checkbox"/> Townhouse – No. of Units _____ |
| <input type="checkbox"/> Quadplex | <input type="checkbox"/> Multi-unit – No. of Units _____ |

Is this application being submitted concurrently or in advance of a building permit application? Concurrent In advance

Is this application being submitted concurrently with other land use applications (e.g., Middle Housing Land Division)? Yes No

If yes, list the application type(s): _____

Are any of the following present on the subject property? (check all that apply)

[List local government overlay zones or code sections that implement goal protected lands.]

- Goal 5 Significant Natural Resources
- Goal 7 Natural Hazard Areas (floodplain, landslide hazards, etc.)
- Goal 15 Willamette Greenway
- Other: _____

C. Review Procedure

Check all that apply:

- Applicant is requesting one or more Modifications pursuant to Housing Model Code Section 8.5. (If selecting this item, please complete Section E of this form.)
- Development with more than 20 units
- Site size greater than 1 acre (43,560 square feet)
- None of the above

Note: Applications are subject to the following review procedures:

- **Ministerial Review:** Applies to developments on sites 1 acre or smaller and proposing 20 or fewer units, with no Modifications requested (see Housing Model Code Section 8.2).
- **Administrative Review under ORS 197A.400(5):** Applies to developments on sites larger than 1 acre or proposing more than 20 units, with no Modifications requested.

- **Limited Land Use Review:** Required when one or more Modifications are requested pursuant to Housing Model Code Section 8.5. (See Section 8.3 for Limited Land Use Review procedures.)

D. Application Submittal Requirements

[Specify local requirements for application format (digital, hard copy, or both), and number of copies, if applicable.]

- Applications must be filed with the required fee, based on the [local government] fee schedule.
- Provide one of the following:
 - (If available) Zoning Review checklist indicating how the proposed development complies with applicable standards (see Section G).
 - A detailed written statement describing how the proposed development complies with each standard applicable to the proposed housing type(s) contained in the Housing Model Code, and any other applicable standards in the [local development code].

(Note: it is the applicant's responsibility to provide adequate information demonstrating how the project satisfies the applicable approval criteria. Failure to provide such information may result in a denial of your application.)

- A site plan drawn accurately to scale that shows the following existing and proposed information. Plans must provide details related to applicable development or design standards.
 - 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 [list applicable local government 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.
- Building elevations showing required entries and windows and associated dimensions.

- 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.
- Other required technical reports, such as geotechnical report or stormwater analysis.

E. Application Submittal Requirements: Modification

Modifications are optional. If the proposal does not include a modification, please skip this section.

An applicant may request one or Modifications of the standards in the Housing 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 Housing Model Code Section 8.3. The following submittal requirements are in addition to the submittal requirements listed for Zoning Review, above.

- Applications must be filed with the required fee, based on the [local government] fee schedule.
- A written statement for each requested Modification explaining how the application satisfies each of the applicable criteria and standards in sufficient detail. At a minimum, the written statement must describe how the following criteria are met:
 - The Modification will equally or better facilitate housing production, affordability, and choice under Goal 10.
 - Granting the Modification will not impact the ability of the provision of sufficient infrastructure.
 - Any significant negative impacts resulting from the Modification are mitigated to the extent practical.
 - The proposed development will equally or better address all of the considerations listed in the table below (Table 8.5 from the Housing Model Code) applicable to the standard(s) to be modified.

CONSIDERATIONS FOR GRANTING A MODIFICATION		
Check all that apply	For Modifications of standards relating to:	Considerations for granting a Modification include:
<input type="checkbox"/>	Setbacks, building height, building floor area, and required outdoor area	The proposed modification(s) do not decrease setbacks or required outdoor area, or increase building height or building floor area, by more than 10 percent. 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.

CONSIDERATIONS FOR GRANTING A MODIFICATION		
Check all that apply	For Modifications of standards relating to:	Considerations for granting a Modification include:
<input type="checkbox"/>	Minimum vehicle parking	Whether the reduction in parking will help the city meet its transportation, environmental, housing production, affordability, and accessibility goals.
<input type="checkbox"/>	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.
<input type="checkbox"/>	Entry orientation and pedestrian access	Opportunities to ensure pedestrian friendly neighborhoods, on-site pedestrian access, and pedestrian connections to the street.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	Off-street parking design; driveway & 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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	Screening of Parking Areas and Trash Storage	Opportunities to minimize impact of parking areas and trash storage on the pedestrian environment; and, for trash storage, to minimize the impact on abutting residential properties.
<input type="checkbox"/>	Screening from Arterials	Opportunities to minimize noise and air quality impacts from abutting transportation facilities on residents.

