



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Agenda

Meeting: Metro Technical Advisory Committee (MTAC) meeting
 Date: Wednesday, September 16, 2020
 Time: 10:00 a.m. – 11:30 a.m.
 Place: Virtual meeting, Zoom ID: 870 1855 2962
 Click link to join: <https://us02web.zoom.us/j/87018552962?pwd=QksraHhHTTISRE9BMTc3WXRybzI3QT09>
 Passcode: 866016
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10:00 am	1.	Call To Order, Quorum Declared and Introductions	Tom Kloster, Chair
10:10 am	2. *	Comments from the Chair <ul style="list-style-type: none"> • COVID-19 updates and racial equity updates from Metro & Region (Chair Kloster/all) • Fatal Crashes Update (Lake McTighe) • 2040 Refresh and MPAC Updates (Ted Reid) 	
10:30 am	3.	Committee and Public Communications On Agenda Items	
10:35 am	4. *	Minutes Review from MTAC July 15, 2020 meeting Minutes Review from August 19, 2020 MTAC/TPAC workshop	
10:40 am	5. *	Missing Middle Housing/HB 2001 implementation updates Purpose: Provide an update on the rulemaking process to implement House Bill 2001 specifically, rule language impacting Large and Metro Cities and Counties. <ul style="list-style-type: none"> • <u>Information/Discussion</u> 	Ethan Stuckmayer, DLCD
11:30 am	6.	Adjourn	Tom Kloster, Chair

Next MTAC Meeting: November 18, 2020

Next TPAC/MTAC Workshop Meeting: October 21, 2020

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ឬដើម្បីទទួលបានការបណ្តឹង រឿងអែងស៊ីស្តមចូលទស្សនាការប្រជុំ
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បើលោកអ្នកត្រូវការអនុបកប្រែភាសានៅពេលអង្គ
ប្រជុំសាធារណៈ សូមទូរស័ព្ទលេខ 503-797-1890 (ម៉ោង 8 រឿងអែងស៊ីស្តមចូលទស្សនាការប្រជុំ
ថ្ងៃអង្គារ) ប្រាំពីរថ្ងៃ
ថ្ងៃអង្គារ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលភាសាសំណើរបស់លោកអ្នក

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ntuj weekdays) 5 hnub ua hauj lw m ua nte ntaxw lub rooj sib tham.



**2020-21 Metro Technical Advisory Committee (MTAC) Work Program
As of 8/21/2020**

<p>January 15, 2020 – MTAC Meeting <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Missing Middle Housing/HB 2001 implementation (Oregon Department of Land Conservation & Development staff, Ethan Stuckmayer; 30 min) • Beaverton’s Housing Options Project (Anna Slatinsky, 40 min) • Portland’s Residential Infill Project (Tom Armstrong, 40 min) 	<p>March 18, 2020 – MTAC Meeting CANCELLED <u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Metro Parks & Nature Updates (Jonathan Blasher; 45 min) • Housing Bond Measure, Implications and Communications Update (Jes Larson and Emily Lieb, Metro; 45 min)
<p>May 20, 2020 – MTAC Meeting – Virtual Meeting <u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • Meeting online logistics reminder (Chair Kloster) • COVID-19 updates and information from Metro & Region (Chair Kloster & all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Transportation Regional Investment Measure Update (Andy Shaw/Tyler Frisbee, Metro; 20 min) • Prosper Portland Economic Relief Work Updates and Programs (Tory Campbell, Prosper Portland/ Jeffrey Raker, Metro, 45 min) • Supportive Housing Measure and Plans for Implementation (Jes Larson, Metro; 20 min) 	<p>July 15, 2020 – MTAC Meeting – Virtual Meeting <u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 updates and information from Metro & Region (Chair Kloster & all) • Fatal Crashes Update (Lake McTighe) • Middle Housing Webinar Announcement for July 16 (Rebecca Small) <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Multnomah County Drainage Districts and Levee Ready Columbia (Colin Rowan/Mark Wilcox, MCDD Laura Hicks, US Army Corps of Engineers, 60 min) • Building Blocks for Regional Resilience (Sasha Pollack, Metro/Laura Hanson, RDPO/Abby Hall, EPA; 30 min)
<p>September 16, 2020 – MTAC Meeting – Virtual Meeting <u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro & Region (Chair Kloster & all) • Fatal Crashes Update (Lake McTighe) • 2040 Refresh and MPAC Updates (Ted Reid) <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Missing Middle Housing/HB 2001 implementation updates(Oregon Department of Land Conservation & Development staff, Ethan Stuckmayer; 50 min) 	<p>November 18, 2020 – MTAC Meeting – Virtual Meeting <u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro & Region (Chair Kloster & all) • Fatal Crashes Update (Lake McTighe) • 2040 Planning and Development Grants Program Updates (Lisa Miles/Tim O’Brien) <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Willamette Falls Legacy Project and Design Updates (Brian Moore/Carrie Belding, Metro; 40 min) • Distributed Forecast (Chris Johnson/Dennis Yee/Ted Reid; 40 min)

