
Draft Housing Model Code

How to Read this Model Code

As described in the “Model Code Discussion Memo,” DLCD is directed to produce Model Codes under SB 1564 for three city sizes: small cities (< 2,500), medium cities (2,500 - 25,000), and large cities (25,000+). Each Model Code must address four specific housing types: detached single-unit, accessory dwelling unit, middle housing, and multi-unit dwellings.

Since many of the draft standards are similar for all three city sizes, for ease of review and comparison, this draft consolidates code language for all three city sizes into a single document. Requirements that are unique to a city size are noted as such. This consolidation means the draft is lengthy, even though the regulatory standards applied to a given housing type in a given city size are relatively brief and simple. Ultimately, there will be three separate Model Codes (one for each city size), with separate sections for each housing type, which could be adopted separately by reference.

The draft Model Code is written as a regulatory document and may be challenging to navigate for non-code experts. The “Model Code Discussion Memo” helps explain how the code is intended to function. In addition, reviewers may benefit by reviewing Section 10.1 (Measurement Methodologies) before starting on the standards for each housing type. This will provide helpful context for the development standards.

Most importantly, this Model Code is a draft and intended as a starting point for discussion. Substantial refinement and calibration of the standards will occur prior to the final version, to ensure that the standards facilitate the policy objectives for the broader program. The Housing Action Work Group’s input is an important part of that effort.

Formatting notes:

Gray highlighted text

Where commentary and background information about the standards are provided within the draft, they are highlighted in gray. This text is expected to be removed from the final Model Code.

[Text in brackets]

Text that could potentially be included in the final Model Code but that is not essential to the standards. In addition, there are a few numeric ranges that have yet to be specified that are also shown in brackets. Please keep in mind that most numeric standards are initial drafts that will need calibration before the code is finalized.

Text noted as
“Recommended”

To help find a balance between promising practice and useability (especially for smaller cities where use of the Model Code will be optional), certain standards are noted as “recommended.” In these cases, a city could specify alternative standards when adopting the Model Code by reference.

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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 serve multiple functions:

- To provide guidance and promising practices to local governments in facilitating housing production, affordability, and choice under Goal 10.
- Fulfill statutory direction to provide model codes that local governments can adopt in full or in part, by reference. These codes must provide clear and objective standards for the development of the following housing types: detached single-unit (DSU) housing, middle housing (MH), accessory dwelling units (ADU), and multi-unit housing (MU). The code must be segmented by city population size, including cities with populations below 2,500, cities with populations between 2,500 and 25,000, and cities with populations greater than 25,000.
- Provide a compliance and regulatory tool that:
 - Establishes promising practices related to model codes by which local governments may comply with housing laws and to remedy identified violations of housing laws for use by the Housing Accountability and Production Office (HAPO).
 - Apply directly to residential development for cities with a population of 10,000 or greater that LCDRC has issued an enforcement order for failure to enter or abide the terms of a housing acceleration agreement.

I.2 Applicability

- A. Applicability to Development.** The standards apply to new residential development in all zones that allow residential uses.
- B. Exceptions.** The standards in the Model Codes do not allow the following:
 1. The development of housing on Goal Protected Lands, unless otherwise permitted by a city's development code through clear and objective standards, criteria, and procedures.
 2. The development of housing on lands that do not allow residential uses unless otherwise allowed by statute.
- C. Adjustments.** An applicant may request an adjustment to any quantitative standard in this code in accordance with the applicable city procedures for adjustments or modifications. **Note, Mandatory Adjustments, per SB 1537, may be added as a future Model Code module.**

I – General Provisions

I.3 Relationship to Other Regulations

- Subsection (A)(2) is intended to allow applicants the option of choosing a city's existing development standard(s) if that would allow more housing (e.g., a city has smaller setbacks than specified in the Model Code). 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.
- Subsection (B) recognizes the Model Code needs to be usable for cities adopting by reference – especially small cities. The provisions in (B) explain that certain standards are "recommended" which allows small cities to specify alternative standards when adopting code.
- The list in (C) clarifies the types of regulations that the Model Code does not supersede and is generally based on SB 1537 (Adjustments).

A. Conflicts.

1. Except as provided in subsections 2, below, in the event of a conflict between this Model Code and other development and design standards applicable to regulated housing, the standards of this Model Code control.
2. If a locally adopted land use development standard conflicts with this Model Code but it would allow the development of more housing (additional square footage and/or units), an applicant may comply with either the standard in this Model Code or the locally adopted standard.

B. Recommendations when Adopting Model Code by Reference. Where a code provision in this Model Code is identified as "recommended" a city may specify alternative standards when adopting and applying the Model Code by reference. Where the city does not specify an alternative standard, the "recommended" standard applies.

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

1. Public works standards. Exceptions granted to single-unit dwellings shall also be granted to duplexes.
2. Protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).
3. Regulations related to the following:
 - i. Tree protection, retention and planting.
 - ii. Landscaping design, installation and maintenance including, but not limited to, materials and planting requirements.
 - iii. Parking lot design and installation, including, but not limited to, shading, screening, materials, and layout.
 - iv. Sustainability and greenhouse gas reduction.

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

I – General Provisions

1. Health and safety, including, but not limited to, fire ingress or egress and vehicle access.
2. Hazardous or contaminated site clean-up, wildlife protection, or statewide land use planning goals relating to natural resources, natural hazards, the Willamette River Greenway, estuarine resources, coastal shorelands, beaches and dunes or ocean resources.
3. Implementation of fire or building codes, federal or state air, water quality or surface, ground or stormwater requirements or requirements of any federal, state or local law other than a land use regulation.

I.4 Conversions

The Middle Housing Model Code allows conversions of a detached single-unit dwelling to a duplex, and conversion of a detached single-unit dwelling or a duplex to a triplex or quadplex. With the passage of HB 2138, this section will likely need to be updated to reflect the following requirements:

(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.

When these provisions are incorporated into the final Model Code, additional revisions to clarify the relationship of housing type definitions, development standards such as scaled FAR, and bonus provisions in Chapter 8 will also be made.

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

Chapter 2 – Detached Single-Unit and Duplex

Note, the Model Code is intended to be organized so that a city can adopt by reference the standards for a single type of housing. The final version of the code may need to break apart the single-unit and duplex provisions, or otherwise clarify how they can be adopted separately, by reference.

Sections:

2.1 Development Standards - Detached Single-Units and Duplex

2.2 Design Standards - Detached Single-Unit and Duplex

2.1 Development Standards - Detached Single-Unit and Duplex

The development standards in Table 2.1 apply to Detached Single-Unit and Duplex. Standards applicable to a lot (i.e., FAR, minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division. For qualified projects, the standards in Table 2.1 may be modified by the applicable bonuses in Chapter 8.

Large Cities:

TABLE 2.1 DEVELOPMENT STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX: LARGE CITIES	
Minimum Size for New Lots (see Section 10.1.1) Section 10.1.1 includes details about how lot size is determined as well as exceptions. Minimum lot size would apply to the creation of new lots only (excluding through middle housing land divisions). Housing development on existing lots would not be subject to this standard, although minimum density and maximum FAR would still apply. Lot size averaging would also be allowed.	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2) The draft approach increases FAR by the number of units on a site, creating more flexibility and effectively giving a bonus for more housing units. Note (1) allows up to 1,000 sf of floor area for an added unit (ADU or second unit in a duplex), even if maximum FAR is exceeded. Chapter 8 offers additional FAR bonuses for affordable and/or accessible projects. FAR includes area dedicated to garages. See Section 10.1.2 for additional details about how FAR is calculated as well as exceptions (e.g., accessory structures under a certain size.)	
<ul style="list-style-type: none"> 1 total dwelling unit 	0.6 to 1
<ul style="list-style-type: none"> 2 to 3 total dwelling units (Duplex or DSU + up to 2 ADUs) (1) 	0.9 to 1
Maximum Building/Structure Height (see Section 10.1.3) Section 10.1.3 includes details about how height is calculated (vertical distance from the grade plane to the average height of the highest roof structure) and well as alternative measurements for steeply sloped lots and exceptions for appurtenances such as roof mounted solar panels.	35 ft
Minimum Density (see Section 10.1.4) The minimum density shown is the equivalent of 8 units/net acre. In order to avoid penalizing sites with constrained lands minimum density is based on the net site area. Section 10.1.4 includes details about how minimum density is calculated. Affordable housing projects would have the option of calculating density on a “per bedroom” basis.	1 unit per 5,700 sf of net site area
Minimum Setbacks (see Section 10.1.5) Section 10.1.5 includes details about how setbacks are measured. Exceptions are provided	

2 – Detached Single-Unit and Duplex

TABLE 2.1 DEVELOPMENT STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX: LARGE CITIES	
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. To encourage alleys, where a rear lot line abuts an alley, one half of the width of the alley will count toward meeting the rear setback. Garage entrance setbacks apply to front and street side lot lines, not alley lot lines.	
<ul style="list-style-type: none"> • Front building setback 	5 ft
<ul style="list-style-type: none"> • Side building setback 	5 ft
<ul style="list-style-type: none"> • Rear building setback 	5 ft
<ul style="list-style-type: none"> • Garage entrance setback 	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6) Section 10.1.6 includes details about how required outdoor area and usable open space are calculated. The intention is to keep the list very flexible. All areas not covered by building or vehicle parking/circulation could be counted toward required outdoor area. Useable open space is not required for detached single-unit dwellings and duplexes.	
<ul style="list-style-type: none"> • Required Outdoor Area 	15% of lot area
<ul style="list-style-type: none"> • Usable Open Space 	None
Vehicle Parking (see Section 10.1.7) Section 10.1.7 includes details about how off-street vehicle parking spaces are measured and calculated. For parking minimums (if any), there would be a credit for adjacent on-street spaces.	
<ul style="list-style-type: none"> • Minimum number of off-street spaces 	None
<ul style="list-style-type: none"> • Maximum number of off-street spaces 	2 spaces per unit
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
<ul style="list-style-type: none"> • Short-term Spaces 	None
<ul style="list-style-type: none"> • Long-term Spaces 	None
NOTES: (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.	

2 – Detached Single-Unit and Duplex

Medium Cities: – Recommended for cities below 10,000 population

TABLE 2.1 DEVELOPMENT STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX: MEDIUM CITIES	
Minimum Size for New Lots (see Section 10.1.1)	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
• 1 total dwelling unit	0.6 to 1
• 2 to 3 total dwelling units (Duplex or DSU + up to 2 ADUs)	0.8 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Minimum Density (see Section 10.1.4) Equivalent to 8 units / net acre	1 unit per 5,700 sf of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	15% of lot area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing, ADUs, and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
NOTES: (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.	

2 – Detached Single-Unit and Duplex

Small Cities: – Recommended

TABLE 2.1 DEVELOPMENT STANDARDS - DETACHED SINGLE-UNIT AND DUPLEX: SMALL CITIES	
Minimum Size for New Lots (see Section 10.1.1)	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
• 1 total dwelling unit	0.6 to 1
• 2 total dwelling units (Duplex or DSU + ADU)	0.7 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Minimum Density (see Section 10.1.4)	None
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	20% of lot area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing, ADUs, and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
NOTES: (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.	

2.2 Design Standards - Detached Single-Unit and Duplex

2.2.1 Entry Orientation and Pedestrian Connectivity

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

1. Be no more than 8 feet further back, as measured from the front lot line, than the plane of the longest street-facing wall of the front facade of the structure, and must:
 - a. Face the street (see Figure 2.2.1.a);
 - b. Be at an angle of up to 45 degrees from the street (see Figure 2.2.1.b); or
 - c. Open onto a covered porch or patio (see Figure 2.2.1.c). The porch or patio must:
 - i. Be at least 25 square feet in area; and
 - ii. Have at least one entrance facing the street; and
 - iii. If a covered patio is used to meet this standard, it must be at-grade and barrier-free and access must be available via an accessible pathway.
2. Connect to the sidewalk by a hard-surfaced pathway other than a driveway. Where there is no sidewalk abutting the property, the pathway may terminate at the street lot line.

B. Exceptions.

1. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling or buildable lot is exempt from meeting these standards.
2. Accessory dwelling units are exempt from meeting these standards.

2 – Detached Single-Unit and Duplex

Note, in the final Model Code, steps will be removed from all diagrams to avoid implying that stairs are encouraged or required.

Figure 2.2.1.a. Main Entrance Facing the Street

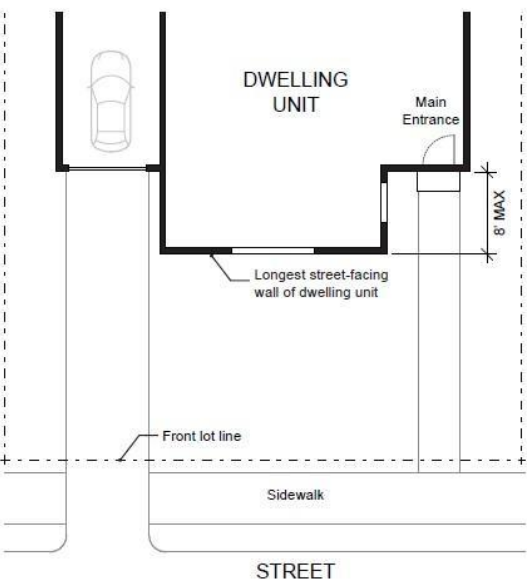


Figure 2.2.1.b. Main Entrance at 45° Angle from the Street

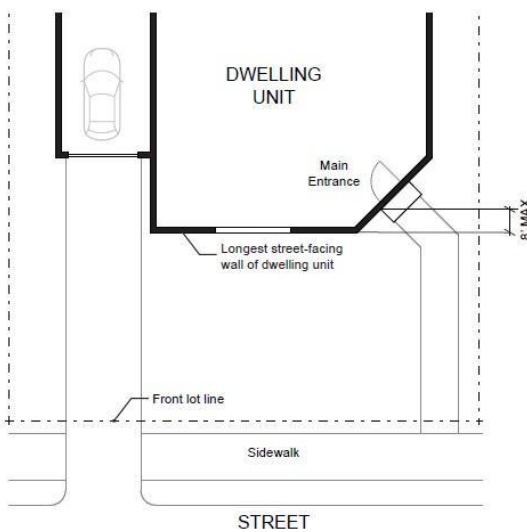
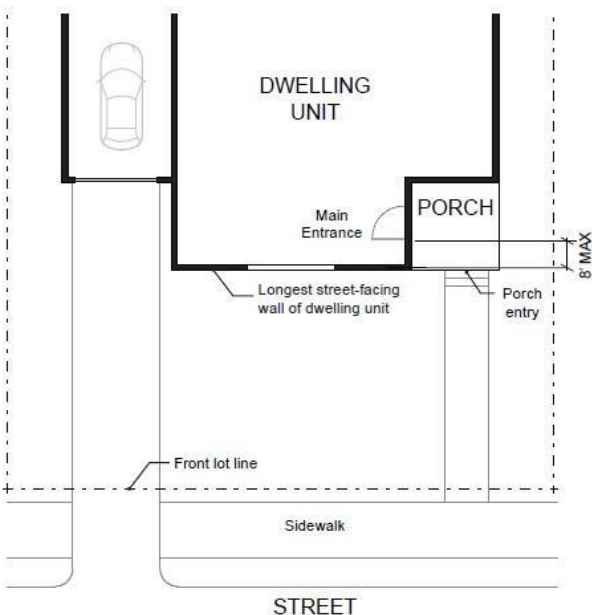


Figure 2.2.1.c. Main Entrance Opening onto a Porch



2 – Detached Single-Unit and Duplex

For discussion – additional standards from Climate-Friendly & Equitable Communities (CFEC) Walkable Design Standards.

[X.X.X Transitions to Residential Entrances. The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit. The main entrance must be set back at least 5 feet from the street lot line and have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high;
2. Landscaping that meets the [local planting standard];
3. For each street-facing entrance, one small canopy tree between 1.5 and 6 inches in diameter, that will achieve a mature canopy spread of at least 10 feet;
4. Common or private open space outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.]

2.2.2 Windows and Doors

- A. Standard.** A minimum of 15 percent of the area of all street-facing facades (other than those facing an alley) must include windows or entrance doors. See Section 10.1.9 for measurement methodology.
- B. Exceptions.** Facades separated from the street property line by a dwelling or buildable lot are exempt from meeting this standard.

2.2.3 Off-Street Parking Areas

A. Standards.

1. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (a) or (b).
 - a. The garage or off-street parking area is separated from the street property line by a dwelling; or
 - b. The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 2.2.3.a).
2. The total width of all driveway approaches must not exceed 32 feet, as measured at the property lines.

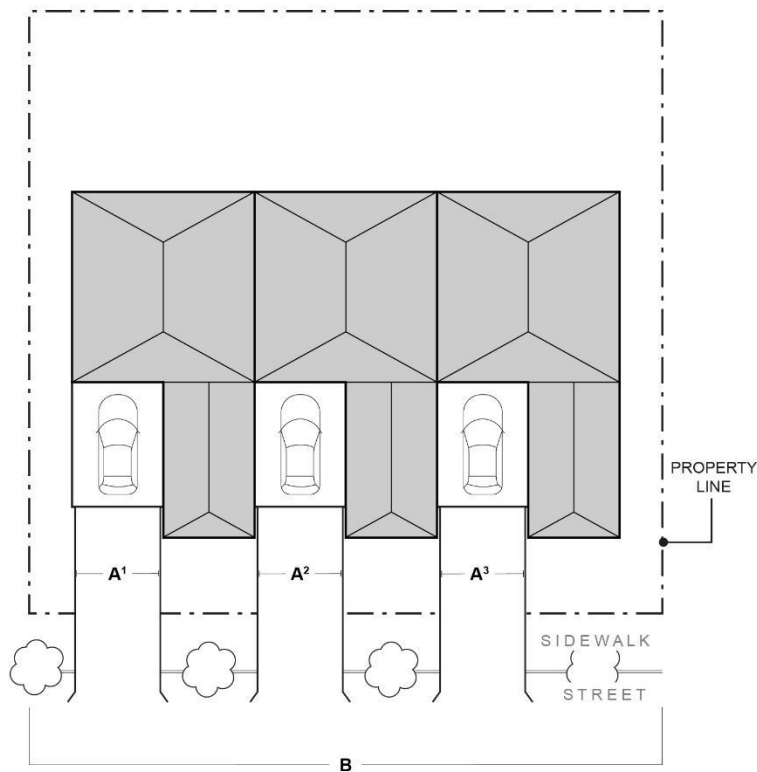
B. Exceptions.