F. Ownership and Applicant Information

By signing, the undersigned certifies that they have read and understood the submittal requirements outlined, and that they understand that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

OWNER (Also the Applicant? Yes / No):

Name (print): _____ Phone: _____

Address: _____ City/State/Zip: _____

Signature: _____ Email: _____

APPLICANT / **APPLICANT'S REPRESENTATIVE** (Check one):

Name (print): _____ Company/Organization: _____

Address: _____ City/State/Zip: _____

Phone: _____ Email: _____

Signature: _____

APPLICANT'S REPRESENTATIVE / **DESIGNATED CONTACT PERSON** (Check all that apply):

Name (print): _____ Company/Organization: _____

Address: _____ City/State/Zip: _____

Phone: _____ Email: _____

Signature: _____

G. Checklist Sample

To further expedite the development review process, local jurisdictions should consider preparing a Zoning Review checklist for each applicable housing type (e.g., detached single-unit, triplex, cottage cluster). Checklists are intended to provide a structured format for applicants to demonstrate compliance with applicable clear and objective standards, without the applicant having to prepare a detailed written narrative responding to the approval criteria. A completed checklist may be submitted in lieu of a detailed written narrative for Zoning Review applications subject to ministerial review.

Each checklist should be formatted to:

- Identify each applicable standard;
- Provide a clear method for the applicant to demonstrate compliance (e.g., numeric entry, yes/no selection, or exemption); and
- Reference the plans, elevations, or other submittal materials that demonstrate compliance.

Checklists do not replace required plans, elevations, or other application materials. Sufficient detail must be provided in submitted drawings to verify compliance with all applicable standards.

Where an applicant requests a Modification pursuant to Section 8.5 of the Housing Model Code, a written statement addressing the applicable approval criteria is still required.

The following checklist is provided as an sample for local governments to model their own checklists after. Checklists should be specific to the applicable standards for each housing type. The standards in the provided example are based on those in the Housing Model Code for Small Cities (OAR 660-008-0410(1)(a)) for detached single-unit dwellings and duplexes.

Zoning Review Checklist: Detached Single-Unit and Duplex

Instructions:

Complete all applicable fields. For each standard:

- Provide the proposed value or select the applicable option;
- Indicate whether the standard is met;
- If an exemption applies, check “Exempt” and identify the applicable subsection; and
- Provide a reference to the site plan, elevation, or detail demonstrating compliance.

Refer to the Housing Model Code for Small Cities for applicable standards (Chapter 2) and measurement methodologies (Chapter 9).

SITING STANDARDS (Sec. 2.1)

Standard	Required	Proposed	Complies	Plan / Sheet Ref.
Maximum Building Height	35 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Minimum Setbacks:		_____ ft		_____
Front setback	10 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Street side setback	10 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Side (interior) setback	5 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Rear setback	10 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Garage entrance setback (street)	18 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Garage entrance setback (alley)	5 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Minimum Required Outdoor Area	30% of lot area	_____ %	<input type="checkbox"/> Y <input type="checkbox"/> N	_____
Minimum Vehicle Parking	1 space per unit	_____ spaces	<input type="checkbox"/> Y <input type="checkbox"/> N	_____

DESIGN STANDARDS (Sec. 2.2)

Entry Orientation and Pedestrian Connectivity (Sec. 2.2.1)

Requirement	Response	Complies	Exempt	Plan / Sheet Ref.
Main entry \leq 8 ft from longest wall facing front lot line	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____
Entry orientation (check one)	<input type="checkbox"/> Faces street <input type="checkbox"/> $\leq 45^\circ$ angle <input type="checkbox"/> Porch/patio	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____
Porch/patio (if used) \geq 25 sq ft	_____ sq ft	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____
Walkway provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____
Walkway width \geq 2 ft	_____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____

Exemption (if applicable):

- Structure separated from street per Sec. 2.2.1(B)
- Accessible/adaptable unit

Explanation: _____

Windows and Doors (Sec. 2.2.2)

Facade	Wall Area	Window / Door Area	% Provided	% Required	Complies	Exempt	Plan / Sheet Ref.
Primary street-facing facade	_____ sq ft	_____ sq ft	_____ %	15%	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____
Secondary street-facing facade	_____ sq ft	_____ sq ft	_____ %	10%	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	_____