<p>January 20, 2021 – MTAC Meeting Virtual Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>	<p>March 17, 2021 – MTAC Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>
<p>May 19, 2021 – MTAC Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>	<p>July 21, 2021 – MTAC Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>
<p>September 15, 2021 – MTAC Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>	<p>November 17, 2021 – MTAC Meeting</p> <p><u>Comments from the Chair</u></p> <ul style="list-style-type: none"> • COVID-19 and racial equity updates from Metro and Region (Chair Kloster and all) • Fatal Crashes Update (Lake McTighe) <p><u>Agenda Items</u></p>

Parking Lot: Future Topics

- House Bill 2003 Update; Relating to buildings and housing needs
- SW Corridor Updates and Equity Coalition (Brian Harper, Metro and others?)
- Unmanned aircraft system (UAS) technology program updates (Matthew Hampton, Metro and others?)

MTAC meetings held every other month on the 3rd Wednesday of the month from 10:00 a.m. to 12 p.m. For MTAC agenda and schedule information, call 503-797-1766 or e-mail marie.miller@oregonmetro.gov In case of inclement weather, call 503-797-1700 by or after 6:30 a.m. for building closure announcements.

**2020-21 Metro Technical Advisory Committee (MTAC) and
Transportation Policy Alternatives Committee (TPAC) workshop meetings Work Program
As of 9/9/2020**

<p>February 19, 2020 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Regional Emergency Transportation Routes (ETR) Update-Draft Criteria and Methodology (Kim Ellis, Metro/Laura Hanson, RDPO/Thuy Tu, Thuy Tu Consulting/ Allison Pynch, Salus Resilience; 45 min) • Regional Barometer (Cary Stacey, 30 min) • Regional Transportation Safety Discussion (McTighe; Mickelberry, 30 min) 	<p>April 15, 2020 – TPAC/MTAC Workshop – Virtual mtg. <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Regional Mobility Policy Update Background Research Report (Kim Ellis, Metro/Jennifer Dill, TREC/Max Nonnamaker, PSU/ Lidwien Rahman/ ODOT; 30 min) • Metro Parks & Nature Updates (Beth Cohen; 20 min) • Housing Bond Measure, Implications and Communications Update (Emily Lieb/Jes Larson, Metro; 25 min)
<p>June 17, 2020 – TPAC/MTAC Workshop CANCELLED <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p>	<p>August 19, 2020 – TPAC/MTAC Workshop- Virtual mtg. <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • State Agencies’ Response to Governor Brown’s Climate Action Executive Order 20-04: Implications for land use and transportation planning (Amanda Pietz, ODOT/Bill Holmstrom & Cody Meyer, DLCD/Jessica Reichers, OR Dept. of Energy; 90 min)
<p>Oct. 21, 2020 – TPAC/MTAC Workshop – Virtual mtg. <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Regional Mobility Policy Update (Kim Ellis, Metro/Lidwien Rahman, ODOT/Susie Wright, Kittelson, 90 min) 	<p>Dec. 16, 2020 – TPAC/MTAC Workshop – Virtual Mtg. <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Regional Mobility Policy Update (Kim Ellis, Metro/Lidwien Rahman, ODOT/ Susie Wright, Kittelson; 40 min) • MTIP/RTP agenda item (need more info from Grace/Kim/Ted on this; 40 min)
<p>February 17, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Regional Emergency Transportation Routes (ETR) Update-Draft ETR Routes and Report (Kim Ellis, Metro/Laura Hanson, RDPO/Thuy Tu, TTU Consulting/ Allison Pynch, Salus Resilience; 45 min) 	<p>April 21, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> • Best Practices and Data to Support Natural Resources Protection (Lake McTighe; 60-90 min) • Regional Mobility Policy Update (Kim Ellis, Metro/Lidwien Rahman, ODOT/ Susie Wright, Kittelson; 60-90 min)

