

**Middle Housing Oregon Homes (MHOR)  
Rulemaking Advisory Committee  
Meeting #4 – April 29, 2026  
Meeting Summary**



The Land Conservation and Development Commission (LCDC) directed Department of Land Conservation and Development (DLCD) staff to convene this Rulemaking Advisory Committee (RAC) to support the development of Oregon Administrative Rules (OAR) related to House Bill 2258 and House Bill 2138. The RAC is comprised of a wide and varied group of stakeholders and is tasked with advising DLCD, the project team, and LCDC on the adoption of OAR.

The meeting was held virtually and hosted over Zoom. The meeting was [live-streamed via YouTube](#) and closed-captioning was provided.

The goals of the meeting were to discuss and provide input on the draft rules, specifically regarding Siting Standards, Design Standards, and Local Review Processes.

**Attendees**

Committee Members	Committee Members Not Present
Alexandra Ring, League of Oregon Cities	Annika Eriksson, Individual
Andy Boulton (Ex Officio), Oregon Buildings Codes Division	Elsa Natal, Our Just Future
Branden Pursinger, Association of Oregon Counties	Jerika Ferguson, Individual
Brock Nation, Oregon Realtors	Jim Taylor (Ex Officio), Oregon Housing & Community Services
Catherine Rigby, Individual	Johnathan Balkema, City of Albany
Cheryl Bell, Clackamas County	Mark Taylor, North Peak Development
Destin Ferdun, Pahlisch Commercial, Inc	Nora Cronin, DevNW
Diego Diaz, Housing Oregon	Samantha Bayer, Oregon Home Builders Association
Eric Rutledge, City of Sherwood	Sarah Absher, Tillamook County
Fred Evander, City of Independence	<b>LCDC Commission Liaison Not Present</b>
Jerry Lidz, Individual	Allan Lazo, Chair
Jill Cropp, Studio Cropp Architecture	<b>DLCD</b>
Leigh Armstrong, Habitat for Humanity Portland	Ethan Stuckmayer
Mary Kyle McCurdy, 1000 Friends of Oregon	Becky Coutinho
Morgan Tracy, City of Portland	Madeline Phillips
Shane Kwiatkowski, Individual	Ingrid Caudel
	<b>Consultant Team</b>
	Ben Duncan, Kearns & West
	Ariella Dahlin, Kearns & West

## Key Insights Summary

- **Implementation of a state-wide approach.** The discussion reflected the difficulty of applying a state-wide approach in a state where jurisdictions vary vastly in geography, infrastructure, and community needs. The discussion encouraged finding ways to balance a state-wide approach and standardization with local codes, needs, and context.
- **Clear, not broad, standards.** The discussion identified that the current broadness of standards could make this program more complicated and risk inconsistent application in certain jurisdictions. The creation of tiered standards dependent on jurisdictional size or location was suggested.
- **Oregon Home, Oregon Lot.** The discussion noted that the lot and the home can be considered as two distinct elements, and that deferring siting decisions to local jurisdictions while standardizing the home design itself seems the most clear and workable path.

## Meeting Summary

### **Welcome, Agenda Review, and Introductions**

Ben Duncan, Kearns & West (K&W), welcomed participants to the meeting and introduced himself as a neutral third-party facilitator. He facilitated a roll call of meeting attendees and reviewed the meeting guidelines, purpose, and agenda. He noted the discussion would be focused on providing input on the draft rules, specifically regarding siting standards, design standards, and local review processes.

### **Racial Equity Framework**

K&W reminded RAC members of the key themes that came out of the first RAC discussion about the racial equity framework:

- Communities of color, people living with disabilities, and LGBTQ communities are disproportionately housing insecure.
- Administrative and policy barriers can create delays and increase costs, impacting development.
- Increased diverse housing production can reduce costs and improve housing access.
- Siting and design can impact community safety and wellbeing.
- Housing types to explore include multifamily and accessible housing, and community and cooperative housing models.

## Meeting 3 Report Out

K&W reflected on high-level key themes from the third RAC discussion, including the need for clear, objective tree replacement and removal standards, that local jurisdictions use a ministerial review process for building permits, and the cottage cluster definition should be an average per unit size.

## Rules Overview

Becky Coutinho, DLCD staff, provided a high-level overview of the draft rules structure, focusing on the contents and order of information. DLCD highlighted that language defined in the bill did not change, and that definitions for design and siting standards were included.

DLCD encouraged RAC members to send written feedback in addition to the discussion.

## Discussion: Design Standards

K&W facilitated a discussion on siting standards. Key themes are summarized below.