Exemption (if applicable):

- Façade separated from street per Sec. 2.2.2(B)(1)
- Façade more 40 ft from street per Sec 2.2.2(B)(2)
- Façade faces an alley per Sec 2.2.2(B)(3)

Explanation: _____

Off-Street Parking Areas (Sec. 2.2.3)

Parking Frontage

Calculation formula:

(Total garage + parking width) ÷ frontage width = % frontage

Item	Value
Street frontage width	____ ft
Garage + parking width	____ ft
% frontage	____%
Maximum allowed	50%
Complies	<input type="checkbox"/> Y <input type="checkbox"/> N
Plan / Sheet Ref.	_____

Exemption (if applicable):

- Accessible/adaptable unit
- Alley access
- Garage/parking area separated from street per Sec. 2.2.3(B)(2)

Explanation: _____

Total Driveway Width

Maximum	Proposed	Complies	Plan / Sheet Ref.
32 ft	____ ft	<input type="checkbox"/> Y <input type="checkbox"/> N	_____

Exemption (if applicable):

- Accessible/adaptable unit
- Alley access

Explanation: _____

OTHER APPLICABLE STANDARDS

The following standards may apply in addition to the Housing Model Code (see Sec. 1.3):

- Public works / public utilities standards
- Goal-protected lands / overlay zones
- Minimum density
- Tree protection, retention and planting
- Landscaping design, installation and maintenance
- Parking lot design
- Sustainability and greenhouse gas reduction
- Other: _____

Explanation / references:

Middle Housing Land Division Tentative Plan

[Note for Local Governments: This Middle Housing Land Division application form is intended for use by Medium and Large Cities (generally those with a population of 2,500 and above)¹⁷ when applying the standards of the Housing Model Code for Medium or Large Cities, pursuant to OAR 660-008-0410.¹⁸

An editable Word version of this document may be accessed at the following link:

https://www.oregon.gov/lcd/Housing/Documents/HousingModelCodes_Implementation_Guidance.docx

Middle Housing Land Division (MHL D) – Overview

MHL D is 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 ORS 197A.421. MHL Ds are regulated by ORS 92.031 **[and Local Government MHL D Code Section]**. For a lot or parcel with existing or proposed middle housing, an MHL D provides a simplified land division process that results in each middle housing unit being on its own lot or parcel (“child lot”).¹⁹

Note: An MHL D requires both a tentative plan and final plat. A separate application for Final Plat Review **[in accordance with Local Government Code Section]** must be submitted after the Tentative Plan is approved. The final plat must also be approved by the County Surveyor (or designee). The child lots will be created when the approved MHL D final plat is recorded. The tentative approval of an MHL D is void if and only if a final subdivision or partition plat is not approved within three years of tentative approval, or, if submitted concurrently with a standard subdivision or partition, within the approval period applicable to the concurrent tentative plan (ORS 92.031(8)).

Instructions: Please complete the following application form and checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact **[Local Government Department Name]**, **[phone]**, **[email]**, **[mailing address]**.

¹⁷ “Large cities” also includes Metro cities with populations of 1,000 or greater and all cities within Tillamook County and the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods.

¹⁸ This form refers to the State of Oregon Housing Model Code for Medium Cities (OAR 660-008-0410(1)(b)) and the Housing Model Code for Large Cities (OAR 660-008-0410(1)(c)) collectively as the “Housing Model Code.”

¹⁹ Except as provided in ORS 197A.420(4)(c).

A. Property Information

Property Address or Legal Description	
Assessor's Map	
Tax Lot Number	
Zoning	
Lot Area (square feet)	

B. Project Information

Middle housing type (check one)

- Duplex
- Cottage Cluster
- Triplex
- Townhouse
- Quadplex

Number of dwelling units

Existing non-middle housing units (to be retained): _____

Existing or proposed middle housing units: _____

Note: All existing non-middle housing units to be retained (up to 2 units) must be located on a single child lot. Each new unit must be on its own child lot.

Middle housing status (check all that apply)

- Existing: Middle housing already constructed
- Approved: Building permits for middle housing have been approved
- Concurrent: Building permits submitted concurrently with this application
- Future: Building permit(s) for middle housing will be submitted after land division approval. (If selecting this item, see Section D.5 of this form.)

If checking more than one box above, explain: _____

Are any of the following present on the subject property? (check all that apply)

[List local government overlay zones or code sections that implement goal protected lands.]