<p>June 16, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p>	<p>August 18, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> Regional Mobility Policy Update (Kim Ellis, Metro/Lidwien Rahman, ODOT/ Susie Wright, Kittelson; 60-90 min)
<p>October 20, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p> <ul style="list-style-type: none"> Regional Transportation Safety Workshop (Lake McTighe, 60-90 min) Scoping Kick-off for 2023 Regional Transportation Plan Update (Kim Ellis, 30-40 min.) 	<p>December 15, 2021 – TPAC/MTAC Workshop <u>Comments from the Chair</u></p> <p><u>Agenda Items</u></p>

Parking Lot: Future Topics

- HB 2001, City of Portland plans following LCDC adoption of new rules
- Climate Action updates, LCDC in 2021

TPAC/MTAC workshops held every other month starting February on the 3rd Wednesday of the month from 10:00 a.m. to 12 p.m.

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Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: August 31, 2020
 To: Transportation Policy Advisory Committee (TPAC), Metro Technical Advisory Committee (MTAC) and interested parties
 From: Lake McTighe, Regional Planner
 Subject: Monthly fatal crash update

The purpose of this memo is to provide an update to TPAC, MTAC and other interested parties on the number of people killed in traffic crashes in Clackamas, Multnomah and Washington Counties over the previous month and the total for the year. Fatal crash information is from the Preliminary Fatal Crash report from the Oregon Department of Transportation’s (ODOT) Transportation Data Section/Crash Analysis and Reporting Unit. There are typically several contributing factors to serious crashes. Alcohol and drugs, speed, failure to yield the right-of-way, and aggressive driving are some of the most common causes. Road design and vehicle size can contribute to the severity of the crash.

2020 Monthly fatal crash update - As of 08/23/20		
Number of fatalities (may be higher than number of crashes)	Crashes by type	Crashes by county
January 2020: 10	5 Pedestrian 1 Motorcycle 4 Motor Vehicle	Clackamas: 2 Multnomah: 6 Washington: 2
February 2020: 8	2 Pedestrian 1 Bicycle 4 Motor Vehicle 1 Motorcycle	Clackamas: 2 Multnomah: 5 Washington: 1
March 2020: 8	2 Pedestrian 4 Motor Vehicle 1 Motorcycle	Clackamas: 2 Multnomah: 4 Washington: 2
April 2020: 3	1 Motorcycle 2 Motor Vehicle	Clackamas: 2 Multnomah: 1
May 2020: 5	5 Motor Vehicle	Clackamas: 3 Multnomah: 2
June 2020: 11	8 Motor Vehicle 1 Pedestrian 1 Bicycle	Clackamas: 3 Multnomah: 5 Washington: 3
July 2020: 13	8 Motor Vehicle 2 Motorcycle 2 Pedestrian	Clackamas: 5 Multnomah: 5 Washington: 2
August 2020: 3	1 Pedestrian 1 Bicycle 1 Motorcycle	Clackamas: 2 Washington: 1
Total: 63	12 Pedestrian 3 Bicycle 7 Motorcycle 38 Motor Vehicle	Clackamas: 22 Multnomah: 29 Washington: 12