1. Accessible or adaptable dwellings are exempt from Standard (A)(1). This exemption allows accessible or adaptable dwellings to have wider driveways to accommodate vans and loading space.
2. Alley-access lots or parcels are exempt from Standard (A)(2).

2 – Detached Single-Unit and Duplex

Figure 2.2.3.a. Width of Garages and Parking Areas

Note, an updated figure will be needed if the final Model Code includes this standard for DSU and duplex.



- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

2.2.4 Unit Configuration

The Model Code enables additional flexibility to allow detached duplex configurations where certain size, affordability, or adaptability standards are met. The current draft allows one detached unit (an ADU or duplex unit) provided it's a small unit under 1,000 sf. Larger detached units are allowed if they are affordable or accessible, per bonus options in Chapter 8.

A. Standard.

- I. Duplex units must be attached to each other except as provided in subsection (B).

2 – Detached Single-Unit and Duplex

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

B. Exceptions. Detached duplex units are permitted only where:

1. No more than one detached unit on the lot exceeds 1,000 square feet; or
2. The unit(s) are qualified projects in accordance with the bonus provisions in Chapter 8.

Chapter 3 – Triplex and Quadplex

Note, the Model Code is intended to be organized so that a city can adopt by reference the standards for a single type of housing. The final version of the code may need to break apart the Triplex and Quadplex provisions, or otherwise clarify how they can be adopted separately, by reference.

Sections:

3.1 Development Standards – Triplex and Quadplex

3.2 Design Standards – Triplex and Quadplex

3.1 Development Standards

The development standards in Table 3.1 apply to Triplexes and Quadplexes. Standards applicable to a lot (i.e., FAR, minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division. For qualified projects, the standards in Table 3.1 may be modified by the applicable bonuses in Chapter 8.

Large Cities:

TABLE 3.1 DEVELOPMENT STANDARDS - TRIPLEX AND QUADPLEX: LARGE CITIES	
Minimum Size for New Lots (see Section 10.1.1)	
<ul style="list-style-type: none">• Triplex or Quadplex	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
<ul style="list-style-type: none">• 3 total dwelling units (Triplex) On a 5,000 sf lot, this translates to an average unit size of ~1,833 sf	1.1 to 1
<ul style="list-style-type: none">• 4 total dwelling units (Quadplex)	1.4 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Minimum Density (see Section 10.1.4) This is the equivalent of approximately 16 units / net acre	1 unit per 2,720 sq ft. of net site area
Minimum Setbacks (see Section 10.1.5)	
<ul style="list-style-type: none">• Front building setback	5 ft
<ul style="list-style-type: none">• Side building setback	5 ft
<ul style="list-style-type: none">• Rear building setback	5 ft
<ul style="list-style-type: none">• Garage entrance setback	5/18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
<ul style="list-style-type: none">• Required Outdoor Area	15% of lot area
<ul style="list-style-type: none">• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
<ul style="list-style-type: none">• Minimum number of off-street spaces	None
<ul style="list-style-type: none">• Maximum number of off-street spaces	2 spaces per unit

3 – Triplex and Quadplex

TABLE 3.1 DEVELOPMENT STANDARDS - TRIPLEX AND QUADPLEX: LARGE CITIES	
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None

Medium Cities: – Recommended for cities below 10,000 population

TABLE 3.1 DEVELOPMENT STANDARDS - TRIPLEX AND QUADPLEX: MEDIUM CITIES	
Minimum Size for New Lots (see Section 10.1.1)	
• Triplex or Quadplex	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
• 3 total dwelling units (Triplex)	1.1 to 1
• 4 total dwelling units (Quadplex)	1.2 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Minimum Density (see Section 10.1.4) This is the equivalent of approximately 12 units / net acre	1 unit per 3,630 sf of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
• Garage entrance setback	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	15% of lot area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt) This is generally aligned with the Middle Housing Model Code.	1 space per triplex 2 spaces per quadplex
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None

3 – Triplex and Quadplex

Small Cities: - Recommended

TABLE 3.1 DEVELOPMENT STANDARDS – TRIPLEX AND QUADPLEX: SMALL CITIES	
Minimum Size for New Lots (see Section 10.1.1)	
<ul style="list-style-type: none"> • Triplex or Quadplex 	5,000 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
<ul style="list-style-type: none"> • 3 total dwelling units (Triplex) 	1.0 to 1
<ul style="list-style-type: none"> • 4 total dwelling units (Quadplex) 	1.1 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Minimum Density (see Section 10.1.4)	None
Minimum Setbacks (see Section 10.1.5)	
<ul style="list-style-type: none"> • Front building setback 	5 ft
<ul style="list-style-type: none"> • Side building setback 	5 ft
<ul style="list-style-type: none"> • Rear building setback 	5 ft
<ul style="list-style-type: none"> • Garage entrance setback 	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
<ul style="list-style-type: none"> • Required Outdoor Area 	20% of lot area
<ul style="list-style-type: none"> • Usable Open Space 	None
Vehicle Parking (see Section 10.1.7)	
<ul style="list-style-type: none"> • Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt) 	1 space per triplex 2 spaces per quadplex
<ul style="list-style-type: none"> • Maximum number of off-street spaces 	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
<ul style="list-style-type: none"> • Short-term Spaces 	None
<ul style="list-style-type: none"> • Long-term Spaces 	None

3.2 Design Standards - Triplex and Quadplex

3.2.1 Entry Orientation and Pedestrian Connectivity

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

1. Be no more than 8 feet further back, as measured from the front lot line, than the plane of the longest street-facing wall of the front facade of the structure.
2. Be oriented to:
 - a. Face the street (see Figure 3.2.1.a),
 - b. Be at an angle of up to 45 degrees from the street (see Figure 3.2.1.b);
 - c. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 3.2.1.c) or
 - c. Open onto a covered porch or patio (see Figure 3.2.1.d). The porch or patio must:
 - i. Be at least 25 square feet in area; and
 - ii. Have at least one entrance facing the street; and
 - iii. If a covered patio is used to meet this standard, it must be at-grade and barrier-free and access must be available via an accessible pathway.
3. Connect to the sidewalk by a hard-surfaced pathway other than a driveway. Where there is no sidewalk abutting the property, the pathway may terminate at the street lot line.

B. Exceptions.

1. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling or buildable lot is exempt from meeting these standards.

3 – Triplex and Quadplex

Note, in the final Model Code, steps will be removed from all diagrams to avoid implying that stairs are encouraged or required.

Figure 3.2.1.a. Main Entrance Facing the Street

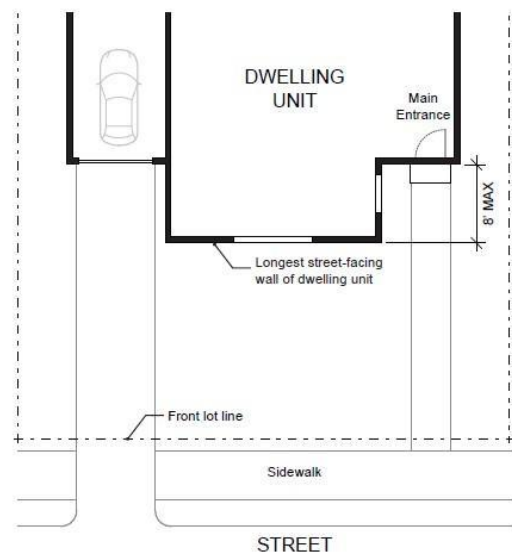


Figure 3.2.1.b. Main Entrance at 45° Angle from the Street

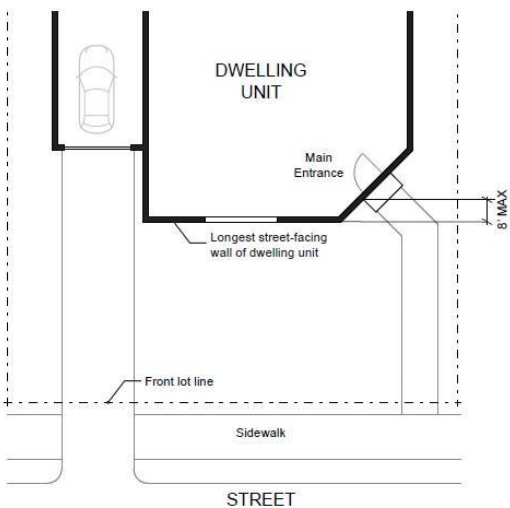


Figure 3.2.1.c. Main Entrance Opening onto a Porch

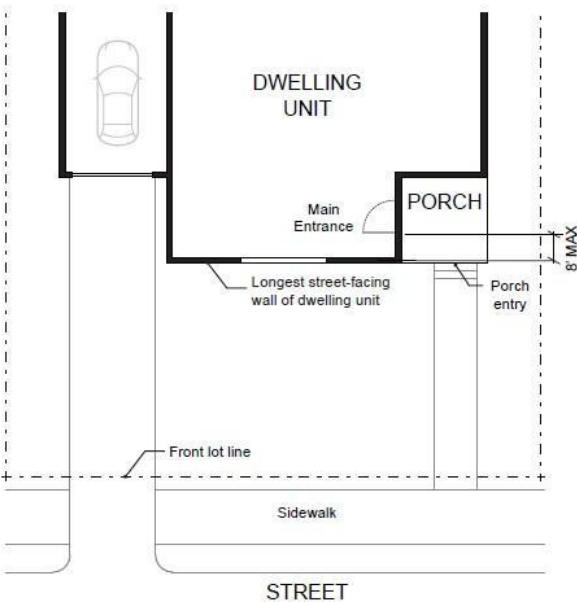
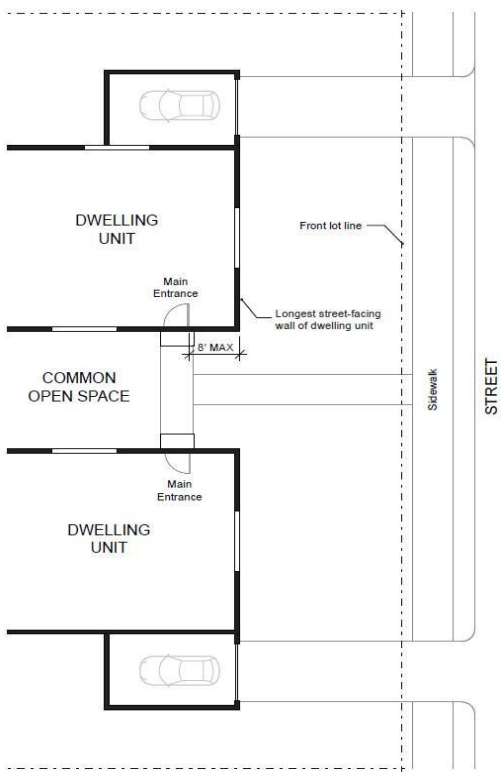


Figure 3.2.1.d. Main Entrance Facing Common Open Space



3 – Triplex and Quadplex

For discussion – additional standards from CFEC Walkable Design Standards Model Code.

[X.X.X Transitions to Residential Entrances. The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit. The main entrance must be set back at least 5 feet from the street lot line and have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high;
2. Landscaping that meets the [local planting standard];
3. For each street-facing entrance, one small canopy tree between 1.5 and 6 inches in diameter, that will achieve a mature canopy spread of at least 10 feet;
4. Common or private open space outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.]

3.2.2 Windows and Doors

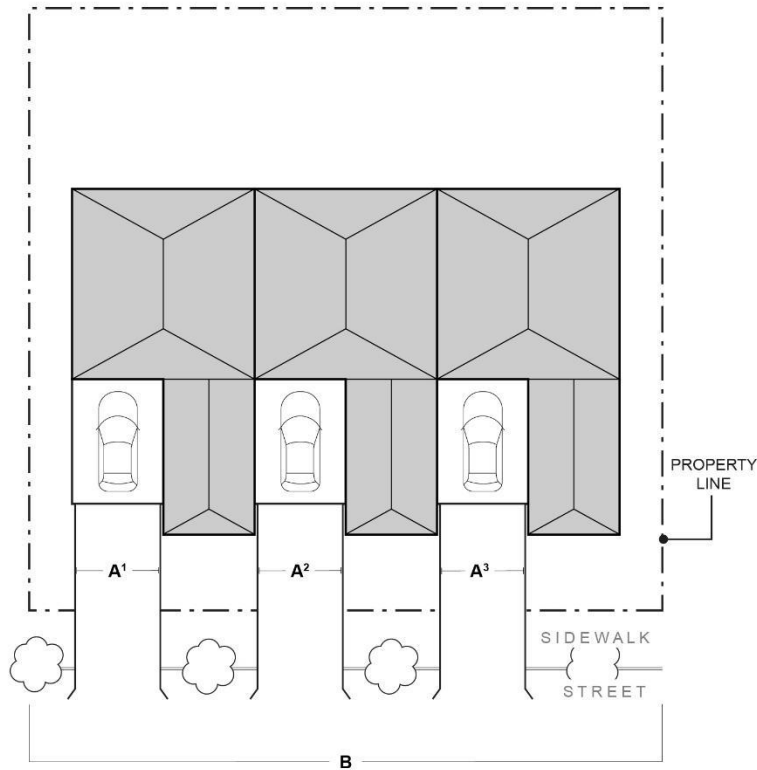
- A. Standard.** A minimum of 15 percent of the area of all street-facing facades (other than those facing an alley) must include windows or entrance doors. See Section 10.1.9 for measurement methodology.
- B. Exceptions.** Facades separated from the street property line by a dwelling or buildable lot are exempt from meeting this standard.

3.2.3 Garages and Off-Street Parking Areas

- A. Standard.** Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (1) or (2).
 1. The garage or off-street parking area is separated from the street property line by a dwelling; or
 2. The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 3.2.3.a).
- B. Exceptions.**
 1. Accessible dwellings are exempt from meeting this standard.

3 – Triplex and Quadplex

Figure 3.2.3.a. Width of Garages and Parking Areas



- A** Garage and on-site parking and maneuvering areas
- B** Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

3.2.4 Driveway Approach

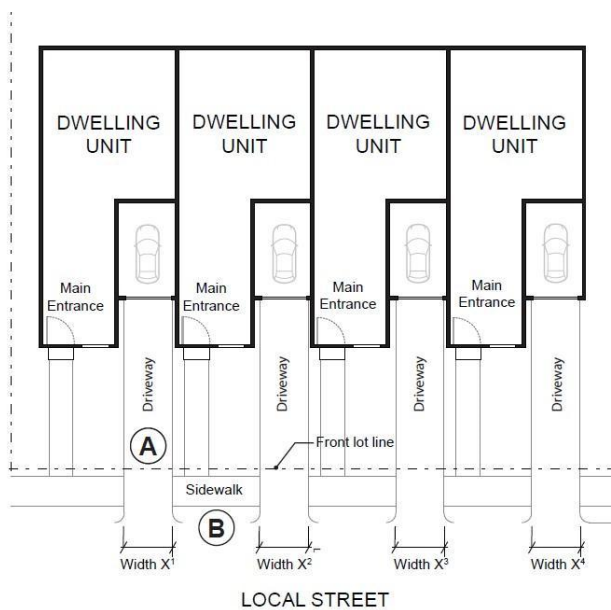
A. Standard. Driveway approaches must comply with the following:

1. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 3.2.4.a). For lots or parcels with more than one frontage, see subsection (3).
2. Driveway approaches may be separated when located on a local street (see Figure 3.2.4.a). If approaches are separated, they must meet the jurisdiction's driveway spacing standards applicable to local streets.
3. In addition, lots or parcels with more than one frontage must comply with the following:

3 – Triplex and Quadplex

- a. Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see b).
- b. Lots or parcels with frontages only on collectors and/or arterial streets must meet the jurisdiction's access standards applicable to collectors and/or arterials.
- c. Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:
 - i. Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - ii. One maximum 16-foot-wide driveway approach per frontage (see Figure 3.2.4.c).

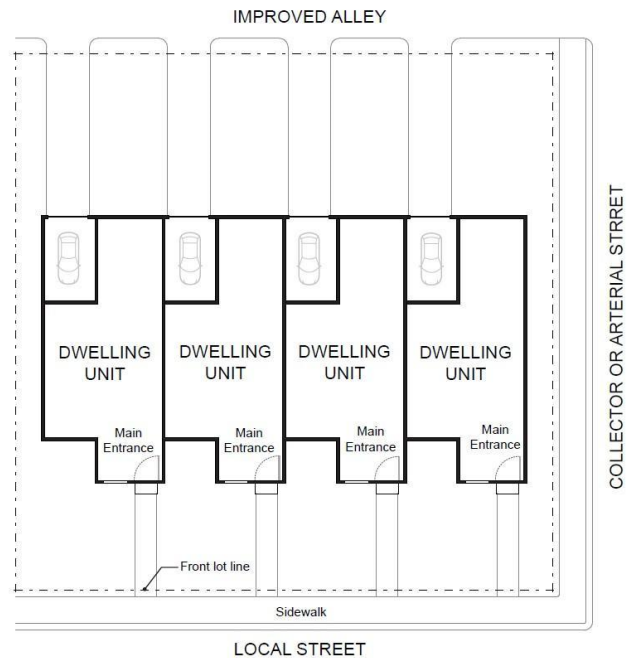
Figure 3.2.4.a. Driveway Approach Width and Separation on Local Street



(A) $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

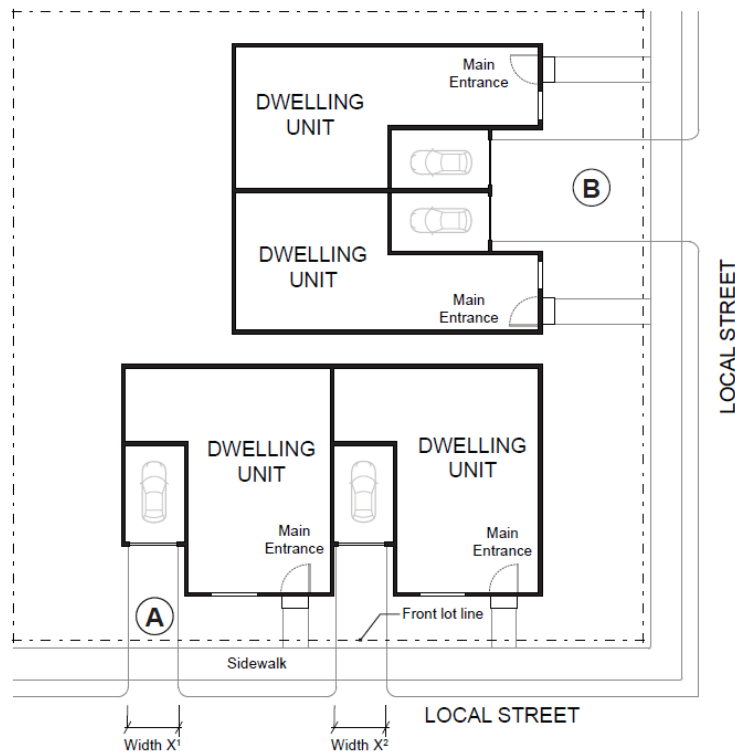
(B) Driveway approaches may be separated when located on a local street

Figure 3.2.4.b. Alley Access



3 – Triplex and Quadplex

Figure 3.2.4.c. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

- (A)** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X1 + X2$); or
- (B)** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

B. Exceptions.

- I. Accessible dwellings are exempt from meeting the standards in subsections I and 3.c.