- **Clear standards.** RAC members shared that there does not seem to be clear or objective standards, which would make development more complicated under these rules as drafted. Broadness of standards risks inconsistent application across jurisdictions, and the rules need to be more clear and support ministerial review.
- **Division of design and siting responsibilities.** Several RAC members supported separating design standards (handled by the Building Codes Division) from siting standards (handled by DLCD), allowing the state review and approval of Oregon Homes, and local government to apply siting standards. One RAC member shared a different interpretation of House Bill 2258, which does not create a different set of standards but seeks standardization and deference to local standards, with variation as a core element.
- **Parking requirements.** Smaller jurisdictions shared concern about the no parking requirement and reflected that parking spaces or garages were important to their communities.
- **Compatibility with neighborhood character.** Several RAC members expressed concern that the list of design considerations did not include compatibility with the surrounding neighborhood, especially in historic districts. Incorporating elements such as setback, height, parking, lot coverage, density, and allowed uses could

help new developments integrate into existing neighborhoods and reduce community opposition.

- **Fire access and operational standards.** RAC members raised questions about emergency fire turnaround requirements, trash access, and at what point in the review process those standards would be evaluated. Several members suggested these issues are best handled at the local level.

### **Discussion: Siting Standards**

K&W facilitated a discussion on siting standards. Key themes are summarized below.

- **Outdoor area and setbacks.** RAC members asked how the outdoor area standard relates to cottage cluster courtyard requirements, and if the 15% outdoor area standard is in addition to the 5-foot setback. DLCD staff noted that common courtyards for cottage clusters are likely to satisfy those standards and committed to clarifying the rules.
- **Setbacks.** RAC members shared that 5 feet setbacks on sides are fine, but the front and rear should be increased to accommodate right of way and future utility access, especially in rural areas that anticipate future infrastructure development.
- **Floor Area Ratio (FAR).** Some RAC members expressed support for including FAR and wanted assurance they could continue applying it. Others noted that FAR is not used statewide and scale is addressed through height limit and lot coverage requirements. Some members suggested a maximum percentage over the base zone height as a scalable approach.
- **Replicability and local nuance.** RAC members recognized tension between standardized, replicable designs and significant geographic and community differences across the state. Several members suggested focusing on what problem the program is solving and whether layering new standards onto existing code is the right approach. The RAC returned to its earlier theme in discussion, reflecting that the lot and the home can be considered as two distinct elements, and that deferring siting decisions to local jurisdictions while standardizing the home design itself seems the most clear and workable path.

### **Discussion: Local Review Processes**

K&W facilitated a discussion on an updated cottage clusters definition. Key themes are summarized below.

- **Ministerial review.** RAC members supported a ministerial review process for Oregon Homes applications, provided that design and siting standards are clear and objective. Members cautioned against creating a separate parallel process on top of existing middle housing processes, as tracking multiple review pathways increases administrative burden.
- **Notification.** RAC members expressed differing views on public notice. Some members supported preserving the ability for jurisdictions to voluntarily provide notice, noting that informing the community should not be discouraged. Others noted the state has been trending toward reduced notice requirements. The RAC recommended that rules neither require nor prohibit public notice, leaving it to local discretion. One member referenced HB 4037, which limits notice to property owners within 100 feet.
- **Application completeness and timelines.** RAC members raised questions about incomplete application handling, timeline management, and how future additions to a structure would be addressed after initial approval.
- **Variances and adjustments.** RAC members questioned the value of a formal variance process for minor adjustments and suggested simply building flexibility into the base standards rather than creating additional paperwork and review steps. The recommendation was to streamline standards and eliminate administrative burdens where possible.
- **Infill lots, infrastructure, and public facilities.** RAC members noted that public infrastructure, including right-of-way dedications, septic systems, and utility connections, present significant challenges for infill lots. Members recommended that the rules should clarify how setbacks are measured relative to proposed right-of-way lines and clarify what site-specific considerations fall within the public facilities review.

### **Closing and Next Steps**

K&W asked for a temperature check from the RAC on the rules. Thumbs up means they are comfortable with the rules as written; thumbs sideways means the rules, once adjusted per this discussion, are good enough and would not create undue hardship; thumbs down means there are still major concerns.

The RAC was majority thumb sideways.

Some RAC members reflected that they are not sure if clients and customers would use the program and the utility of the program to build more homes would have to be seen. DLCDC reflected that the program will be one tool in the housing development toolbox.

K&W thanked everyone for participating and reviewed next steps:

- RAC members to share written feedback on the draft rules by Wednesday, May 6 to be included in the May 20 meeting packet.
- DLCDC to revise and share draft rule language in advance of the May 20 meeting, ideally on May 13 to allow for adequate RAC review time.
- All to attend the next meeting from 9:00 am – 12:00 pm on May 20.