Source: ODOT Preliminary Fatal Crash Report

As of 8/23/20

August 2020

Troy, age 55, killed while walking, Mt Hood Highway in Boring, Clackamas County, 8/10/20
Timothy, age 44, killed while riding a motorcycle, Tualatin Valley Highway, Washington County, 8/7/20
Nolan, age 67, killed while riding an electric bicycle, 82nd Avenue (Hwy 213) near Luther Road, Clackamas County, 8/2/20

July 2020

Sarah, age 1, killed while walking, Multnomah County, 7/30/20
Cynthia Rachele, killed in a motor vehicle crash, age 45, Clackamas County, 7/28/20
Aaron Russell, age 41, killed in a motor vehicle crash, Clackamas County, 7/5/20
Carlos, age 24, passenger, killed in a single motor vehicle crash, SW River Road, Washington County, 7/25/20; alcohol and speed appear to be contributing factors
Julie Elizabeth, age 45, killed in a motor vehicle crash, SE 122 Ave., Multnomah County, 7/23/20
Camille Minoo and Udell, age 34 and 13, killed in a single motor vehicle crash, NE Lombard Street, Multnomah County, 7/18/20; speed appears to be a contributing factor
Daniel, age 34, killed while riding a motorcycle in a T-bone crash, Hwy 47 & Maple Street, Washington County, 7/12/20
Brian Michael, age 57, killed in a head-on motor vehicle crash, NE Glisan & 158th, Multnomah County, 7/11/20
Anthony, age 32, killed in a rollover motor vehicle crash, Hwy 224, Clackamas County, 7/10/20
Jack, age 2, killed in a hit and run in front of his home, Milwaukie, Clackamas County, 7/20/20; the police determined that speed was not a factor and that the driver may not have been aware of what happened
Saw Poe, age 36, killed in a single motor vehicle crash, SE Powell Blvd., Multnomah, 7/6/20
Robert W., age 40, killed in a T-bone motor vehicle crash, SE 362 Ave., Washington, 7/5/20; speed appears to be a factor

June 2020

Troy, age 37, killed while riding a bicycle, NE 16th and Multnomah, Multnomah County, 6/22/20
Logan, age 25, killed in a rollover motor vehicle crash, Washington County, 6/20/20
Josie, age 25, killed in a rollover motor vehicle crash, Long Road, Washington County, 6/19/20
Kelly Ann, age 59, killed in a head on crash, Clackamas County, 6/19/20
Frank, age 86, killed in a head-on motor vehicle crash, Sunset Hwy, Washington County, 6/11/20
Unknown, killed in motor vehicle crash, Multnomah County, 6/7/20
Janes and Wolford, age 68 and 62, killed in a rollover crash, Clackamas County, 6/5/20
Miro Nik, age 51, killed while walking in a hit and run crash, Multnomah County, 6/4/20
Bruce, age 49, killed in a motor vehicle crash, Multnomah County, 6/4/20
Mark, age 62, killed in a rear-end motor vehicle crash, Multnomah County, 6/1/20

May 2020 (as of 6/22/20)

Roger, age 93, killed in single motor vehicle crash, Washington County, 5/22/20 (death attributed to changed to Natural Causes)
Michael, age 61, killed in a head on crash, Clackamas County, 5/21/20
Michael, age 45, killed in a head on crash, Clackamas County, 5/21/20
Name unknown, age unknown, killed in a crash, Multnomah County, 5/17/20
Alex, age 33, killed in a rollover crash, Multnomah County, 5/15/20
John, age 22, killed in a rollover crash, Clackamas County, 5/6/20

April 2020

Timothy, age 55, killed in a head-on crash, Clackamas County, 4/20/20
Brandon, age 32, Multnomah County, at the intersection of SE 148th Avenue and SE Powell Boulevard, killed while riding a motorcycle in a hit and run crash, 4/14/20
Unknown, age 7, Clackamas County, SE Platz and 362nd, killed in a head-on crash with a semi-truck, (it is possible that speed was a contributing factor in the crash), 4/13/20