3.2.5 Trash Storage

A. Standard.

- I. Unless stored within a building, shared storage facilities for trash receptacles and recycling shall be oriented away from building entrances, separated from residences on abutting properties by at least 5 feet, and shall be screened with an evergreen hedge or solid fence or wall of not less than 5 feet in height.

B. Exceptions. None.

3 – Triplex and Quadplex

3.2.6 Unit Configuration

- A. Standard.** The units in a triplex or quadplex must be attached to each other except as provided in subsection (B).
- B. Exceptions.** Detached triplex or quadplex units are permitted only where:
 - 1. No more than one detached unit on the lot exceeds 1,000 square feet; or
 - 2. The unit(s) qualify for a bonus in accordance with the provisions in Chapter 8.

Chapter 4 – Townhouse

Sections:

4.1 Development Standards – Townhouse

4.2 Design Standards – Townhouse

4.1 Development Standards

The development standards in Table 4.1 apply to Townhouses. FAR, minimum density, and outdoor area standards are calculated based on the entire townhouse project (not each townhouse lot). For qualified projects, the standards in Table 4.1 may be modified by the applicable bonuses in Chapter 8.

Large Cities:

TABLE 4.1 DEVELOPMENT STANDARDS - TOWNHOUSE: LARGE CITIES	
Minimum Size for New Lots (see Section 10.1.1) See allowances for lot size averaging in 10.1.1	1,250 sf
Minimum Street Frontage for Townhouse Lots with Individual Driveway Access onto a Public Street (see Section 4.2.4)	15 feet
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	1.4 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Maximum Number of Attached Townhouses per Structure	6 Townhouses
Minimum Density (see Section 10.1.4) This is the equivalent of approximately 16 units / net acre	1 unit per 2,720 sq ft. of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback (common wall lot line where units are attached is 0 feet)	0 / 5 ft
• Rear building setback	5 ft
• Garage entrance setback	5/18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	15% of site area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces	None
• Maximum number of off-street spaces	2 spaces per unit
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None

4 – Townhouse

TABLE 4.1 DEVELOPMENT STANDARDS - TOWNHOUSE: LARGE CITIES

Areas Owned in Common

Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.

Medium Cities: – Recommended for cities below 10,000

TABLE 4.1 DEVELOPMENT STANDARDS - TOWNHOUSE: MEDIUM CITIES

Minimum Size for New Lots (see Section 10.1.1)	1,500 sf
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	1.2 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Maximum Number of Attached Townhouses per Structure	6 Townhouses
Minimum Density (see Section 10.1.4) This is the equivalent of approximately 12 units / net acre	1 unit per 3,630 sf of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback (common wall lot line where units are attached is 0 feet)	0 / 5 ft
• Rear building setback	5 ft
• Garage entrance setback	5/18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	15% of site area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
Areas Owned in Common	
Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.	

Small Cities: – Recommended

TABLE 4.1 DEVELOPMENT STANDARDS – TOWNHOUSE: SMALL CITIES

Minimum Size for New Lots (see Section 10.1.1)	1,800 sf
---	----------

4 – Townhouse

TABLE 4.1 DEVELOPMENT STANDARDS – TOWNHOUSE: SMALL CITIES	
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	1.0 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 ft
Maximum Number of Attached Townhouses per Structure	4 Townhouses
Minimum Density (see Section 10.1.4)	None
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback (common wall lot line where units are attached is 0 feet)	0 / 5 ft
• Rear building setback	5 ft
• Garage entrance setback	18 ft
Required Outdoor Area and Usable Open Space (see Section 10.1.6)	
• Required Outdoor Area	20% of site area
• Usable Open Space	None
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
Areas Owned in Common Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.	

4.2 Design Standards - Townhouse

4.2.1 Entry Orientation and Pedestrian Connectivity

A. Standard. The main entrance of each townhouse must comply with the all the following standards:

1. Be no more than 8 feet further back, as measured from the front lot line, than the plane of the longest street-facing wall of the front facade of the structure.
2. Be oriented to:
 - a. Face the street (see Figure 4.2.1.a),
 - b. Be at an angle of up to 45 degrees from the street (see Figure 4.2.1.b);
 - c. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 4.2.1.c); or
 - d. Open onto a covered porch or patio (see Figure 4.2.1.d). The porch or patio must:
 - i. Be at least 25 square feet in area; and
 - ii. Have at least one entrance facing the street.
 - iii. If a covered patio is used to meet this standard, it must be at-grade and barrier-free and access must be available via an accessible pathway.
3. Connect to the sidewalk by a hard-surfaced pathway other than the driveway. Where there is no sidewalk abutting the property, the pathway may terminate at the street lot line.

B. Exceptions.

1. Townhouses on lots that do not have public street frontage are exempt from meeting these standards.

4 – Townhouse

Note, in the final Model Code, steps will be removed from all diagrams to avoid implying that stairs are encouraged or required.

Figure 4.2.1.a. Main Entrance Facing the Street

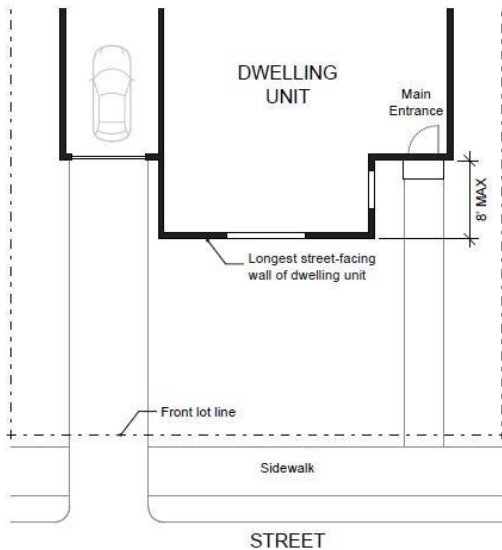
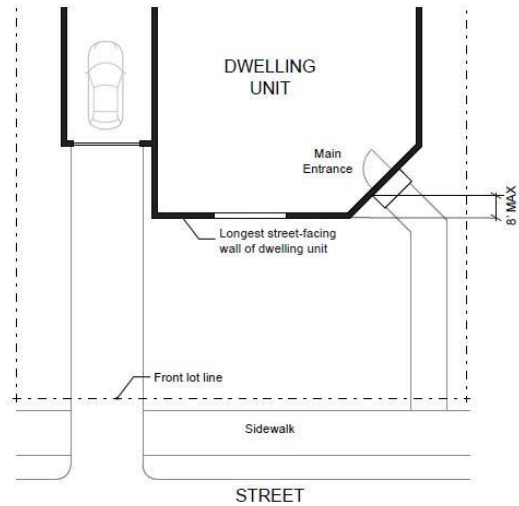


Figure 4.2.1.b. Main Entrance at 45° Angle from the Street



4 – Townhouse

Figure 4.2.1.c. Main Entrance Opening onto a Porch

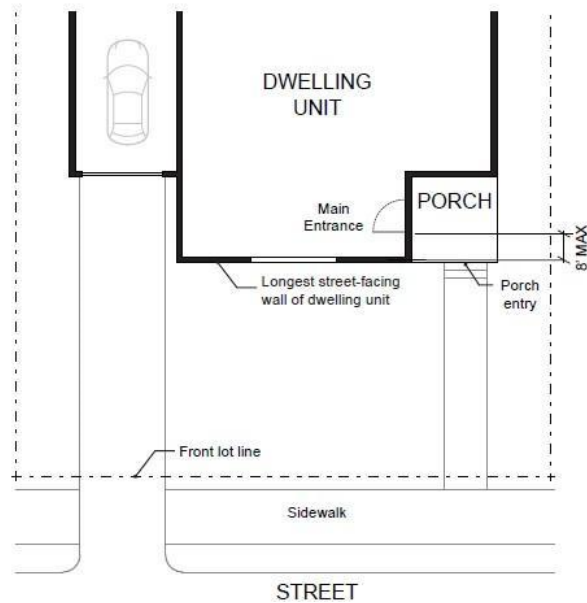
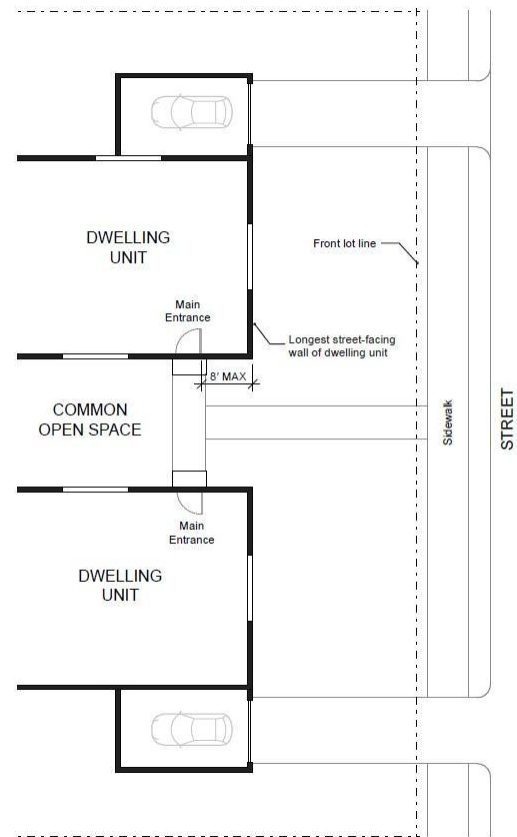


Figure 4.2.1.d. Main Entrance Facing Common Open Space



For discussion – additional standards from CFEC Walkable Design Standards.

[X.X.X Transitions to Residential Entrances. The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit. The main entrance must be set back at least 5 feet from the street lot line and have at least two of the following within the setback:

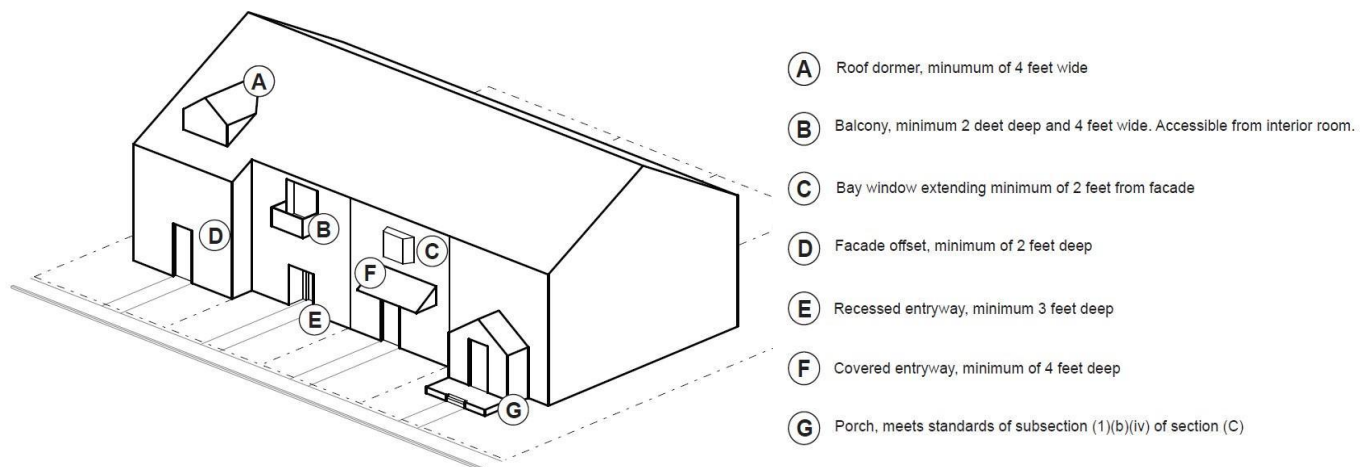
1. A wall or fence that is 18 to 36 inches high;
2. Landscaping that meets the [local planting standard];
3. For each street-facing entrance, one small canopy tree between 1.5 and 6 inches in diameter, that will achieve a mature canopy spread of at least 10 feet;
4. Common or private outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.]

4 – Townhouse

4.2.2 Unit definition

- A. Standard.** Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 4.2.2.a):
1. A roof dormer a minimum of 4 feet in width.
 2. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room.
 3. A bay window that extends from the facade a minimum of 2 feet.
 4. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse.
 5. An entryway that is recessed a minimum of 3 feet.
 6. A covered entryway with a minimum depth of 4 feet.
 7. A porch meeting the standards of subsection 4.2.1(A)(2)(d).
- B. Exceptions.** Facades separated from the street property line by a dwelling are exempt from meeting this standard.

Figure 4.2.2.a. Townhouse Unit Definition



4 – Townhouse

4.2.3 Windows and Doors

- A. Standard.** A minimum of 15 percent of the area of all street-facing facades (other than those facing an alley) on each individual unit must include windows or entrance doors. See Section 10.1.9 for measurement methodology.
- B. Exceptions.** Facades separated from the street property line by a dwelling or buildable lot are exempt from meeting this standard.

4.2.4 Driveway Access and Parking

The standards in this section are adapted from the Middle Housing Model Code. However, other model codes and locally-adopted standards may also provide acceptable approaches for driveway width and spacing.

- A. Standard.** Townhouses with frontage on a public street shall either meet the standards in subsection (1) or subsection (2).
 - 1. Where garage entrances, off-street parking areas and driveways are located on the front façade, in the front yard, or in front of a townhouse the following standards shall be met (see Figure 4.2.4.a).
 - a. Each townhouse lot shall at least 15 feet of street frontage on a local street, as designated in the city's adopted Transportation System Plan.
 - b. A maximum of one driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
 - c. Outdoor on-site parking and maneuvering areas shall not exceed 12 feet wide on any lot.
 - d. The garage width shall not exceed 12 feet, as measured from the inside of the garage door frame.
 - e. This standard does not supersede a city's local driveway separation standards.
 - 2. For all other configurations of driveway access and parking, the following standards shall be met.
 - a. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 - b. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 4.2.4.b.
 - c. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 4.2.4.c.
 - d. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

4 – Townhouse

- B. Exceptions.** Townhouse projects in which vehicular access for all units is exclusively from a rear alley are exempt from compliance with this standard.

4.2.5 Trash Storage

A. Standard.

- I. Unless stored within a building, shared storage facilities for trash receptacles and recycling shall be oriented away from building entrances, separated from residences on abutting properties by at least 5 feet, and shall be screened with an evergreen hedge or solid fence or wall of not less than 5 feet in height.

- B. Exceptions.** None.

4 – Townhouse

Figure 4.2.4.a. Townhouses with Parking in Front Yard

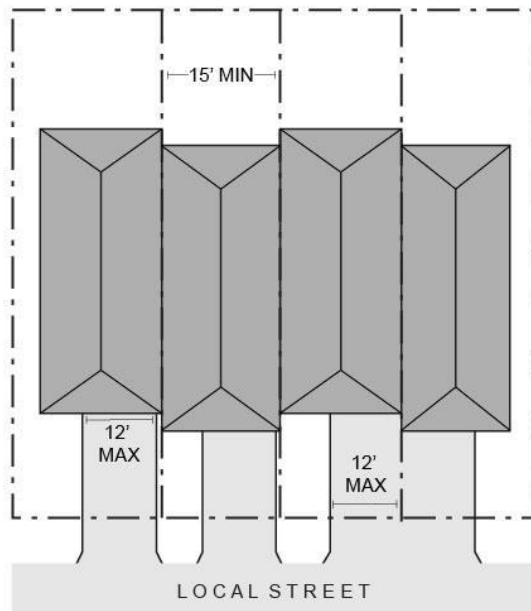


Figure 4.2.4.b. Townhouses on Corner Lot with Shared Access

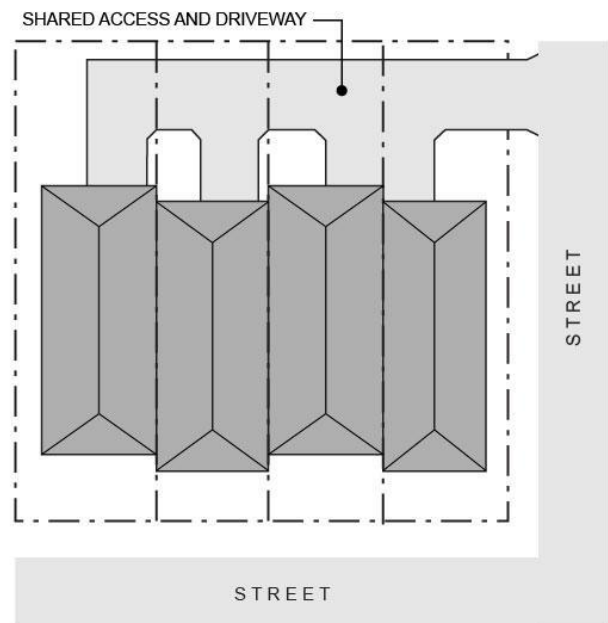
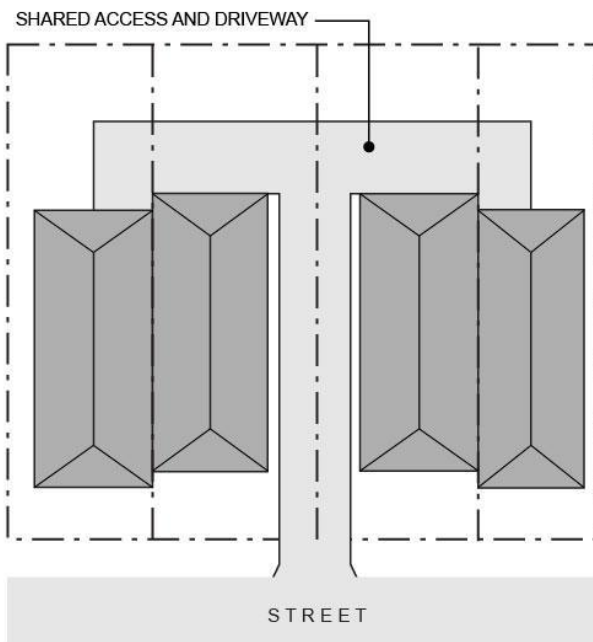


Figure 4.24.c. Townhouses with Consolidated Access



5 – Cottage Cluster

Chapter 5 – Cottage Cluster

Sections:

5.1 Development Standards – Cottage Cluster

5.2 Design Standards - Cottage Cluster

5.1 Development Standards - Cottage Cluster

The development standards in Table 5.1 apply to Cottage Clusters. Standards applicable to a lot (i.e., FAR, minimum density, setbacks, and outdoor area) apply to the parent lot, not child lots created by a Middle Housing Land Division. For qualified projects, the standards in Table 5.1 may be modified by the applicable bonuses in Chapter 8.