- Goal 5 Significant Natural Resources
- Goal 7 Natural Hazard Areas (floodplain, landslide hazards, etc.)

- Goal 15 Willamette Greenway
- Other: _____

Does the project include middle housing created via conversion of an existing dwelling unit(s), per OAR 660-046-0130 or OAR 660-046-0230? Yes No

Is this application being submitted concurrently with other land use applications (e.g., Zoning Review, standard subdivision/partition, etc.)? Yes No

If yes, list the application type(s): _____

Will separate utility service connections be provided for each child lot? Yes No

C. Review Procedure

Unless the applicant requests to use the procedure for an expedited land division, as provided in Housing Model Code Section 9.6(F)(2), the MHLD shall be reviewed under the same procedure that applies to a standard land division.

Expedited Procedure Summary: no public notice is required; the Planning Official’s decision is due within 63 days of when the application is deemed complete; the applicant is the only party who can appeal the decision; and an appeal would go to the Land Use Board of Appeals (LUBA).

Standard Procedure Summary [modify as needed]: public notice is required; the Planning Official’s decision is due within [number] days of when the application is deemed complete; the applicant and any person or organization that submitted written comments during the comment period may appeal the decision; and an appeal would go to the [local appeal authority].

Does the applicant request to follow the expedited land division procedure or the standard land division procedure? Standard Expedited

D. Submittal Requirements

[Specify local requirements for application format (digital, hard copy, or both), and number of copies, if applicable.]

- Applications must be filed with the required fee, based on the [local government] fee schedule.

I. Written Statement

- Submit a detailed written statement describing how the proposed MHLD complies with each of the Tentative Plan Approval Criteria (Housing Model Code Section 9.6(C)). (Note: it is the applicant’s responsibility to provide adequate information demonstrating how the project satisfies the applicable approval criteria. Failure to provide such information may result in a denial of your application.)

2. Tentative Plan Requirements

- Existing address (if any), section, township, range, and legal description sufficient to define the location and boundaries of the proposed land division site.
- Names and addresses of the owner(s), developer(s), surveyor, and engineer, as applicable.
- Vicinity Map, extending at least 200 feet in each direction from the subject site, showing existing conditions for both the site and the vicinity including streets, pedestrian and bicycle facilities and connections, and the location of utilities and services.
- Plans illustrating the proposed land division. All plans must be drawn to scale and include a north arrow and date. The required information listed below may be grouped on several maps. The location of items not required to be surveyed must be accurately shown on the maps.
 - Surveyed information:
 - Boundary lines of the site with dimensions and total site area.
 - Proposed lot/parcel layout with sizes, dimensions, and for a subdivision, lot numbers.
 - Proposed tract layout with sizes, dimensions, purpose, and name.
 - Proposed layout and widths of all rights-of-way including dimensioning and roadway width and proposed name of any new streets.
 - Dimensions of proposed right-of-way dedications, including dedication to existing rights-of-way.
 - Proposed location, dimensions, and purpose of all easements.
 - North arrow and scale of map.
 - Identification as the Tentative Plan Map.
 - Stamp of surveyor.
 - If more than 3 lots are proposed, the proposed name of the subdivision
 - Existing development, including dimensions and distances to property lines. Structures and facilities to remain must be identified.
 - Location and dimensions of existing driveways, curb cuts, and sidewalks on the site and in the abutting right-of-way.
 - Location, dimensions, and purpose of existing and proposed easements on and abutting the site. This must include all easements required by Housing Model Code approval criterion 9.6(C)(4).
 - Site plan with proposed development and existing development to remain, including the information listed below. (Note: These plans must match the building permit submittal, for approved or concurrent building permit applications.)

- Location, setbacks and height of all existing and proposed structures, including those under pending building permits. Indicate whether existing structures will remain or be removed. For future building permits, indicate the proposed building footprint.
- Indicate that there is one dwelling unit on each proposed child lot, as required by Housing Model Code approval criterion 9.6(C)(2), except for:
 - Lots, parcels, or tracts used as common areas; or
 - Lots with two retained or rehabilitated existing units, as allowed under ORS 197A.420(4)(c).
- Any other information necessary to show that the approval standards are met. (Also, see Section 3, below, for public utility and improvement plan requirements.)

Additional Plan Information. The following may not apply to every site. If an item does not apply to this proposal, write “NA” in the box.

(Note: The Housing Model Code does not allow 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. Proposed impacts to Goal Protected Lands may trigger additional permit requirements.)