March 2020

Paul, age 73, killed while walking, 99E, Clackamas County, 3/4/20
Cornwell, age 19 and Bonneville, age 80, Multnomah County, Columbia River Highways, killed in multi-vehicle crash involving 2 motor vehicles and 3 commercial vehicles, 3/24/20
Lulia, age 39, Multnomah County, killed while walking, 3/17/20
Andrew, age 35, Washington County, killed in single vehicle crash, 3/5/20
Tina, age 52, Multnomah County, killed in single vehicle crash, 3/4/20
Joyce Ann, age 61, Clackamas County, killed while driving, 3/2/20
Reginald, age 36, Washington County, killed while riding a motorcycle, 3/1/20

February 2020

Logan, age 25, killed in a head-on motor vehicle crash, 2/29/20
Fermin, age 50, killed while driving, 2/29/20
Chantel, age 36, killed while walking, 2/29/20
Christopher, age 36, killed riding a motorcycle, 2/29/20
Jerry, age 37, Multnomah Co., killed riding bicycle, 2/17/20
Stacey, age 42, Multnomah Co., pedestrian killed in a parking lot, 2/14/20
~~William, age 55, Washington Co., killed in a rollover crash, 2/14/20~~ (death attributed to Natural Causes)
Yevgeniy, age 25, Multnomah Co., killed in a rear end crash with commercial motor vehicle, 2/8/20
Korey, age 49, Washington Co., killed in a head-on crash, 2/5/20

January 2020

~~Charles Anthony, age 16, Clackamas Co., killed in single vehicle crash, 1/29/20~~ (death attributed to Suicide)
Samual, age 22, Multnomah Co., killed while walking, 1/28/20
Salvador Cruz, age 52, Multnomah Co., killed in T-bone motor vehicle crash, 1/25/20
Unknown, age unknown, Clackamas Co., killed in single vehicle crash, 1/24/20
Stephanie, age 33, Clackamas Co., killed in head-on crash, 1/22/20
Eugene, age 50, Multnomah Co., killed in a motorcycle crash, 1/18/20
Chun Shik, age 63, Washington Co., killed in a motor vehicle crash, 1/17/20
Michael Daniel, age 62, Multnomah County, killed while walking, 1/14/20
Leslie, age 51, Washington Co., killed while walking, 1/14/20
Denise, age unknown, Multnomah Co., killed while walking, 1/9/20
Luis, age 11, Multnomah Co., killed while walking, 1/6/20



Meeting minutes

Meeting: **Metro Technical Advisory Committee (MTAC) meeting**

Date/time: Wednesday, July 15, 2020 | 10 a.m. to 12 p.m.

Place: Virtual video conference call meeting via Zoom

Members Attending

Tom Kloster, Chair
Raymond Eck
Tom Armstrong
Laura Terway
Anna Slatinsky
Denny Egner, Milwaukie
Jamie Stasny
Adam Barber
Chris Deffebach
Jennifer Donnelly
Jeff Owen
Ramsay Weit
Andrew Morphis
Jae Douglas

Affiliate

Metro
Washington County Community Representative
Largest City in the Region: Portland
Second Largest City in Clackamas County: Oregon City
Second Largest City in Washington County: Beaverton
Clackamas County: Other Cities
Clackamas County
Multnomah County
Washington County
Dept. of Land Conservation and Development
Service Providers: TriMet
Housing Affordability Organization
Redevelopment/Urban Design
Public Health & Urban Forum: Multnomah County

Alternate Members Attending

Carol Chesarek
Erik Olson
Katherine Kelly
Laura Weigel
Jean Senechal Biggs
Julia Hajduk
Kevin Cook
Seth Brumley
Anne Debbaut
Rachael Duke

Affiliate

Multnomah County Community Representative
Largest City in Clackamas County: Lake Oswego
Largest City in Multnomah County: Gresham
Largest City in Washington County: Hillsboro
Second Largest City in Washington County: Beaverton
Washington County: Other Cities: Sherwood
Multnomah County
Oregon Department of Transportation
Dept. of Land Conservation and Development
Housing Authority Organization