Large Cities:

TABLE 5.1 DEVELOPMENT STANDARDS - COTTAGE CLUSTER: LARGE CITIES	
Minimum Size for New Lots (see Section 10.1.1)	5,000 sf
Maximum Number of Cottages per Cottage Cluster	12 cottages
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	None
Maximum Average Floor Area per Dwelling Unit. Average of dwelling units and community buildings within the cottage cluster.	1,400 sf
Maximum Cottage Footprint	900 sf
Maximum Building/Structure Height (see Section 10.1.3)	25 ft or 2 stories whichever is greater
Minimum Density (see Section 10.1.4)	4 units/ac
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
Required Open Space - Courtyard (see Section 5.2.2)	150 sf/cottage
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces	None
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
Areas Owned in Common	
This is a requirement for townhouses in the Middle Housing Model Code but may also be applicable to cottage clusters.	
[Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions	

5 – Cottage Cluster

TABLE 5.1 DEVELOPMENT STANDARDS - COTTAGE CLUSTER: LARGE CITIES

must be recorded and provided to the jurisdiction prior to issuance of a building permit.]

Medium Cities: – Recommended for cities below 10,000 population

TABLE 5.1 DEVELOPMENT STANDARDS - COTTAGE CLUSTER: MEDIUM CITIES

Minimum Size for New Lots (see Section 10.1.1)	5,000 sf
Maximum Number of Cottages per Cottage Cluster	10 cottages
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	None
Maximum Average Floor Area per Dwelling Unit. Average of dwelling units and community buildings within the cottage cluster.	1,400 sf
Maximum Cottage Footprint	900 sf
Maximum Building/Structure Height (see Section 10.1.3)	25 ft or 2 stories whichever is greater
Minimum Density (see Section 10.1.4)	4/ac
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
Required Open Space - Courtyard (see Section 5.2.2)	150 sf/cottage
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
Areas Owned in Common [Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.]	

Small Cities: – Recommended

TABLE 5.1 DEVELOPMENT STANDARDS - COTTAGE CLUSTER: SMALL CITIES

Minimum Size for New Lots (see Section 10.1.1)	5,000 sf
Maximum Number of Cottages per Cottage Cluster	8 cottages
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	None

5 – Cottage Cluster

TABLE 5.1 DEVELOPMENT STANDARDS - COTTAGE CLUSTER: SMALL CITIES	
Maximum Average Floor Area per Dwelling Unit. Average of dwelling units and community buildings within the cottage cluster. Since the scale of cottages is limited, no maximum FAR is included for cottage clusters.	1,400 sf
Maximum Building Cottage Footprint	900 sf
Maximum Building/Structure Height (see Section 10.1.3)	25 ft or 2 stories whichever is greater
Minimum Density (see Section 10.1.4)	4/ac
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft
• Side building setback	5 ft
• Rear building setback	5 ft
Required Open Space - Courtyard (see Section 5.2.2)	150 sf/cottage
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	None
Areas Owned in Common [Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.]	

5.2 Design Standards - Cottage Cluster

Cottage clusters shall meet the design standards in subsections 5.2.1 through 5.2.8. No other design standards shall apply to cottage clusters unless noted in this section. Mandates for construction of a garage or carport and any other design standards are invalid, except as specified in this Section.

5.2.1 Cottage Orientation

A. Standard. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 5.2.1.a):

1. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
2. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

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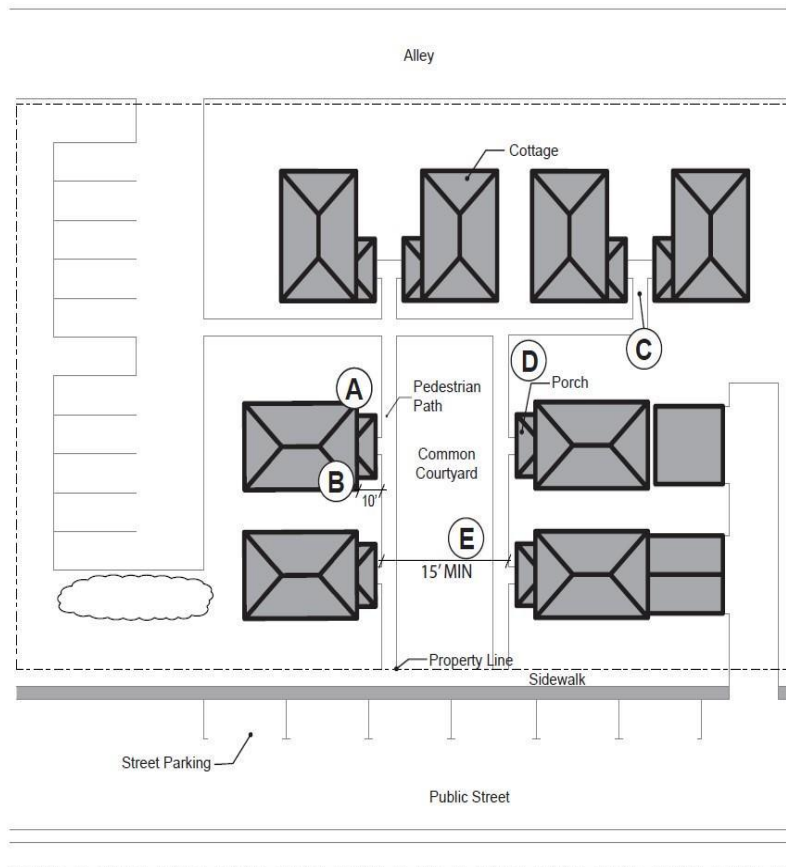
- a. Have a main entrance facing the common courtyard;
 - b. Be within 10 feet from the common courtyard, measured from the façade of the cottage that includes the main entrance to the nearest edge of the common courtyard; and
 - c. Be connected to the common courtyard by a pedestrian path.
3. Cottages within 20 feet of a street property line may have their entrances facing the street, provided the overall cluster meets the 50 percent standard in subsection (A)(2).
 4. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
- B. Exceptions.** An existing dwelling included within a cottage cluster pursuant to Section 5.2.8 may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.

5.2.2 Common Courtyard Design Standards

- A. Standard.** Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 5.2.2.a):
1. The common courtyard must be a single, contiguous piece.
 2. Cottages must abut the common courtyard on at least two sides of the courtyard.
 3. The common courtyard must contain a minimum of 150 square feet per cottage sharing the courtyard.
 4. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 5. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 6. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.
- B. Exceptions.** None.

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



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

5.2.3 Community Buildings

- A. Standard.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

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1. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to Table 5.1.
2. If a community building meets the definition of a dwelling unit and has a footprint that exceeds 900 square feet and/or would exceed the maximum number of cottages in a cottage cluster, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

B. Exceptions. None.

5.2.4 Pedestrian Access

A. Standard. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:

1. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - a. The common courtyard;
 - b. Shared parking areas;
 - c. Community buildings; and
 - d. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
2. The pedestrian path must be hard-surfaced and a minimum of 4 feet wide.

B. Exceptions. None.

5.2.5 Windows and Doors

A. Standard. Cottages within 20 feet of a street property line (other than an alley) must include windows or entrance doors on a minimum of 15 percent of the area of all street-facing facades. See Section 10.1.9 for measurement methodology.

B. Exceptions. Facades separated from the street property line by a dwelling or buildable lot are exempt from meeting this standard.

5.2.6 Parking Design

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

1. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - a. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - b. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.

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- c. Parking clusters must be separated from other spaces by at least 4 feet of landscaping.
- d. Clustered parking areas may be covered.
- 2. Parking location and access.
 - a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - i. Within of 20 feet from any street property line, except alley property lines;
 - ii. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
 - b. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- 3. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- 4. Garages and carports.
 - a. Garages and carports (whether shared or individual) must not abut common courtyards.
 - b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - c. Individual detached garages must not exceed 400 square feet in floor area.
 - d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

B. Exceptions. None.

5.2.7. Accessory Structures

A. Standard. Accessory structures must not exceed 400 square feet in floor area.

B. Exceptions. None.

5.2.8. Existing Structures

A. Standard. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

- 1. The existing dwelling may be nonconforming with respect to the requirements of this code.
- 2. The existing dwelling may be expanded up to the maximum height or the maximum building footprint in Table 5.1; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.

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3. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.

B. Exceptions. None.

5.2.9 Trash Storage

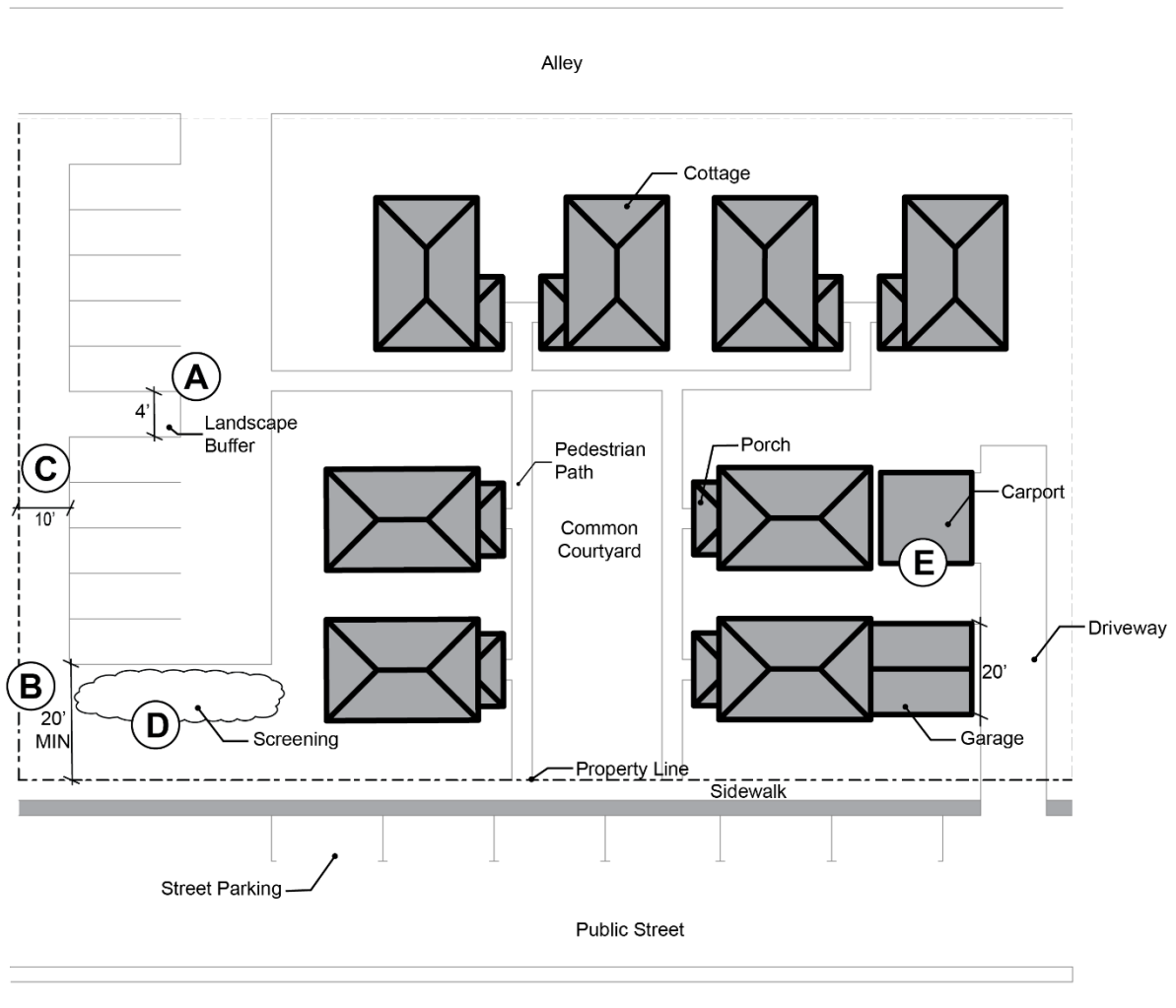
A. Standard.

1. Unless stored within a building, shared storage facilities for trash receptacles and recycling shall be oriented away from building entrances, separated from residences on abutting properties by at least 5 feet, and shall be screened with an evergreen hedge or solid fence or wall of not less than 5 feet in height.

B. Exceptions. None.

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Figure 5.2.6.a. Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

Chapter 6 – Multi-Unit Housing

Sections:

6.1 Development Standards – Multi-Unit Housing

6.2 Design Standards – Multi-Unit Housing

Regarding the concept of allowing development across multiple lots: This draft Model Code includes a definition of “site”/“development site” and other provisions that allow for development of multiple lots/parcels under the same ownership, so that FAR, setbacks, etc. would be based on site (not lot). Please note that the building code would also require a recorded restrictive covenant where a building crosses lot lines.

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

6.1 Development Standards

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

Large Cities:

TABLE 6.1 DEVELOPMENT STANDARDS - MULTI-UNIT: LARGE CITIES	
Maximum Floor Area Ratio (FAR) (see Section 10.1.2) This approach varies FAR based on site size in order to address the varying circumstances of urban infill vs suburban/greenfield. Section 10.2 includes a definition of “site” / “development site” to address development of multiple lots/parcels under the same ownership, so that FAR, setbacks, etc. would be based on site (not lot). The FAR standards are also intended to allow room for affordability/accessibility bonuses (see Chapter 8).	
<ul style="list-style-type: none"> Site size: less than 10,000 sf 	2.5 to 1
<ul style="list-style-type: none"> Site size: 10,000 sf to 50,000 sf 	2 to 1
<ul style="list-style-type: none"> Site size: greater than 50,000 sf 	1 to 1
Maximum Building/Structure Height (see Section 10.1.3)	3 story / 40 feet
Minimum Density (see Section 10.1.4) The minimum density shown is the equivalent of 20 units/net acre. In order to avoid penalizing sites with constrained lands minimum density is based on the net site area. Section 10.1.4 includes details about how minimum density is calculated. Affordable housing projects would have the option of calculating density on a “per bedroom” basis.	1 unit per 2,178 sq. ft. of net site area
Minimum Setbacks (see Section 10.1.5) Section 10.1.5 includes details about how setbacks are measured. For multi-unit housing and cottage clusters proposed on a site that includes more than one lot or parcel, setbacks are calculated based on the property lines of the overall site, rather than individual lots or parcels. Note, no maximum setbacks are proposed, although the design standards will restrict parking between the building and the street.	
<ul style="list-style-type: none"> Front building setback 	5 ft.
<ul style="list-style-type: none"> Side building setback 	5 ft.