- Width, direction, and flow of all watercourses on the site.
- Areas within the 100-year floodplain and other areas subject to inundation or storm water overflow, with approximate high-water elevation. State the base flood elevation (BFE); label and show the floodplain boundary.
- Locations of mapped natural resources and natural hazard areas, pursuant to [List local government overlay zones or code sections that implement goal protected lands].

3. Public Utility and Improvement Plans

The following required information may be grouped on several maps. All plans must be drawn to scale and include a north arrow and date.

Water Supply:

- Show a diagram (including diameters) of proposed water service and connections to existing water mains.
- Show that each child lot is served in accordance with Housing Model Code approval criterion 9.6(C)(3).
- Show existing and proposed fire hydrants within 200 feet of the subject site.

Wastewater:

- Show the location and flow line elevation of the existing public wastewater sewer at proposed connection point(s).

- Show the existing and proposed wastewater sewer layout, including service to each proposed child lot.
- Show that each child lot is served in accordance with Housing Model Code approval criterion 9.6(C)(3).

Storm Drainage:

- Show the general layout, type, and location of proposed stormwater management methods. Stormwater reports/calculations must be provided as necessary to demonstrate compliance with [local government stormwater manual/standards].
- Show that each child lot is served in accordance with Housing Model Code approval criterion 9.6(C)(3).

Streets:

- Show the location and widths of all existing and proposed streets and bike and pedestrian access ways adjacent to the site. Identify the street classification of all streets. Show existing and proposed curbs and sidewalks on the subject site and abutting the site.
- Note on plan the location, size and species of existing and proposed street trees.
- Note on plan the location of any existing or proposed street lights.

4. Additional Documentation

- Provide 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 Housing Model Code approval criteria 9.6(C)(1), (5), and (6). (Note: To be eligible for an MHL, middle housing must meet the standards of the Oregon Residential Specialty Code. Other building codes also apply, such as the Plumbing and Mechanical Specialty Codes.)

* To satisfy this submittal requirement, “comparable information” must be sufficient to demonstrate that each proposed lot can accommodate a dwelling unit that complies with applicable building code standards., including:

- Scaled building plans (floor plans and elevations) showing building layout, dimensions, and basic elements affecting code compliance (e.g., height, openings, and general configuration); and
 - A brief code summary or statement identifying the proposed occupancy and construction type and indicating that the design is capable of meeting applicable building code requirements.
- If separate utility connections are not provided for each child lot, pursuant to Housing Model Code approval criterion 9.6(C)(3), include copies of a recorded Covenant, Condition, or

Restriction (CC&R) outlining the shared maintenance obligations of individual owners for all shared utilities. Indicate what legal entity will be responsible for shared maintenance obligations.

5. Compliance with Middle Housing Requirements

If building permit application(s) will be submitted after approval of the MHLD, the following additional information is required to demonstrate that the middle housing development complies with regulations applicable to the parent lot, in accordance with Housing Model Code criterion 9.6(C)(1)(b).

- 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.
- Other required technical reports, such as geotechnical report or stormwater analysis.

NOTICE STATEMENT: If the [local government] Fire Marshal (or their designee) determines that there is inadequate water supply, apparatus access, or both, to the site for the development of one and two family dwellings that will be subject to the Oregon Residential Specialty Code, the [local government] Building Official (or their designee) may require compliance with one or more of the fire suppression or fire containment Uniform Alternate Construction Standards set out at OAR 918-480-0125(4) and (5).

E. Owner and Applicant Information

By signing, the undersigned certifies that they have read and understood the submittal requirements outlined, and that they understand that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

OWNER (Also the Applicant? Yes No):

Name (print): _____ Phone: _____

Address: _____ City/State/Zip: _____

Signature: _____ Email: _____

APPLICANT / **APPLICANT'S REPRESENTATIVE** (Check one):

Name (print): _____ Company/Organization: _____

Address: _____ City/State/Zip: _____

Phone: _____ Email: _____

Signature: _____

APPLICANT'S REPRESENTATIVE / **DESIGNATED CONTACT PERSON** (Check all that apply)

Name (print): _____ Company/Organization: _____

Address: _____ City/State/Zip: _____

Phone: _____ Email: _____

Signature: _____

OREGON LICENSED SURVEYOR*:

*If surveyor has signed the site plans or tentative plat, signature below is not required.

Name (print): _____

Company/Organization: _____ PLS #: _____

Address: _____ City/State/Zip: _____

Phone: _____ Email: _____

Signature: _____