Guests Attending

Colin Rowan
Mark Wilcox
Abby Hall
Jonathan Plowman
Zac Christensen

Affiliate

Multnomah County Drainage District
Multnomah County Drainage District
Environmental Protection Agency
Washington County

Metro Staff Attending

Lake McTighe, Transportation Planner
Sasha Pollack, Resiliency Coordinator
Ted Reid, Principal Regional Planner
Molly Cooney-Mesker, Communications

Rebecca Small, Regional Planner
Matthew Hampton, Transportation Planner
Tim O'Brien, Principal Regional Planner
Ally Holmqvist, Senior Transportation Planner

1. Call to Order and Introductions

Chairman Tom Kloster called the meeting to order at 10 a.m. Introductions were made. New MTAC members that attended the meeting were introduced and welcomed to the committee. An orientation will be planned for the newest appointed MTAC members soon.

- Denny Egner, Planning Director with the City of Milwaukie announced that he is retiring and this would be his last MTAC meeting. Acknowledgement and appreciation for the years of service to the committee was shared. The position of Clackamas County: Other Cities on MTAC will be filled with future recruitment.

2. Comments from the Chair

- **COVID-19 updates and information from Metro and Region** (Chairman Kloster)
Chairman Kloster announced that Metro Regional Center was expected to remain closed through January 2021, due to the COVID-19 continuation and safety concerns. Meetings will continue virtually for the committees and public. The Oregon Zoo is reopening in a limited manner which offers families and the community a safe, friendly and educational outing.

Jeff Owen announced that TriMet is messaging safety to travel on transit for essential trips right now. TriMet will adjust schedules moving forward as transit ridership and COVID-19 changes occur. Information on COVID-19 updates can be found at <https://trimet.org/health/>

- **Fatal crashes update** (Lake McTighe)
Ms. McTighe provided MTAC with an update the number of fatal crashes in the 3-county Metro region. Data as of June 22 reported 7 fatal crashes, bringing the total so far this year to 40. Since the time of the memo there have been 7 more fatal crashes in the region. Several contributing factors including increased vehicles on roadways and speed are adding an increased number of fatalities.

Andrew Morphis asked if tracking and reporting was being done for bicycle related crashes. Ms. McTighe noted pedestrian and bike fatalities related to vehicle traffic incidents were reported in the data.

Jeff Owen noted the increased fatalities were sobering but necessary to learn and understand. It was noted the memo in the packet was difficult to find. The committee received the packet in a different pdf format with instructions on how to locate the documents in the packet provided.

- **Middle Housing Webinar Announcement for July 16** (Rebecca Small)
Ms. Small announced the Modern Middle Housing Virtual Tour on July 16, sponsored by Metro, the Home Builders Association of Metropolitan Portland, and the Build Small Coalition. Cities in Oregon are re-introducing “middle” housing back into residential neighborhood as they respond to new state laws and the changing needs of our communities. Ms. Small encouraged the committee to register to learn about the state of middle housing and explore six exciting

projects. Asked if the tour would be recorded, Ms. Small reported the entire event, including questions and answers would be recorded and posted on the Build Small Coalition webpage; <https://www.oregonmetro.gov/tools-partners/guides-and-tools/guide-equitable-housing/build-small-coalition>

3. Committee and Public Communications on Agenda Items – none given

4. Minutes Review from MTAC May 20, 2020 meeting. No additions or corrections to the MTAC May 20, 2020 meeting.

5. Multnomah County Drainage Districts and Levee Ready Columbia Projects (Colin Rowan and Mark Wilcox, MCDD/Laura Hicks, US Army Corps of Engineers)

Mr. Rowan and Mr. Wilcox provided information on the Multnomah County Drainage Districts (MCDD) with a background of flood history issues. The catalyst for finding solutions to future flooding lead to the Levee Ready Columbia Projects, and the USACE Feasibility Study.

Levee Ready Columbia is a partnership of over 20 organizations committed to a collaborative approach to floodplain management and modernizing the 27-mile levee system along the Columbia River in urban Multnomah County. Several studies, risk assessments and economic/environmental studies were conducted by MCDD, leading to the US Army Corps of Engineers Feasibility Study that began in 2018.