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TABLE 6.1 DEVELOPMENT STANDARDS - MULTI-UNIT: LARGE CITIES	
<ul style="list-style-type: none"> • Rear building setback 	5 ft.
<ul style="list-style-type: none"> • Garage entrance setback 	5/18 ft.
<p>Required Outdoor Area and Usable Open Space (see Sections 6.2.5 and 10.1.6)</p> <p>Section 10.1.6 includes details about how required outdoor area and usable open space are calculated. The intention is to keep the list very flexible, including things like landscaping, balconies, rooftop decks, and patios. All areas not covered by building or vehicle parking/circulation could be counted toward required outdoor area as well as balconies and rooftop decks, and potentially indoor recreation space and ADA accessible parking spaces.</p> <p>Design standards in Section 6.2.5 provide more details related to usable open space. For large multi-unit sites (e.g., 50K+ sf), a percentage of required outdoor area would need to be usable open space, but the list of options could be broad.</p>	
<ul style="list-style-type: none"> • Required Outdoor Area 	15% of site area
<ul style="list-style-type: none"> • Usable Open Space 	See Section 6.2.5
<p>Vehicle Parking (see Section 10.1.7)</p> <p>Section 10.1.7 includes details about how off-street vehicle parking spaces are measured and calculated. For parking minimums, there would be a credit for adjacent on-street spaces. The parking maximums in this draft are based on TPR requirements in OAR 660-012-0415 which applies to climate-friendly areas, areas and within one-half mile walking distance of priority transit corridor and Metro Region 2040 centers in cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area. ADA accessible parking spaces would be exempt from the parking maximums. Non-surface parking could also be exempt.</p>	
<ul style="list-style-type: none"> • Minimum number of off-street spaces 	None
<ul style="list-style-type: none"> • Maximum number of off-street spaces 	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> ○ Studio Unit 	1.2 spaces per unit
<ul style="list-style-type: none"> <ul style="list-style-type: none"> ○ Non-Studio Unit 	2.0 spaces per unit
<p>Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)</p> <p>Section 10.1.8 includes details about how bicycle parking spaces are measured and calculated. The standards for multi-unit 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 long-term, but the stated requirements suggest that they work for long-term (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 (e.g., 12 du or less)), it also exempts certain types of projects.</p>	
<ul style="list-style-type: none"> • Short-term Spaces 	None
<ul style="list-style-type: none"> <ul style="list-style-type: none"> ○ Site size: Less than 10,000 sf 	1.0 space per site
<ul style="list-style-type: none"> <ul style="list-style-type: none"> ○ Site size: 10,000 sf or larger 	2.0 spaces per site, or 1.0 space per 20 units
<ul style="list-style-type: none"> • Long-term Spaces 	1.0 space per unit

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Medium Cities; – Recommended for cities below 10,000

TABLE 6.1 DEVELOPMENT STANDARDS - MULTI-UNIT: MEDIUM CITIES	
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
• Site size: less than 10,000 sf	2 to 1
• Site size: 10,000 sf to 50,000 sf	1.5 to 1
• Site size: greater than 50,000 sf	1 to 1
Maximum Building/Structure Height (see Section 10.1.3)	3 story / 40 feet
Minimum Density (see Section 10.1.4) This is approximately equivalent to 20 units/net acre.	1 unit per 2,178 sq. ft. of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft.
• Side building setback	5 ft.
• Rear building setback	5 ft.
• Garage entrance setback	18 ft.
Required Outdoor Area and Usable Open Space (see Sections 6.2.5 and 10.1.6)	
• Required Outdoor Area	15% of site area
• Usable Open Space	See Section 6.2.5
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	0.5 spaces per unit
• Maximum number of off-street spaces	
○ Studio Unit	1.2 spaces per unit
○ Non-Studio Unit	2.0 spaces per unit
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
○ Site size: Less than 10,000 sf	1.0 space per site
○ Site size: 10,000 sf or larger	2.0 spaces per site, or 1.0 space per 20 units
• Long-term Spaces	0.5 spaces per unit

Small Cities; – Recommended

TABLE 6.1 DEVELOPMENT STANDARDS - MULTI-UNIT: SMALL CITIES	
Maximum Floor Area Ratio (FAR) (see Section 10.1.2)	
• Site size: less than 10,000 sf	1.5 to 1
• Site size: 10,000 sf to 50,000 sf	1 to 1

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TABLE 6.1 DEVELOPMENT STANDARDS - MULTI-UNIT: SMALL CITIES	
• Site size: greater than 50,000 sf	0.5 to 1
Maximum Building/Structure Height (see Section 10.1.3)	35 feet
Minimum Density (see Section 10.1.4) This is approximately equivalent to 16 units/net acre.	1 unit per 2,720 sq. ft. of net site area
Minimum Setbacks (see Section 10.1.5)	
• Front building setback	5 ft.
• Side building setback	5 ft.
• Rear building setback	5 ft.
• Garage entrance setback	18 ft.
Required Outdoor Area and Usable Open Space (see Sections 6.2.5 and 10.1.6)	
• Required Outdoor Area	15% of site area
• Usable Open Space	See Section 6.2.5
Vehicle Parking (see Section 10.1.7)	
• Minimum number of off-street spaces (affordable housing and dwelling units 1,000 sf or less in size are exempt)	1 space per unit
• Maximum number of off-street spaces	None
Minimum Number of Bicycle Parking Spaces (see Section 10.1.8)	
• Short-term Spaces	None
• Long-term Spaces	0.5 spaces per unit

6.2 Design Standards – Multi-Unit

Multi-unit housing projects shall meet the design standards in subsections 6.2.1 through 6.2.6. Townhouse style multi-unit housing is subject to the design standards in Section 4.2 rather than the standards of this Section 6.2. Townhouse style developments are those where 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. Consistent with the draft Model Code's approach to regulating building form (versus things like density), this draft applies the townhouse design standards to townhouse-style multi-unit housing. The multi-unit design standards are optimized for stacked forms of multi-unit housing, whose form can be quite different from townhouse style.

6.2.1 Entry Orientation

These draft standards incorporate aspects of the CFEC Walkable Design Standards Model Code but modified to be less restrictive. One main entrance to a building is required to be oriented toward, and within a certain distance of, a street lot line. However, there is no maximum setback.

The code also includes exceptions for very busy arterials 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

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housing that is adjacent to a wide, car-dependent arterial, given the additional noise and pollution that these environments generate. Also see Section 6.2.7 for draft screening standards.

A. Standard.

- I. At least one building façade containing a main entrance to a building must be located within 20 feet of a street lot line. If the site abuts more than one street, the building façade meeting this standard must be located in accordance with the following hierarchy:
 - a. Except as provided in (c), if transit is available on one or more abutting streets, within 20 feet of the street lot line of the street with the highest level of transit service.
 - b. Except as provided in (c), if none of the abutting streets have transit service, then within 20 feet of the street lot line of the street with the highest street classification in the city's adopted Transportation System Plan.
 - c. In the following circumstances, the applicant may choose the street-facing façade that will contain the main entrance:
 - i. The abutting streets have equal levels of transit service and equal street classifications; or
 - ii. The highest transit service street or highest classification street is an arterial street that includes 4 or more vehicle travel lanes.
2. The main entrance meeting standard (A)(I), must:
 - a. Be no more than 8 feet further back, as measured from the front lot line, than the plane of the longest street-facing wall of the front facade of the structure.
 - b. Be oriented to:
 - i. Face the street;
 - ii. Be at an angle of up to 45 degrees from the street;
 - iii. Face a courtyard, provided the courtyard is no less than 15 feet in width and abuts the street; or
 - iv. Open onto a covered porch that is at least 25 square feet in area.
 - c. Connect to the sidewalk by an ADA accessible walkway in conformance with Section 6.2.2(A)(2).

B. Exceptions.

- I. If a site abuts only one street, and the abutting street is an arterial with 4 or more vehicle travel lanes, a building facade with ground floor dwelling units may be set further back than 20 feet, provided the screening standards in Section 6.2.7 are met, except as specified in subsection 6.2.7(B).

Note, an option to request a discretionary adjustment to the entry orientation standards could be included in a future draft, once an Adjustments module is added to the Model Code.

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For discussion – additional standards from CFEC Walkable Design Standards.

[X.X.X Transitions to Residential Entrances. The following standards apply to each main entrance that is 10 feet or closer to a street lot line and provides direct access to a dwelling unit. The main entrance must be set back at least 5 feet from the street lot line and have at least two of the following within the setback:

1. A wall or fence that is 18 to 36 inches high;
2. Landscaping that meets the [local planting standard];
3. For each street-facing entrance, one small canopy tree between 1.5 and 6 inches in diameter, that will achieve a mature canopy spread of at least 10 feet;
4. Common or private open space outdoor area of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it.]

6.2.2 Pedestrian Connections

A. Standard.

The draft pedestrian connections standards are from the CFEC Model Code (but streamlined), 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.

1. Internal Connections. A system of walkways must connect all main entrances on the site and provide connections to abutting sidewalks, parking areas, bicycle parking, and common outdoor areas.

[For sites greater than 50,000 square feet, on-site walkways must connect or be stubbed to allow for an extension to the abutting property in the following circumstances:
 - a. There is an existing walkway on the abutting property that is located in a public right-of-way or public access tract or easement; or
 - b. There is a planned walkway on the abutting property, as identified in the city's adopted Transportation System Plan.]
2. Walkway Design.
 - a. Materials and Width. All walkways must be hard surfaced (paved). Except as provided in subsections (i) and (ii), walkways must be at least 5 feet in unobstructed width.
 - i. Walkway width must be increased to 8 feet if the walkway abuts perpendicular or angled parking spaces, unless the spaces are equipped with wheel stops.
 - ii. Where a walkway leads to 4 or fewer individual unit entries, the minimum width is 3 feet (increased to 4 feet at turns and curves).
 - b. Crossings with Vehicle Areas. Where the walkway crosses driveways, drive aisles, parking areas, and loading areas, the walkway must be clearly identifiable through the use of elevation changes,

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a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes for crossings must be at least 4 inches high.

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

B. Exceptions. None. Note, an option to request a discretionary adjustment to the pedestrian connection standards could be included in a future draft, once an Adjustments module is added to the Model Code.

For discussion – additional façade or entry standards.

The model code team's initial recommendation is not to include façade/architectural standards for multi-unit buildings. However, since the Middle Housing Model Code includes unit definition standards for townhouses, we have included similar standards for discussion. These standards could potentially be included as an option in future drafts of the Model Code.

[X.X.X Building [or Entry] Definition

A. Standard. Each building must include at least one from the following list on at least one street-facing façade:

1. A roof dormer a minimum of 4 feet in width.
2. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room.
3. A bay window that extends from the facade a minimum of 2 feet.
4. An offset of the facade of a minimum of 2 feet in depth within the façade.
5. An entryway that is recessed a minimum of 3 feet.
6. A covered entryway with a minimum depth of 4 feet.

B. Exceptions. Facades separated from the street property line by another building are exempt from meeting this standard.]

6.2.4 Windows and Doors

The draft window coverage standards for multi-unit housing are consistent with the requirements that apply to middle housing in the Middle Housing Model Code.

A. Standard. A minimum of 15 percent of the area of all street-facing facades (other than those facing an alley) must include windows or entrance doors. See Section 10.1.9 for measurement methodology.

B. Exceptions. Facades separated from the street property line by another building or buildable lot are exempt from meeting this standard.

6.2.5 Required Outdoor Area and Usable Open Space

A. Standard.

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The concept in this section is to provide a flexible “outdoor area” standard that could be met in various ways, including landscaping, private open space, shared open space, etc. The details of what may and may not count as outdoor area are specified in 10.1.6, so these sections should be reviewed in tandem. The intent is to offer a “menu” of amenity options, while ensuring there is usable recreation/relaxation space for larger sites.

1. **Minimum Outdoor Area.** Except as specified in subsection (B), a minimum of 15% of the gross site area must be provided as outdoor area meeting the description in Section 10.1.6.
2. **Minimum Usable Open Space.** For sites over 10,000 square feet in gross site area, a percentage of the required outdoor area must be permanently reserved as shared, usable open space available for use by the residents:
 - a. For sites between 10,000 and 50,000 square feet, at least 25% of the required outdoor area must be usable open space
 - b. For sites 50,000 square feet or larger, at least 50% of the required outdoor area must be usable open space.
3. **Usable Open Space Standards.** The usable open space shall meet the following criteria:
 - a. The usable open space shall contain one or more of the features specified in Section 10.1.6(B)(2).
 - b. In order to be counted as eligible toward the minimum usable open space area, such areas shall have dimensions of not less than 20 feet.
 - c. Indoor recreation and community facilities, as specified in Section 10.1.6(C)(1), accessible to all residents, may be provided in lieu of usable open space, as follows:
 - i. For affordable housing, 100% of the required usable open space may be provided as indoor recreation or community space.
 - ii. For all other housing, up to 50% of the required usable open space may be provided as indoor recreation or community space.

B. Exceptions.

1. For sites under 50,000 square feet in size, 100% of the required outdoor area may be met by a rooftop garden provided it is accessible to all of the residents or by private open space.
2. Sites that are under 50,000 square feet in size and located within one-quarter mile walking distance of a public park are exempt from the outdoor area and usable open space requirement. Walking distance is measured along a route utilizing streets, trails, or pedestrian accessways that are existing or will be constructed with the development.

6 – Multi-Unit Housing

6.2.6 Parking Location and Design

A. Standard.

Standards below (adapted from the CFEC Model Code) allow surface parking to the side or back of a building provided it's screened from view.

1. No area between a building and the street lot line (other than an alley) shall be used for vehicle parking or circulation, except for the following:
 - a. A driveway providing access to a shared parking garage.
 - b. A passenger drop-off or loading zone, provided the main building entrance must connect to an adjacent street by a pedestrian walkway.
2. Screening of surface parking areas. The city's parking area screening standards shall apply, if any, otherwise the following standards shall apply. Surface parking areas with more than 8 spaces must be screened from view of the street at a minimum as follows:
 - a. Evergreen shrubs that will grow to a minimum height of 30 inches within two years and form continuous screening. Areas within the vision clearance triangle must include plantings that do not exceed 3 feet; and
 - b. One tree for every 30 linear feet; and
 - c. Evergreen ground cover must cover the remaining landscape area.
 - d. A minimum 30 inch tall wall or fence may be substituted for evergreen shrubs.
3. Additional parking area design and landscaping standards are provided in Section 10.1.7.

B. Exceptions. None. Note, an option to request a discretionary adjustment to the parking location and design standards could be included in a future draft, once an Adjustments module is added to the Model Code.

6.2.7 Screening

A. Standard.

Multi-unit sites that abut an arterial street with 4 or more vehicle travel lanes shall provide screening within the minimum setback area between any street-facing facade and street property line abutting the arterial road. The screening shall meet the following standards:

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

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

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6.2.8 Trash Storage

A. Standard.

- I. Unless stored within a building, shared storage facilities for trash receptacles and recycling shall be oriented away from building entrances, separated from residences on abutting properties by at least 5 feet, and shall be screened with an evergreen hedge or solid fence or wall of not less than 5 feet in height.

B. Exceptions. None.

Chapter 7 – Accessory Dwelling Unit

Note, the Model Code is intended to be organized so that a city can adopt by reference the standards for a single type of housing. Therefore, ADUs have their own chapter. However, because the ADU standards are closely related to the single-unit dwelling standards, as an alternative, the standards could be included as a subsection of Chapter 2 (Detached Single-Unit and Duplex).

Sections:

7.1 Development Standards – Accessory Dwelling Unit

7.2 Design Standards – Accessory Dwelling Unit

7.1 Development Standards - Accessory Dwelling Unit

7.1.1 Development Standards, Generally

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

B. Exceptions.

- I. The following development standards in Table 2.1 do not apply to accessory dwelling units:
 - a. Required Outdoor Area and Useable Open Space;
 - b. Minimum and Maximum Vehicle Parking; and
 - c. Minimum and Maximum Bicycle Parking.
2. Conversion of an existing legal non-conforming accessory structure into an accessory dwelling unit is allowed, provided that the conversion does not increase the non-conformity. For example, a garage that does not meet the minimum setback standard in the zoning district may be converted to an accessory dwelling unit, provided the footprint of the building within the setback area does not increase in size.
3. If an accessory dwelling unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR that applies to the lot.
4. Setbacks.

Note, the following flexibilities are only relevant if the city relies on its own setback standards for ADUs. The Model Code's side and rear setback standards are already 5 feet.

- a. Accessory dwelling units that are accessed from an alley may be located within 5 feet of the lot line abutting the alley.
- b. Accessory dwelling units that do not exceed 12 feet in height may be located within 5 feet of a side or rear lot line (excluding street lot lines other than alleys).

7 – Accessory Dwelling Unit

7.1.2 Number of Units

This section incorporates the policy suggestion to tier ADU allowances by city size, and to allow a bonus unit if it's adaptable for accessibility.

Large Cities:

- A. Standard.** A maximum of 2 accessory dwelling units are allowed per legal detached single-unit dwelling (referred to as the primary dwelling). If 2 accessory dwelling units are proposed, either:
 - 1. Both units must be detached from the primary dwelling and from each other; or
 - 2. One unit must be detached and one unit must be attached/interior to the primary dwelling.
- B. Exception.** Up to 3 accessory dwelling units are permitted for projects which qualify for a bonus pursuant to Section 8.2.1. One unit must be attached/interior to the primary dwelling and the other 2 units must be detached from the primary dwelling and from each other.

Medium Cities: – Recommended for cities below 10,000

- A. Standard.** A maximum of 2 accessory dwelling units are allowed per legal detached single-unit dwelling (referred to as the primary dwelling). If two accessory dwelling units are proposed:
 - 1. One of the units must be detached from the primary dwelling, either in a separate detached building or in a portion of a detached accessory building (e.g., above a garage or workshop); and
 - 2. One of the units must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
- B. Exception.** Up to 3 accessory dwelling units are permitted for projects which qualify for a bonus pursuant to Section 8.2.1. One unit must be attached/interior to the primary dwelling and the other 2 units must be detached from the primary dwelling and from each other.

Small Cities: - Recommended

- A. Standard.** A maximum of one accessory dwelling unit is allowed per legal detached single-unit dwelling (referred to as the primary dwelling). The unit may be in a separate detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).
- B. Exception.** Up to 2 accessory dwelling units are permitted for projects which qualify for a bonus pursuant to Section 8.2.1. One unit must be attached/interior to the primary dwelling and the other unit must be detached from the primary dwelling.

7.1.3 Maximum Floor Area

The maximum floor area standards would apply to cities of all sizes. Note, the Model Code does not limit the size of an ADU relative to the primary dwelling.

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

7 – Accessory Dwelling Unit

- B. Exceptions.** The maximum floor area standard does not apply when an entire floor of a primary dwelling (e.g., a basement) is converted to an accessory dwelling unit and the primary dwelling has been on the site for at least 5 years.
- C. Measurement.** Floor area is measured as provided in subsection 10.1.2(B)(2).

Chapter 8 – Bonuses

Sections:

- 8.1 Bonuses, Generally
- 8.2 Bonuses by Housing Type

8.1 Bonuses, Generally

- A. Purpose.** Bonuses provide reductions in minimum lot size and required outdoor area and increases in the number of units, the maximum floor area, the maximum building height.
- B. Categories.**
- As described in Table 8.1, there are 5 categories of housing that qualify for bonuses:
 - Affordability Categories
 - Cat. 1A - 10-Year Affordable Homeownership Unit based on HB 2138
 - Cat. 1B - 10-Year Mixed-Income Housing
 - Cat. 1C - 30-Year Affordable Housing based on ORS 197A.445
 - Accessibility Categories
 - Cat. 2A - Accessible Unit based on HB 2138
 - Cat. 2B - Adaptable unit
 - An individual unit can count toward meeting up to one affordability category (Cat. 1A – 1C) and one accessibility category (Cat. 2A – 2B). This is not intended to preclude other units within the same development from meeting other categories where possible in order to increase the bonuses available to the development, up to the maximum allowed.

TABLE 8.1: QUALIFYING CATEGORIES	
Category	Category Criteria
Affordability Categories	
Cat. 1A	10-Year Affordable Homeownership Unit. A unit of housing subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, that: (A) Makes the unit available and affordable to purchase and to own for households with incomes of 120 percent or less of the area median income; and (B) Is enforceable for a duration of not less than 10 years from the date of the certificate of occupancy. This category is based on HB 2138. To make this more implementable for small (and some medium) cities, a template of the covenant will need to be available as well as instructions on how to determine what sale price will be “affordable to purchase and own” so cities can easily communicate to applicants what the sale price limit will be once the house is completed.
Cat. 1B	10-Year Mixed-Income Housing. Residential property:

8 – Bonuses

	<p>(A) In which at least 20 percent of units on the property or development site (rounded up to the nearest unit) are made available to own or rent to households with incomes of 80 percent or less of the area median income; and</p> <p>(B) Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 10 years.</p> <p>This category uses the affordability and set-aside that can be required through an Inclusionary Zoning program under state law (ORS 197A.465). The 10-year duration is because many of the authorized tax abatement programs run for only 10 years and it's more complicated and harder on the development finances if the affordability obligation outlasts the tax abatement. This doesn't guarantee it will be paired with a tax abatement, but it's set up to make that easier. It can also be described as a "voluntary inclusionary" incentive.</p>
Cat. 1C	<p>30-Year Affordable Housing. Residential property:</p> <p>(A) In which:</p> <ul style="list-style-type: none"> (i) Each unit on the property is made available to own or rent to households with incomes of 80 percent or less of the area median income; or (ii) The average of all units on the property is made available to households with incomes of 60 percent or less of the area median income; and <p>(B) Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 30 years.</p>
Accessibility Categories	
Cat. 2A	<p>Accessible Unit. A unit of housing that complies with the "Type A" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.</p> <p>This category is based on HB 2138. The cited building code standard is ICC A117.1-2017.</p>
Cat. 2B	<p>Adaptable unit. A unit of housing that complies with the "Type B" requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code. For multi-story dwelling units, the "Type B" requirements are only required on the ground floor, provided a kitchen, bathroom and bedroom are available on the ground floor. Note, the provisions regarding accessibility for multi-story units will need to be further refined, potentially specifying things like bathrooms with accessible showers on the ground floor.</p>

8.2 Bonuses by Housing Type

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

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

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8.2.1 Bonuses for Detached Single-Unit or Duplex

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

A. Qualified Projects.

1. Category 1A. At least one unit on the parent lot must meet the applicable category criteria in Table 8.1 to qualify for this bonus.

For DSUs this means that either the primary dwelling or ADU must meet the criteria. The draft Model Code doesn’t yet address standard land divisions; however, in the future, the Model Code could also include a standard for land divisions (e.g. 25% of lots in a land division). In that case, it would need to clarify whether the bonus FAR and height apply to all lots or just the accessible or affordable ones.

2. Category 1B and 1C. The DSU or duplex project must meet the applicable category criteria in Table 8.1 to qualify for these bonuses.
3. Category 2A. At least one unit on the parent lot must meet the applicable category criteria in Table 8.1 for the DSU or duplex project to qualify for this bonus.
4. Category 2B. 100% of units on the parent lot must meet the applicable category criteria in Table 8.1 for the DSU or duplex project to qualify for this bonus.

B. Bonuses Earned.

1. A DSU or duplex project may qualify for more than one category provided that each individual unit may only count toward meeting one affordability and one accessibility category.
2. Within a DSU or duplex project, all bonuses earned may be used individually or in combination.
3. The “cap” is the maximum that is allowed for the DSU or duplex project (inclusive of applicable bonuses).

TABLE 8.2-1: BONUSES FOR DETACHED SINGLE-UNIT OR DUPLEX: LARGE CITIES

Bonus Type	Base Requirement	Bonuses by Category				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units:						
• Duplex	2 units	+1 unit	+1 unit	+1 unit	--	3 units
• Additional ADU	2 ADUs	+1 ADU	+1 ADU	+1 ADU	--	3 ADUs
Reduce Minimum Lot Size	5,000 sf	- 1,000 sf	- 2,000 sf	- 1,000 sf	-800	3,000 sf
Increase Maximum Floor Area Ratio of DSU or duplex project						
• 1 total dwelling unit	0.6 to 1	+0.15	+0.3	+0.15	+0.1	0.9 to 1

8 – Bonuses

TABLE 8.2-1: BONUSSES FOR DETACHED SINGLE-UNIT OR DUPLEX: LARGE CITIES

Bonus Type	Base Requirement	Bonuses by Category				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
<ul style="list-style-type: none"> 2 to 4 total dwelling units (1) 	0.9 to 1	+0.15	+0.3	+0.15	+0.1	1.2 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Duplex	No	Yes	Yes	Yes	Yes	Yes

NOTES:
 (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.

TABLE 8.2-1: BONUSSES FOR DETACHED SINGLE-UNIT OR DUPLEX: MEDIUM CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units	2 units	+1 unit	+1 unit	+1 unit	--	3 units
<ul style="list-style-type: none"> Duplex 	2 units	+1 unit	+1 unit	+1 unit	--	3 units
<ul style="list-style-type: none"> Additional ADU 	2 ADUs	+1 ADU	+1 ADU	+1 ADU	--	3 ADUs
Reduce Minimum Lot Size	5,000 sf	- 800 sf	- 1,600 sf	- 800 sf	-500	3,400 sf
Increase Maximum Floor Area Ratio of DSU or duplex project						
<ul style="list-style-type: none"> 1 total dwelling unit 	0.6 to 1	+0.15	+0.3	+0.15	+0.1	0.9 to 1
<ul style="list-style-type: none"> 2 to 4 total dwelling units (1) 	0.8 to 1	+0.15	+0.3	+0.15	+0.1	1.1 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Duplex	No	Yes	Yes	Yes	Yes	Yes

NOTES:
 (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.

TABLE 8.2-1: BONUSSES FOR DETACHED SINGLE-UNIT OR DUPLEX: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units: Duplex	2 units	--	--	--	--	2 units
Reduce Minimum Lot Size	5,000 sf	- 800 sf	- 1,600 sf	- 800 sf	-500	3,400 sf
Increase Maximum Floor Area Ratio of DSU or duplex project						

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TABLE 8.2-1: BONUSES FOR DETACHED SINGLE-UNIT OR DUPLEX: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
• 1 total dwelling unit	0.6 to 1	+0.1	+0.2	+0.1	+0.05	0.8 to 1
• 2 total dwelling units (DSU + ADU or duplex) or 3 dwelling units (duplex + additional unit) (1)	0.7 to 1	+0.1	+0.2	+0.1	+0.05	0.9 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Duplex	No	Yes	Yes	Yes	Yes	Yes
NOTES: (1) If an additional unit is added to a lot with an existing dwelling unit that has been in place for at least 5 years, and the existing unit will be retained, up to 1,000 square feet of floor area is permitted even if it exceeds the maximum FAR.						

8.2.2 Bonuses for Triplex or Quadplex

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

A. Qualified Projects.

1. Category 1A. At least one unit on the parent lot must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for this bonus.
2. Category 1B and 1C. A triplex or quadplex project must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one unit on the parent lot must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for these bonuses.
4. Category 2B. At least one unit on the parent lot must meet the applicable category criteria in Table 8-1 for the triplex or quadplex project to qualify for this bonus. Alternatively, the code could require that the standard be met by all ground floor units.

B. Bonuses Earned.

1. A triplex or quadplex project may qualify for more than one category provided that each individual unit may only count toward meeting one affordability and one accessibility category.
2. Within a triplex or quadplex project, all bonuses earned may be used individually or in combination.
3. The “cap” is the maximum that is allowed for a triplex or quadplex project (inclusive of applicable bonuses).

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TABLE 8.2-2: BONUSES FOR TRIPLEX OR QUADPLEX: LARGE CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 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 to 1	+0.15	+0.3	+0.15	+0.1	1.4 to 1
• 4 total dwelling units	1.2 to 1	+0.15	+0.3	+0.15	+0.1	1.5 to 1
• 5 - 6 total dwelling units (with bonus)	1.2 to 1	+0.2	+0.4	+0.2	+0.15	1.6 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Triplex / Quadplex	No	Yes	Yes	Yes	Yes	Yes

TABLE 8.2-2: BONUSES FOR TRIPLEX OR QUADPLEX: MEDIUM CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units:						
• Triplex	3 units	+1 unit	+1 unit	+1 unit	--	4 units
• Quadplex	4 units	+2 unit	+2 unit	+2 unit	--	6 units
Increase Maximum Floor Area Ratio per Triplex or Quadplex Project						
• 3 total dwelling units	1.0 to 1	+0.15	+0.3	+0.15	+0.1	1.3 to 1
• 4 total dwelling units	1.1 to 1	+0.15	+0.3	+0.15	+0.1	1.4 to 1
• 5 - 6 total dwelling units (with bonus)	1.1 to 1	+0.2	+0.4	+0.2	+0.15	1.5 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Triplex / Quadplex	No	Yes	Yes	Yes	Yes	Yes

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TABLE 8.2-2: BONUSES FOR TRIPLEX OR QUADPLEX: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units:						
• Triplex	3 units	--	--	--	--	3 units
• Quadplex	4 units	--	--	--	--	4 units
Increase Maximum Floor Area Ratio per Triplex or Quadplex Project						
• 3 total dwelling units	0.8 to 1	+0.1	+0.2	+0.1	+0.05	1.0 to 1
• 4 total dwelling units	0.9 to 1	+0.1	+0.2	+0.1	+0.05	1.1 to 1
• 5 - 6 total dwelling units	NA	--	--	--	--	--
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
Allow Detached Units: Triplex / Quadplex	No	No	Yes	No	No	Yes

8.2.3 Bonuses for Townhouses

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

A. Qualified Projects.

1. Category 1A. At least one out of every 6 units, but in no case less than one unit, within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.
2. Category 1B and 1C. A townhouse project must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one out of every 6 units, but in no case less than one unit, within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.
4. Category 2B. 75% of units within a townhouse project must meet the applicable category criteria in Table 8-1 for the townhouse project to qualify for this bonus.

B. Bonuses Earned.

1. A townhouse project may qualify for more than one bonus provided that each individual unit may only count toward meeting one affordability and one accessibility category. For Categories 1A and 2A, the bonus is calculated for, and applied to, each group of 6 units regardless of the number of townhouses in the project or attached to each other (e.g., a 12-unit townhouse project can earn separate bonuses for two groups of 6 units).
2. Within a townhouse project, all bonuses earned may be used individually or in combination.

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3. The “cap” is the maximum that is allowed for a townhouse project (inclusive of applicable bonuses).

The draft Model Code does not require any minimum dimensions for townhouses other than lot size. For large cities, the minimum lot size is 1,250 sf. Four townhouses would require 5,000 sf; therefore, to allow 6 townhouses on the same site, the lot size would need to be reduced to 833.33 sf or less. Alternatively, the applicant could switch to attached stacked duplexes on townhouse lots – this approach will require a definition and also clarification of whether the townhouse design standards still apply even though the structure is no longer a townhouse.

TABLE 8.2-3: BONUSES FOR TOWNHOUSES: LARGE CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units (1)	--	+1 to 2 units	+2 units	+1 to 2 units	--	1 to 2 bonus units
Reduce Minimum Lot Size	1,250 sf	-200 sf	-400 sf	-200 sf	-100 sf	830 sf
Increase Maximum Floor Area Ratio	1.2 to 1	+0.2	+0.4	+0.2	+0.1	1.6 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft

NOTES:

(1) Townhouse projects with 2 to 5 townhouses can earn a bonus of one additional unit. Projects with 6 or more units can earn a bonus of 2 units for every group of 6 units that meets the criteria. Bonus units can be provided as townhouses on their own townhouse lots or added to townhouse lots as attached stacked duplexes or ADUs.

TABLE 8.2-3: BONUSES FOR TOWNHOUSES: MEDIUM CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units (1)	--	+1 to 2 units	+ 2 units	+1 to 2 units	--	1 to 2 bonus units
Reduce Minimum Lot Size	1,500 sf	-200 sf	-400 sf	-200 sf	-100 sf	1,100 sf
Increase Maximum Floor Area Ratio	1.1 to 1	+0.2	+0.4	+0.2	+0.1	1.5 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft

NOTES:

(1) Townhouse projects with 2 to 5 townhouses can earn a bonus of one additional unit. Projects with 6 or more units can earn a bonus of 2 units for every group of 6 units that meets the criteria. Bonus units can be provided as townhouses on their own townhouse lots or added to townhouse lots as attached stacked duplexes or ADUs.

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TABLE 8.2-3: BONUS FOR TOWNHOUSES: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Units	--	--	--	--	--	--
Reduce Minimum Lot Size (1)	1,800 sf	-200 sf	-500 sf	-200 sf	-100 sf	1,300 sf
Increase Maximum Floor Area Ratio	0.9 to 1	+0.1	+0.2	+0.1	+0.05	1.1 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+5 ft	+5 ft	--	40 ft
NOTES:						

8.2.4 Bonuses for Cottage Cluster

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

A. Qualified Projects.

1. Category 1A. At least one out of every 6 cottages, but in no case less than one cottage, within each cottage cluster must meet the applicable Category Criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.

The definition of a “cottage cluster project” means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

2. Category 1B and 1C. A cottage cluster must meet the applicable category criteria in Table 8-1 to qualify for these bonuses.
3. Category 2A. At least one out of every 6 cottages, but in no case less than one cottage, within each cottage cluster must meet the applicable Category Criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.
4. Category 2B. 75% of cottages within a cottage cluster project must meet the criteria in Table 8-1 for the cottage cluster project to qualify for this bonus.

B. Bonuses Earned.

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

For large cities, the minimum lot size for cottage clusters is 5,000 sf for new lots and allows 12 cottages (416.66 sf per cottage). Given that, a further reduction in lot size probably isn't a meaningful bonus and is not included here.

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TABLE 8.2-4: BONUSES FOR COTTAGE CLUSTER: LARGE CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Cottages per Cluster	12 cottages	+2 unit	+2 unit	+2 unit	--	14 units
Increase Maximum Average Floor Area per Dwelling Unit	1,400 sf	+100 sf	+400 sf	+100 sf	+100 sf	1,600 sf
Increase Maximum Building (Cottage) Footprint	900 sf	+50 sf	+100 sf	+50 sf	+50 sf	1,000 sf
Reduce Required Open Space - Courtyard	150 sf / cottage	-30 sf / cottage	-70 sf / cottage	-30 sf / cottage	-20 sf / cottage	80 sf
Increase Maximum Building/Structure Height	25 ft or 2 stories	+5 ft	+10 ft	+5 ft	--	35 ft

TABLE 8.2-4: BONUSES FOR COTTAGE CLUSTER: MEDIUM CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat 1A/1B	Cat 1C	Cat 2A	Cat. 2B	
Increase Number of Cottages per Cluster	10 cottages	+2 unit	+2 unit	+2 unit	--	12 units
Increase Maximum Average Floor Area per Dwelling Unit	1,400 sf	+100 sf	+400 sf	+100 sf	+100 sf	1,600 sf
Increase Maximum Building (Cottage) Footprint	900 sf	+50 sf	+100 sf	+50 sf	+50 sf	1,000 sf
Reduce Required Open Space - Courtyard	150 sf / cottage	-30 sf / cottage	-70 sf / cottage	-30 sf / cottage	-20 sf / cottage	80 sf
Increase Maximum Building/Structure Height	25 ft or 2 stories	+5 ft	+10 ft	+5 ft	--	35 ft

TABLE 8.2-4: BONUSES FOR COTTAGE CLUSTER: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories				Cap (Max. with Bonuses)
		Cat. 1A & 1B	Cat. 1C	Cat. 2A	Cat. 2B	
Increase Number of Cottages per Cluster	8 cottages	+2 unit	+2 unit	+2 unit	--	10 units
Increase Maximum Average Floor Area per Dwelling Unit	1,400 sf	+100 sf	+200 sf	+100 sf	+100 sf	1,600 sf
Increase Maximum Building (Cottage) Footprint	900 sf	+50 sf	+100 sf	+50 sf	+50 sf	1,000 sf
Reduce Required Open Space - Courtyard	150 sf / cottage	-30 sf / cottage	-70 sf / cottage	-30 sf / cottage	-20 sf / cottage	80 sf

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Increase Maximum Building/Structure Height	25 ft or 2 stories	+5 ft	+10 ft	+5 ft	--	35 ft
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8.2.5 Bonuses for Multi-Unit Housing

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

A. Qualifying Categories.

1. Categories 1B and 1C. The multi-unit project must meet the criteria in Table 8-1 to qualify for these bonuses
2. Category 2A. The following number of units must meet the criteria in Table 8-1 for the multi-unit project to qualify for this bonus: At least 10 percent of the units on the ground floor, and on any upper floor served by an elevator, but no less than one more unit than would be required by the Building Code. This is aligned with the draft model language in the Multiple Unit Property Tax Exemption (MUPTEx) Adoption-Ready Action for accessibility.

B. Bonuses Earned.

1. A multi-unit project may qualify for more than one bonus provided that each individual unit can only count toward meeting one affordability category and one accessibility category.
2. Within a multi-unit project, all bonuses earned may be used individually or in combination.
3. The “cap” is the maximum that is allowed for development (inclusive of applicable bonuses).

Since the draft development standards allow ADA parking to count toward required outdoor area, the tables below offer only a limited/no reduction in outdoor area for Cat. 2A and 2B.

The bonuses in Cat 1C reflect those in ORS 197.445, including a 36’ height bonus for property with existing maximum density of 46 or more units per acre. However, this additional height may not be feasible in some small cities depending on firefighting capabilities. (Section 1.3 specifies that nothing in this code supersedes certain regulatory standards, including life/safety and fire. So, if fire code restricts heights based on firefighting capabilities, that regulation supersedes anything in this code.)