The USACE Feasibility Study, authorized by the Federal Government, is a formal three-year process used to identify problem areas, develop solutions to address them, and determine if there's federal interest in investing in local infrastructure. Ms. Hicks explained that if federal interest is identified, a report is delivered to Congress with recommendations and accompanying funding requests to complete the projects described in the report. The study area is a cornerstone to the regional, statewide, and national economy with over \$16B in annual economic activity generated from businesses and over \$7.2B in property values within the levee protection area.

In April 2020 the agency concluded that the tentatively selected plan, Alternative 5, is the plan to continue to refine and develop. A map of this area with proposed projects in the study was presented.

Next steps in the process:

- Further refinement of the height of protection, alignment, and pump stations
- Continue outreach and public involvement in coordination/collaboration with the local sponsor
- Refine costs and benefits of the single plan
- Complete feasibility level design analysis in support of a certified cost estimate
- Complete optimization, economic, and plan formulation processes to select a recommended plan
- Finalize NEPA and other Environmental Law Compliance actions

The pathway to modernizing the levee system is an important opportunity to bring expertise and federal funds to our area and help make the necessary repairs and improvements to our levees to meet safety standards and ensure continued reduced flood-risk for communities, property, and the environment.

Senate Bill 431 (ORS550) created an Urban Flood Safety & Water Quality District (UFSWQD) with the purpose of improving, operating, and maintaining “works” to:

- reduce the risk of flooding
- to protect people and property from flood risk
- convey water
- respond to flood emergencies
- contribute to improved water quality, habitat and landscape resiliency

The Levee Ready Technical Advisory Subcommittee scoping efforts has established recertification projects in the expanded district. The next steps in the process:

Feasibility Study: Complete Study, submitting final report Apr '21; next phase is Pre-engineering and Design

LRC Recertification Process: Multi-Benefit Workshops to complete project scoping; discussion non-FS project funding

UFSWQD: The Initial Board establishes Mission, Vision, Values and Strategic Plan; develops revenue model

Further information on the Levee Ready Columbia Projects and USACE Feasibility Study can be found:

<http://mcdd.org/who-we-are/ufswqd/>

<https://www.nwp.usace.army.mil/Missions/Projects-and-Plans/Portland-Metro-Levee-System/>

6. **Building Blocks for Regional Resilience** (Sasha Pollack, Metro/Laura Hanson, RDPO/Abby Hall, EPA)
The Regional Disaster Preparedness Organization (RPDO) and Metro are the recipients of one of four national awards to partner with the EPA Building Blocks for Sustainable Communities Program and FEMA in applying their new *Regional Resilience Toolkit*. The presenters explained that the toolkit and workshop will provide our region with technical assistance to build large-scale resilience to natural disasters, and to help us align resilience priorities across different federal, state, and local planning requirements and funding sources.

The workshop for our 5-county (Clark, Columbia, Clackamas, Multnomah, and Washington) region is scheduled for Fall 2020 and will focus on the region’s natural hazard mitigation plans. The goal of the Regional Resilience Workshop for Natural Hazard Mitigation is to support regional coordination by establishing regional priorities and expanding equity in local Natural Hazard Mitigation Plans in order to reduce our vulnerability to natural hazards and to leverage federal and philanthropic funding opportunities.

FEMA and EPA collaborated to create the Regional Resilience Toolkit to better address the need for large-scale action on resilience. By elevating a region-wide conversation about mitigation needs in our communities, the RDPO stakeholders and Metro will enhance visibility of key opportunities to advance priority natural hazard resilience efforts at scale.

The workshop objectives are:

1. Identify shared regional priorities for natural hazard mitigation.
2. Integrate equity through Natural Hazard Mitigation Planning

3. Promote regional collaboration and coordination
4. Identify potential funding opportunities for regional mitigation actions.
5. Inform the next NHMP update cycle with COVID-19 pandemic considerations
6. Connect NHMPs to other local and regional planning efforts
7. Elevate existing mitigation work and enhance local efforts

Further study with the Regional Resilience to natural hazards that was identified as what was missing: climate change, equity lens, hazards (public health, biological threats, terrorism & cyber-attacks), identification of responsible agency/bureau, project cost estimates, actionable action items, living document (usability with a web interface), and goal-oriented planning.