TABLE 8.2-5: BONUSES FOR MULTI-UNIT HOUSING: LARGE CITIES: LARGE CITIES					
Bonus Type	Base Requirement	Qualifying Categories			Cap (Max. with Bonuses)
		Cat 1B	Cat 1C	Cat 2A	
Increase Maximum Floor Area Ratio					
Site size: less than 10,000 sf	2.5 to 1	+1 to 1	+2 to 1	+1 to 1	[4.5 or 6] to 1
Site size: 10,000 sf to 50,000 sf	2 to 1	+0.7 to 1	+1.5 to 1	+0.7 to 1	3.5 to 1
Site size: greater than 50,000 sf	1 to 1	+0.5 to 1	+1 to 1	+0.5 to 1	2 to 1

8 – Bonuses

TABLE 8.2-5: BONUSES FOR MULTI-UNIT HOUSING: LARGE CITIES: LARGE CITIES

Bonus Type	Base Requirement	Qualifying Categories			Cap (Max. with Bonuses)
		Cat 1B	Cat 1C	Cat 2A	
Increase Maximum Building/Structure Height	40 ft or 3 stories	+10 ft	+36 ft	+10 ft	76 ft
Reduce Required Outdoor Area	15%	-7%	-15%	-5%	0%

TABLE 8.2-5: BONUSES FOR MULTI-UNIT HOUSING: LARGE CITIES: MEDIUM CITIES

Bonus Type	Base Requirement	Qualifying Categories			Cap (Max. with Bonuses)
		Cat 1B	Cat 1C	Cat 2A	
Increase Maximum Floor Area Ratio					
Site size: less than 10,000 sf	2 to 1	+1 to 1	+2 to 1	+1 to 1	4 to 1
Site size: 10,000 sf to 50,000 sf	1.5 to 1	+0.7 to 1	+1.5 to 1	+0.7 to 1	3 to 1
Site size: greater than 50,000 sf	1 to 1	+0.5 to 1	+1 to 1	+0.5 to 1	2 to 1
Increase Maximum Building/Structure Height	40 ft or 3 stories	+10 ft	+36 ft	+10 ft	76 ft
Reduce Required Outdoor Area	15%	-7%	-15%	-5%	0%

TABLE 8.2-5: BONUSES FOR MULTI-UNIT HOUSING: LARGE CITIES: SMALL CITIES

Bonus Type	Base Requirement	Qualifying Categories			Cap (Max. with Bonuses)
		Cat 1B	Cat 1C	Cat 2A	
Increase Maximum Floor Area Ratio					
Site size: less than 10,000 sf	1.5 to 1	+1 to 1	+2 to 1	+1 to 1	3.5 to 1
Site size: 10,000 sf to 50,000 sf	1 to 1	+0.7 to 1	+1.5 to 1	+0.7 to 1	2.5 to 1
Site size: greater than 50,000 sf	0.5 to 1	+0.5 to 1	+1 to 1	+0.5 to 1	1.5 to 1
Increase Maximum Building/Structure Height	35 ft	+5 ft	+36 ft	+5 ft	76 ft
Reduce Required Outdoor Area	15%	-7%	-15%	-5%	0%

Chapter 9 – Procedures and Applications

Sections:

9.1 Type I Zoning Review

9.2 Type II Review

9.3 Middle Housing Land Division

State law requires the Model Code to provide a ministerial and expedited review process as one of LCDC's enforcement tools. For the most part, this code will allow housing via a ministerial approval process. See the placeholder for Limited Land Use Review in Section 9.2 for additional comments.

9.1 Zoning Review

Zoning Reviews are subject to a ministerial review procedure, applicants would be 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.

- A. Method of review.** Zoning Reviews are subject to ministerial review. Ministerial reviews are nondiscretionary reviews. The decision is made by the City Planning Official, or their designee, without public notice and without a public hearing. The decision of the City Planning Official is final. There is no local appeal process.
- B. Requirements.** Zoning Reviews are generally processed in conjunction with obtaining a building permit but may be submitted in advance of the building permit. In either case, a building permit shall not be issued until the City Planning Official has approved a Zoning Review for the proposed project.
- C. Zoning Review Application Requirements.**
1. The applicant has the responsibility to obtain the property owner's permission for the request.
 2. Applicants must submit information showing that the proposal complies with this Code, including:
 - a. Information requested on the application form. A Zoning Review submitted concurrently with a building permit application does not require a separate application form;
 - b. A site plan as specified in subsection (D) which provides sufficient detail to determine the standards are met; and
 - c. Documentation demonstrating that sufficient infrastructure is available or will be available prior to certificate of occupancy to serve the proposed development, based on applicable public works standards.
 3. Applications must be filed with the required fee, based on the applicable local fee schedule.
- D. Site Plan Requirements.** The site or development plan must be drawn accurately to scale and must show the following existing and proposed information:
- All property lines with dimensions and total lot area;
 - North arrow and scale of drawing;

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- Adjacent streets, access (driveways), curbs, sidewalks, and bicycle routes;
- Existing Goal Protected Resources, if any are present on the site;
- The location, size, and species of adjacent street trees, and all onsite trees 6 inches and larger in diameter. Trees proposed to be preserved, including protection methods, and trees proposed to be removed;
- Easements and on-site utilities;
- Existing and proposed development with all dimensions, including floor area;
- Building elevations showing entries and windows;
- Distances of all existing and proposed development to property lines;
- Types and location of landscape area and required usable open space (if required);
- Percentage of the site proposed for landscaping coverage;
- Motor vehicle and pedestrian access and circulation systems, including connections off-site;
- Motor vehicle and bicycle parking areas and design, number of spaces, and loading areas; and
- Service provider letters stating that adequate infrastructure is available to serve the development or will be available prior to occupancy.

E. Completeness Review.

Although a Zoning Review is not a “permit, limited land use decision or zone change,” meaning ORS 227.178 does not apply, this draft includes a 30-day completeness review timeline from that statute for consistency.

1. The City Planning Official shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within 30 calendar days after the city receives the application submittal.
2. If the application was complete when first submitted, or within 180 days of the date the application was first submitted, the applicant submits the requested additional information or informs the city that no further information will be provided, approval or denial of the application shall be based:
 - a. Upon the standards and criteria that were applicable at the time the application was first submitted; or
 - b. At the request of the applicant, upon those standards and criteria that are operative at the time of the request. If an applicant requests review under different standards:
 - i. Any applicable timelines for completeness review and final decisions restart as if a new application were submitted on the date of the request; and
 - ii. Submission of additional information may be required if the request affects or changes information in the application.
3. On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information as required under subsection (1) and has not submitted the information.

F. Criteria and Decision. The City Planning Official’s evaluation of a Zoning Review will determine whether minimum code requirements are met and whether any other land use permit or approval is required prior to issuance of a building permit.

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1. Approvals of Zoning Reviews are based on the information submitted. If the information relied upon to grant the approval is incorrect, the approval may be voided.
 2. The City Planning Official shall approve, approve with conditions, or deny an application subject to a Type I procedure within 60 days after the application was determined to be complete.
- G. Effective Date.** Decisions made by the City Planning Official, or their designee, are final. A Zoning Review decision is final on the date it is signed by the City Planning Official. There is no opportunity for further local appeal.
- H. Expiration of Approvals.** An approval under this section expires if:
1. Within 2 years of the date of the final decision, a building permit has not been issued for approved development.
 2. Within 2 years of the date of the issuance of a building permit, if the approved development has not commenced.

9.2 Limited Land Use Review

This is a placeholder for a future Model Code module. One policy idea that's been discussed is to add a threshold (e.g., gross floor area) above which the Limited Land Use process would be required. Possible threshold: the square footage of a 3-story apartment building on a 5,000 sf lot (roughly 10,000 – 15,000 sf). The Model Code could also include expedited approval for certain qualifying housing (e.g., affordable housing).

9.3 Middle Housing Land Divisions

Middle housing land division is a required process for medium and large cities subject to ORS 197A.420. For small cities, it is recommended to provide MHLD as a process that they can choose to opt into.

- A. Purpose.** A middle housing land division (MHLD) 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). For medium and large cities, this will need to be updated with HB 2138 rulemaking since it expands the applicability to existing units. The bill references “section 3 of this 2025 Act,” which will need to be replaced with the ORS reference.

Recommended for Small Cities: A middle housing land division (MHLD) is a partition or subdivision of a lot or parcel on which middle housing is developed or proposed.

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

- B. Applicability.**

Eligible zoning districts and housing will depend on the ORS requirements for middle housing and MHLDs in the three city sizes, or whether a city chooses to allow MHLD beyond ORS requirements.

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Large Cities:

1. **Eligible Zoning Districts.** MHLDS are available in zoning districts subject to the middle housing requirements of ORS 197A.420(2).
2. **Eligible Housing.** Middle housing development that is eligible for an MHLDS may consist of:
 - a. A single duplex, triplex, quadplex, cottage cluster, or structure containing townhouses;
 - b. Additional “bonus” units as allowed by Sections 8.2.1 through 8.2.4; and From HB 2138, “(B) Additional units as allowed by section 3 (3) of this 2025 Act.”
 - c. Any retained or rehabilitated existing units on the lot or parcel, as allowed by ORS 197A.420(4), including: From HB 2138.
 - i. One single-unit dwelling;
 - ii. One single-unit dwelling plus one accessory dwelling unit; or
 - iii. One duplex.

Medium Cities:

1. **Eligible Zoning Districts.** MHLDS are available in zoning districts subject to the middle housing requirements of ORS 197A.420(3).

Recommended: MHLDS are available in zoning districts where middle housing is permitted.
2. **Eligible Housing.** Middle housing development that is eligible for an MHLDS may consist of:
 - a. A single duplex or a structure containing two townhouses;

Recommended: A single triplex, quadplex, cottage cluster, or structure containing three or more townhouses;
 - b. Additional “bonus” units as allowed by Section 8.2.1 [or 8.2.1 through 8.2.4 if allowing MHLDS for all middle housing]; and
 - c. Any retained or rehabilitated existing units on the lot or parcel, as allowed by ORS 197A.420(4).

This will depend on whether the code allows MHLDS for all middle housing types. Also, the bonus option complicates how many existing units could be retained.

Small Cities: Recommended

1. **Eligible Zoning Districts.** MHLDS are available in zoning districts where middle housing is permitted.
2. **Eligible Housing.** Middle housing development that is eligible for an MHLDS may consist of:
 - a. A single duplex, triplex, quadplex, cottage cluster, or structure containing townhouses;
 - b. Additional “bonus” units as allowed by Sections 8.2.1 through 8.2.4; and
 - c. Any retained or rehabilitated existing units on the lot or parcel.

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All City Sizes:

3. Application Timing and Sequencing.

- a. An application for a tentative plan for an MHL D may be submitted before, after, or at the same time as the submission of an application for building permits for the middle housing. **HB 2138** clarifies that this is required.
- b. An application for a tentative plan for an MHL D may be submitted at the same time as an application for a standard subdivision or partition. The standard land division would create the parent lot(s), and the MHL D would further subdivide the lot(s) into middle housing child lots. *This is also added via HB 2138, Section 15: 92.044(1)(c) The procedures must provide for: (C) A method by which the city or county may approve a plan or plat that includes further division of one or more of the resulting lots or parcels via concurrently submitted applications for middle housing land divisions under ORS 92.031, all to be approved within the timelines provided under ORS 215.427 or 227.178.*
- c. An application of one or more than one MHL D submitted at the same time as an application for a standard subdivision or partition will be consolidated into a single application subject to the procedural requirements for the standard subdivision or partition.
- d. Within the same calendar year as an original partition that was not an MHL D, one or more of the resulting vacant parcels may be further partitioned into not more than 3 parcels through an MHL D.

C. Applicability of Middle Housing Regulations. An MHL D creates 2 or more lots or parcels from a single parent lot on which middle housing is developed or proposed. After an MHL D is completed, the resulting lots or parcels are “child lots” or “middle housing lots.” The development is still subject to the requirements and standards that applied to the parent lot prior to the MHL D. In other words, the middle housing development is still defined and regulated as the original middle housing type after an MHL D is completed (e.g., a duplex that undergoes an MHL D does not become a townhouse development; the structure and property are still subject to requirements/standards for a duplex).

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

1. The middle housing development, including all existing and proposed structures, complies with:
 - a. The Oregon Residential Specialty Code; and
 - b. The middle housing regulations applicable to the parent lot, including but not limited to, the provisions in this Code and any applicable provisions in the city’s development code.
2. Exactly one dwelling unit will be located on each resulting child lot except for:
 - a. Lots, parcels, or tracts used as common areas, on which no dwelling units will be permitted; or

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- b. Lots or parcels with an existing detached single-unit dwelling and accessory dwelling unit or an existing duplex, as allowed under Section 9.3(B)(2)(b). Such existing units shall be considered a single middle housing unit for the purposes of the MHL. **This is an HB 2138 addition.**

3. Separate utility service connections will be provided for each child lot.

In lieu of more comprehensive promising practice to allow shared utility configurations, the draft code does not allow shared utility connections. Current statute requires separate utilities for each lot as an MHL approval criterion. While HB 2138 removes 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.*

If the Model Code is revised to allow shared utilities, then the following wording could be considered: [If shared utility facilities, such as onsite stormwater facilities, water, and/or wastewater connections are proposed, the applicant shall record a Covenant, Condition, or Restriction (CC&R) outlining the shared maintenance obligations of individual owners, which may include shared maintenance through a homeowners association or other legal entity.]

4. Easements will be provided as necessary for each dwelling unit on the site for:
 - a. Locating, accessing, replacing, and servicing all utilities;
 - b. Pedestrian access from each dwelling unit to a private or public road;
 - c. Access to any common use areas or shared building elements; and
 - d. Access to any dedicated driveways or parking.
5. Buildings or structures on a resulting child lot will comply with applicable building codes provisions relating to new property lines.
6. Notwithstanding the creation of new child lots, all structures or buildings located on the newly created lots will comply with the Oregon Residential Specialty Code.
7. Where a resulting child lot abuts a street that does not meet city standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to the city's public works standards and design and construction specifications.

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

1. Any information required by the city for a standard land division;
2. A description of the manner in which the proposed land division will satisfy the approval criteria in Section 9.3(D).
3. Copies of approved building permits or building permit applications, or comparable information necessary to demonstrate compliance with building code standards, and an accompanying site plan demonstrating compliance with criteria in Sections 9.3(D)(1) and (5).

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4. In addition to the items required by the city to be shown on a tentative plan or preliminary plat for a standard land division, the MHL D tentative plan shall show the following details:
 - a. Separate utility connections for each dwelling unit, demonstrating compliance with approval criterion 9.3(D)(3).
 - b. Existing or proposed easements necessary for each dwelling unit on the plan, demonstrating compliance with the criterion 9.3(D)(4).
5. Draft copies of all necessary easements for review by the city attorney.

F. Tentative Plan Conditions of Approval.

1. The city may attach conditions of approval of a tentative plan for an MHL D to:
 - a. Prohibit further division of the resulting child lots.

Recommended: However, further division of the child lots may be permitted if the applicable minimum density requirements are not met. This reflects a new provision from HB 2138, Section 14.
 - b. Require that a notation appear on the final plat indicating:
 - i. The approval was given under ORS 92.031.
 - ii. The type of middle housing approved on the subject site and noting that this middle housing type shall not be altered by the MHL D.
 - iii. Accessory dwelling units are not permitted on resulting child lots.

Recommended: However, accessory dwelling units may be permitted if the applicable minimum density requirements are not met. This reflects a new provision from HB 2138, Section 14.
 - c. Require that all public improvements and site improvements that are required to satisfy approval criteria in Section 9.3(D) and applicable standards of the city's code are constructed prior to issuance of a Certificate of Occupancy for the development. This provision is in a city's authority to require under ORS 92.031(4)(b), and is intended to ensure that all improvements – including on-site improvements such as landscaping and pedestrian paths – will be delivered in a timely fashion.
2. The preliminary approval of an MHL D is void if and only if a final MHL D plat is not approved within 3 years of the preliminary approval.

G. Tentative Plan Procedure.

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

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2. **Expedited Procedure.** Unless the applicant requests to use the city's standard land division procedure, the city shall apply the procedure used for an expedited land division, as provided below and in ORS 197.365. A decision for an MHL D processed under ORS 197.365 is not subject to the requirements of ORS 197.797. This incorporates HB 2138's revised provisions for MHL D and expedited land divisions. The bill specifies: *(a) Shall apply the procedures under ORS 197.360 to 197.380 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).*
- a. The City Planning Official shall make a decision to approve or deny the application and shall provide notice of the decision to the applicant within 63 days of receiving a completed application as described in ORS 227.178. Notice shall not be provided to any other person.
 - b. The MHL D review process does not include a hearing and the city does not accept public comment from third parties.
 - c. The city shall issue a written determination of compliance or noncompliance with the approval criteria in subsection (D). An approval may include conditions of approval pursuant to subsection (F) to ensure that the application meets all applicable requirements.
 - d. The written determination shall include a summary statement explaining the determination, and an explanation of the applicant's right to appeal the determination under ORS 197.830 to 197.855.
 - e. The applicant shall pay a fee according to the city's fee schedule. Note, the final Model Code will need to consider how to legally handle cities without MHL Ds in their fee schedule. The fee cannot exceed the estimated full cost of processing an application based on the estimated average cost of such applications.
 - f. Only the applicant may appeal a decision for an MHL D processed as an expedited land division made under this section.

H. Final Plat Requirements. An application for an MHL D final plat shall meet the city's requirements and approval criteria that apply to a standard subdivision or partition final plat.

Chapter 10 – Measurement Methodologies and Definitions

Sections:

10.1 Measurement Methodologies

10.2 Definitions

10.1 Measurement Methodologies

10.1.1 Minimum Size for New Lots

Minimum lot size would apply to the creation of new lots only. Housing development on existing lots would not be subject to the standard, although minimum density and maximum FAR would still apply.

- A. Standard.** Minimum lot size requirements for each housing type are stated in Tables 2.1 - 6.1. These standards apply to the creation of new lots through a standard subdivision or partition. Exceptions to the minimum lot size standards are stated in subsection (C).
- B. Measurement Methodology.** Lot size is the total surface area (measured horizontally) within the boundary lines of a lot or parcel.
- C. Exceptions.**
 - 1. The minimum lot size requirements do not apply to development on existing lots and parcels, and do not preclude the siting of a housing type on an existing, legally established lot or parcel.
 - 2. Minimum lot size does not apply to the child lots created through a Middle Housing Land Division.
 - 3. Minimum lot size does not apply to tracts for private streets, pedestrian facilities, stormwater facilities, open space, or other common areas.
 - 4. Within a land division, individual lots or parcels may be as small as 60% of the required minimum lot size, provided the average size of all of the lots or parcels within the land division meets the minimum lot size.

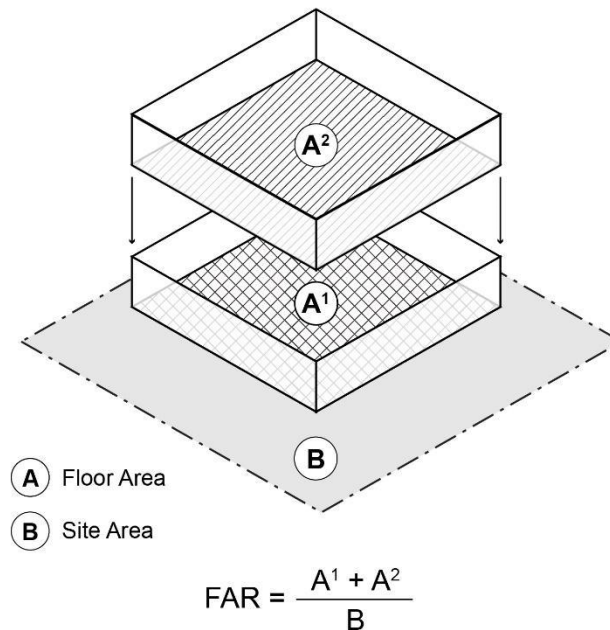
10.1.2 Floor Area Ratio

- A. Standard.** Maximum floor area ratios (FAR) for each housing type are stated in Tables 2.1 - 7.1. Floor area ratio works with height, setback, and outdoor area requirements to control the overall bulk and placement of buildings.
- B. Measurement Methodology.**
 - 1. **Floor Area Ratio.** Floor area ratio is the amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of all buildings on a site by the total site area (See Figure 10.1.2.a).

10 – Measurement Methodologies and Definitions

The maximum floor area ratio for all buildings on a site, cumulatively. When calculating FAR, the site area for townhouses and middle housing is the entire parent parcel or townhouse project.

Figure 10.1.2.a. Floor Area Ratio (FAR) Calculation



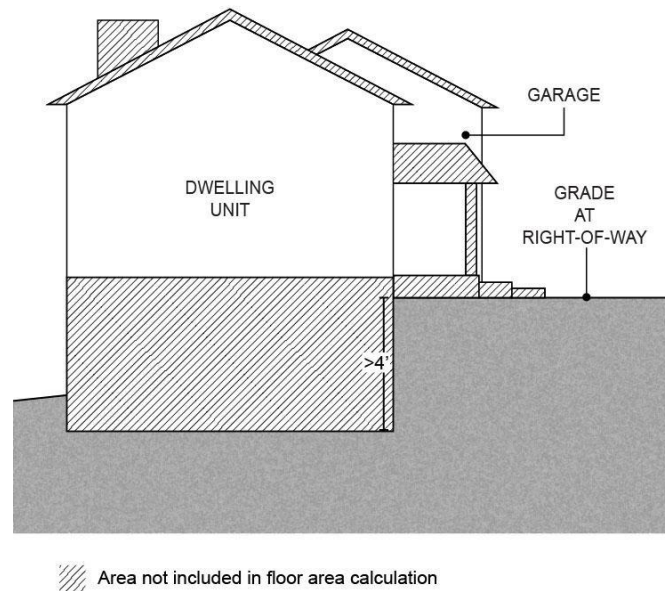
2. **Floor Area.** Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking.

Floor area does not include the following (see Figure 10.1.2.b):

- Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way, as measured at the property line;
- Roof area, including roof top parking;
- Roof top mechanical equipment; and
- Roofed outdoor living areas that are structurally attached to the building (e.g., porches and exterior balconies), unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter.
- Stairwells are only counted as floor area on one level.

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Figure 10.1.2.b. Areas Excluded from Floor Area Calculation



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

1. Floor area for required long term bicycle parking that is not located in a dwelling unit.
2. Floor area for indoor common area used to meet the requirements of Section 6.2.5.
3. Accessory structures under 15 feet high and less than 200 square feet.

10.1.3 Height

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

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

C. Exceptions.

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

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- a. Elevator mechanical equipment may extend up to 16 feet above the height limit; and
- b. Other mechanical equipment and stairwell enclosures that cumulatively cover no more than 10 percent of the roof area may extend up to 10 feet above the height limit.

10.1.4 Minimum Density

- A. Standard.** The minimum density standard for each housing type is stated in Tables 2.1 - 6.1. Minimum density ensures more efficient use of available residential land and to ensure sufficient residential capacity to accommodate growth. Exceptions to minimum density are stated in subsection (C).
- B. Calculating Density.** Density is a measurement of the number of dwelling units in relationship to a specified amount of land based on the minimum area per dwelling unit required by the applicable zone. When calculating density, the site area for townhouses and middle housing is the entire parent parcel or townhouse project. In order to avoid penalizing sites with constrained lands, minimum density is based on the net site area.

Minimum Density = Net site area / minimum area per dwelling unit in Tables 2.1 - 6.1.

- Fractions of units are rounded down.
- For the purpose of calculating minimum density, “net site area” equals the site area less constrained lands. Applicants may choose to classify the following as constrained land: goal protected lands and land within utility easements.

C. Exceptions to Minimum Density.

- I. For affordable housing developments meeting the definition in Section 10.2, applicants may choose to calculate and meet the minimum density requirement on a “per bedroom” basis rather than complying with the “per unit” basis required by Tables 2.1 - 6.1.

Minimum density calculation on a “per bedroom” basis:

- Step 1: Start with the **net site area per unit** required to meet minimum density in Tables 2.1 - 6.1.
- Step 2: Determine the **minimum area per bedroom** – divide by 2 the **net site area per unit**.
- Step 3: Divide the **net site area** by the **minimum area per bedroom**.

Example: 1 unit per 1,450 sq. ft. of net site area = 1 bedroom per 725 sf.

A 20,000 sf. net site would have a minimum density of 27 bedrooms (rather than 13 units).

These bedrooms could be arranged in nine 3-bedroom apartments or any other combination that meets the minimum density. Studio apartments are counted as one-bedroom.

10.1.5 Building Setbacks

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

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1. Garage Entrance Setbacks. Where Tables 2.1 – 6.1 provide two options for the garage entrance setback, the garage entrance must be either 5 feet or closer to the street lot line, or 18 feet or farther from the street lot line.
2. Exceptions to the minimum setbacks are stated in subsection (C).

B. Measuring Building Setbacks.

1. Setback distances are measured along a horizontal plane from the appropriate property line to the edge of the building.
2. For multi-unit housing proposed on a site that includes more than one lot or parcel, setbacks are calculated based on the property lines of the overall site, rather than individual lots or parcels.



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

Recommendation for Small Cities: The rear setback in the development standards tables (Tables 2.1 – 6.1) is 5 feet. However, cities which choose to require a larger rear setback should consider including the following: Where a rear lot line abuts an alley, one half of the width of the alley shall count toward meeting the rear setback.

C. Exceptions to Building Setbacks.

1. The interior side lot line between two attached dwelling units is not subject to the minimum side setback standard in Table 4.1 (Townhouses).
2. Minimum garage entrance setbacks in Tables 2.1 – 6.1 apply to front and street side lot lines (except alleys). Where a garage is accessed from a rear alley, the standard rear setback applies.
3. Portions of structures that are entirely underground are not included in measuring required distances.
4. Projections into Setbacks.
 - a. Building eaves may project up to 2 feet into a required setback, provided the eave is at least 3 feet from a lot line.

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

10.1.6 Required Outdoor Area and Usable Open Space

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

B. Measurement Methodology.

- I. Required Outdoor Area. Areas which can be counted toward the required outdoor area include:
 - Areas planted with vegetation (including natural areas and existing trees);
 - Private open space;
 - Pedestrian hardscape; and
 - Usable open space pursuant to subsection (B)(2).

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2. Usable Open Space. Where usable open space is required, it must include one or more of the following:
 - Outdoor recreation area surfaced with lawn, groundcover, or hard surface. The area must be contiguous and able to fit a 10-foot by 10-foot square;
 - Tree grove (e.g., existing mature trees);
 - Turf or grass play fields;
 - Children’s play structure or play area;
 - Sports courts;
 - Swimming or wading pool or hot tub;
 - Walking fitness course;
 - Natural area with benches;
 - Gardening area with at least 50 square feet of planting area; or
 - An applicant may propose alternative open space amenities, provided the applicant demonstrates the usable open space provides equal or greater benefit for active or passive recreational use or provides culturally-sensitive amenities for use by residents. Note, the intent here is to provide flexibility to accommodate culturally sensitive design; however, further detail will be needed to make this standard clear and objective. Alternatively, the code could allow the use of this discretionary option with a limited land use decision.
3. Enclosure. Required outdoor areas may be covered, such as a covered patio or gazebo, but they may not be fully enclosed, except as provided in subsection (C)(3). Covered outdoor areas are subject to the applicable setback standards.

C. Exceptions.

1. Balconies attached to individual dwelling units may count toward the minimum required outdoor area.
2. Balconies, terraces and rooftop decks with seating areas that are available for use by all residents may count toward the minimum required usable open space.
3. Indoor recreation and community spaces. As provided in Section 6.2.5(A)(2)(c), some or all of the required usable open space may be provided as shared indoor recreation or community space. Eligible spaces include:
 - Community rooms, including exercise, entertainment, cooking/dining, or meeting facilities;
 - Day care facilities; and
 - Occupational facilities, such as shared remote or live-work facilities.
 - If providing alternative open space amenities as provided in subsection (B)(2), indoor facilities that provide culturally-sensitive amenities for residents.

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

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10.1.7 Vehicle Parking

A. Standard. The minimum and maximum amount of off-street vehicle parking required for each housing type is stated in Tables 2.1 - 6.1. Exceptions to the minimum and maximum parking requirements are stated in subsection (C).

B. Vehicle Parking.

1. Off-street vehicle parking spaces required to meet minimum quantity requirements must meet the following standards:
 - a. Located on a hard-surfaced area
 - b. Minimum space size:
 - Standard:
 - Width: 8.5 feet
 - Depth: 18 feet
 - Compact:
 - Width: 7.5 feet
 - Depth: 16 feet
 - c. Up to 20 percent of parking stalls in shared parking areas may be compact spaces.
 - d. Spaces may be covered or uncovered.
 - e. Spaces may be provided on individual lots or in a shared parking area on a common tract.
 - f. ADA parking spaces must be provided on site; all other required parking must be provided on site or within 200 feet of the site.
 - g. Except for ADA parking spaces, a credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (2).
2. If on-street parking spaces meet all the standards in subsections (a)-(d) below, they shall be counted toward the minimum off-street parking requirement.
 - a. The space must be abutting the subject site;
 - b. The space must be in a location where on-street parking is allowed by the jurisdiction;
 - c. The space must be a minimum of 22 feet long; and
 - d. The space must not obstruct a required sight distance area.
3. Except as provided in subsection (C)(1), the maximum parking requirement applies to all parking on site, including visitor parking.

C. Exceptions.

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

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10.1.8 Bicycle Parking

A. Standard. The minimum and maximum amount of bicycle parking required for each housing type is stated in Tables 2.1 - 6.1. Exceptions to the bicycle parking requirements are stated in subsection (C).

The Oregon Administrative Rule requirements below apply to long-term bicycle parking. This draft 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.

(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.

B. Long-Term Bicycle Parking.

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

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3. Bicycle parking spaces shall meet the following dimensional standards:
 - a. At least 10 percent of spaces must be large spaces (designed to accommodate large bicycles, including family and cargo bicycles). Each large bicycle space must be a minimum of 3 feet wide, 7 feet long and 3 feet 4 inches tall.
 - b. Up to 90 percent of required spaces can be standard spaces. Each standard bicycle space must be a minimum of 2 feet wide, 6 feet long and 3 feet 4 inches tall.

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

1. Location standards.
 - a. For sites that are smaller than 10,000 square feet, short-term bicycle parking spaces may be provided on-site or within the public sidewalk, provided the space does not obstruct required minimum sidewalk widths or access to doorways.
 - b. For sites that are 10,000 square feet or larger, bicycle parking shall be provided on-site.
 - c. If bicycle parking is provided on-site, it must be located:
 - A. At the same grade as the sidewalk or at a location that can be reached by an accessible route; and
 - B. Within 50 feet of a main entrance to the building, as measured along the most direct pedestrian access route.
2. Dimensional standards. Each short-term bicycle space must be a minimum of 2 feet wide, 6 feet long and 3 feet 4 inches tall.

C. Exceptions.

1. Senior housing projects (those restricted for occupancy by households in which at least one member is aged 55 years or older) are exempt from the [long-term] bicycle parking requirements.

10.1.9 Windows and Doors

A. Standard. The minimum amount of window and door area required for each housing type is stated in Tables 2.1 - 6.1.

B. Measurement Methodology. Areas that qualify for the window and door coverage calculation are subject to the following (See Figure 10.1.9.a):

1. Windows and entrance doors may be used to meet this standard as provided in subsections (2) and (3), below.
2. Except as provided below, window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms.
 - a. Half of the window area in the door of an attached garage may count toward meeting this standard.

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- b. Windows into storage areas, mechanical and utility areas, and garbage and recycling areas do not qualify.
- 3. Door area is the area of the portion of an entrance door (other than a garage door) that moves and does not include the frame.

Figure 10.1.9.a. Window Coverage



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10.2 Definitions

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

B. Definitions.

1. “Accessible Housing” means...
 - a. “Accessible unit” means a unit of housing that complies with the “Type A” requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code. **This is the definition in HB 2138.**
 - b. “Adaptable unit” means a unit of housing that complies with the “Type B” requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.
2. “Accessory Dwelling Unit” means an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-unit dwelling.
3. “Affordable Housing” means income-restricted housing in one of the following categories, as provided in Chapter 8:
 - a. 10-Year Affordable Homeownership Unit. A unit of housing is subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, that:
 - (A) Makes the unit available and affordable to purchase and to own for families [households] with incomes of 120 percent or less of the area median income; and
 - (B) Is enforceable for a duration of not less than 10 years from the date of the certificate of occupancy.
 - b. 20-Year Affordable Housing. Residential property:
 - (A) In which the average of all units on the property is made available to own or rent to families [households] with incomes of 80 percent or less of the area median income; and
 - (B) Whose affordability, including affordability under a covenant as described in ORS 456.270 to 456.295, is enforceable for a duration of no less than 20 years.
 - c. 30-Year Affordable Housing. Residential property:
 - (A) In which:
 - (i) Each unit on the property is made available to own or rent to families [households] with incomes of 80 percent or less of the area median income; or
 - (ii) The average of all units on the property is made available to families [households] with incomes of 60 percent or less of the area median income; and

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

4. “Building footprint” means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.
5. “Common courtyard” means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.
6. “Common wall” means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.
7. “Cottage” means an individual dwelling unit that is part of a cottage cluster.
8. “Cottage cluster” means a grouping dwelling units:
 - a. That are detached or attached in subgroupings of up to 4 units in any configuration; per HB 2138 revisions
 - b. That have a common courtyard; and
 - c. That each have a footprint of less than 900 square feet. Note, HB 2138 modifies this as “small footprint or floor area.”

Cottage cluster may also be known as “cluster housing,” “cottage housing,” “bungalow court,” “cottage court,” “courtyard housing,” “garden apartments,” or “pocket neighborhood.”
9. “Cottage cluster project” means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.
10. “Detached single-unit (DSU)” means a detached structure on a lot or parcel that is comprised of a single dwelling unit. Detached single-units may be constructed off-site, e.g., manufactured dwellings or prefabricated homes.
11. “Driveway approach” means the edge of a driveway where it abuts a public right-of-way.
12. “Duplex” means two attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division. This incorporates the revised definition, per HB 2138. Same for triplex and quadplex. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.

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13. “Dwelling unit” means a building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar.
14. “Façade” means The vertical wall face of a building, or the sum of multiple vertical faces, facing the street.
15. “Facade, front” means all of the wall area shown on the front elevation of the building plans.
16. “Floor area” and “Floor area ratio” – see Section 10.1.2.
17. “Frontage” means the portion of a lot or parcel that abuts a street.
18. “Goal Protected Lands” means lands protected or designated pursuant to any one of the following statewide planning goals:
 - Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
 - Goal 6 Air, Water, and Land Resource Quality
 - Goal 7 Areas Subject to Natural Hazards;
 - Goal 9 Economic Development;
 - Goal 15 Willamette River Greenway;
 - Goal 16 Estuarine Resources;
 - Goal 17 Coastal Shorelands; or
 - Goal 18 Beaches and Dunes.
19. “Lot or parcel” means any legally created unit of land. Lot may also be used generically to refer to units of land created through partitions.
20. “Main entrance” means the entrance to a building that is designed to facilitate ingress and egress for the highest volume of building users. Generally, each building has one main entrance, but if design features do not make it possible to determine which entrance is the main entrance, all entrances providing the same capacity of ingress and egress shall be treated as main entrances.
21. “Manufactured dwelling” means a residential trailer, mobile home, or manufactured home, as defined in ORS.446.003.
22. “Middle housing” means housing that consists of duplexes, triplexes, quadplexes, cottage clusters, or townhouses.
23. “Middle housing land division (MHLD)” means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420 (2) or (3).

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- a. “Parent Lot” in relation to a middle housing land division means a lot or parcel which is developed or is proposed to be developed with a middle housing development.
- b. “Child Lot” in relation to a middle housing land division means the unit(s) of land created from a parent lot as the result of a middle housing land division. A “child lot” may also be referred to as a “middle housing lot.”

This will need to be updated once HB 2138 is codified, since it adds: “... or section 3 of this 2025 Act.”

24. “Prefabricated dwelling” means prefabricated structure, as defined in ORS 455.010, that is designed for residential occupancy in accordance with [city]’s building regulations.
25. “Quadplex” means 4 attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division.
26. “Regulated housing” means residential dwelling units of the following types: Detached Single-Unit (DSU), Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, Multi-Unit Housing, and Accessory Dwelling Unit (ADU). This is a new definition which is used when referring to all housing types covered by the Model Code. See I.4 for usage.
27. “Site” or “development site” means a property (or group of abutting parcels or lots under the same ownership) that is subject to a development application.
28. “Site area” means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.
29. “Story” means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:
 - A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is 6 feet or less for at least 50 percent of the perimeter and does not exceed 12 feet above grade at any point;
 - An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least 2 opposite exterior walls are not more than 2 feet above the floor of such space.
30. “Sufficient Infrastructure” means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
 - Connection to a public sewer system capable of meeting established service levels.
 - Connection to a public water system capable of meeting established service levels.
 - Access via public or private streets meeting adopted emergency vehicle access standards to a city’s public street system.
 - Storm drainage facilities capable of meeting established service levels for storm drainage.

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31. “Townhouse” means a dwelling unit constructed in a row of 2 or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a “rowhouse,” “attached house,” “townhome,” or “common-wall house.”
32. “Townhouse project” means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.
33. “Triplex” means 3 attached or detached dwelling units in any configuration on a lot or parcel, other than a lot or parcel created by a middle housing land division.