At the workshop this fall, feedback on these questions would be asked for input: Are the chosen hazards universally relevant? Beyond Natural Hazard Mitigation Plan, what other plans should we be looking at? Who should we make sure is in these workshops? What regional scale policies and projects can help improve resiliency? MPAC will be presented with materials on the planned workshop in September with workshop outcomes and top five regional priorities selected as next steps.

Comments from the committee:

- Chairman Kloster asked if State MPO's could participate in the workshop with input on wildfire smoke impacts and other natural hazard mitigation plans. Ms. Hall agreed that peer-to-peer feedback was beneficial and could be possible with varying sizes of workshops and discussions.
- Denny Egner asked how local governments were being reached with plans for the workshop. Ms. Pollack reported that the first outreach would be to larger cities in the region, counties and jurisdictions, and through Emergency Planning Management arms of these entities. As more relevant entities are identified with interest in attending or adding input on plans, these contacts would be included as well. It was noted that the flyer on the upcoming workshop would be mentioned at the August 7 TPAC meeting.

7. Adjourn

There being no further business, meeting was adjourned by Chair Kloster at noon.

Respectfully submitted,
Marie Miller, MTAC Recorder

Attachments to the Public Record, MTAC meeting, July 15, 2020

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	07/15/2020	07/15/2020 MTAC Meeting Agenda	071520M-01
2	MTAC Work Program	07/17/2020	MTAC Work Program, as of 07/17/2020	071520M-02
3	MTAC/TPAC Workshop Work Program	07/17/2020	MTAC/TPAC workshop Work Program, as of 07/17/2020	071520M-03
4	Memo	07/02/2020	TO: MTAC members and interested parties From: Lake McTighe, Regional Planner RE: Fatal crash update	071520M-04
5	Handout	07/15/2020	Modern Middle Housing Visual Tour Flyer	071520M-05
6	Meeting minutes	05/20/2020	Draft minutes from MTAC May 20, 2020	071520M-06
7	Handout	07/15/2020	Regional Resilience Workshop for Natural Hazard Mitigation	071520M-07
8	Handout	07/15/2020	Regional NHMP Analysis	071520M-08
9	Handout	07/15/2020	Regional Resilience Meeting Roadmap	071520M-09
10	Presentation	07/15/2020	The Portland Metro Levee System and the USACE Feasibility Study: Modernization and Addressing Vulnerability	071520M-10
11	Presentation	07/15/2020	Building Blocks for Regional Resilience Workshop: Regional Mitigation	071520M-11



Meeting minutes

Meeting: **Metro Technical Advisory Committee (MTAC) and Transportation Policy Alternatives Committee (TPAC) workshop meeting**

Date/time: Wednesday, August 19, 2020 | 10 a.m. to 12 p.m.

Place: Virtual conference meeting held via Zoom

Members and Guests Attending

Affiliate

Tom Kloster, Chair	Metro
Dayna Webb	City of Oregon City, Cities of Clackamas County, TPAC
Katherine Kelly	City of Gresham
Jeff Owen	TriMet
Jerry Andersen	Clackamas County Representative, MTAC
Ray Eck	Washington County Representative, MTAC
Jennifer Donnelly	Department of Land Conservation & Development
Anne Debbaut	Department of Land Conservation & Development
Chris Deffebach	Washington County
Lynda David	SW Washington Regional Transportation Council
Jaimie Huff	City of Happy Valley
Glen Bolen	Oregon Department of Transportation
Gerik Kransky	Oregon Department of Environmental Quality
Adam Barber	Multnomah County
Eric Hesse	City of Portland
Tom Armstrong	City of Portland
Erik Olson	City of Lake Oswego, MTAC
Colin Cooper	City of Hillsboro
Laura Terway	City of Oregon City
Jean Senechal Biggs	City of Beaverton
Erika Palmer	City of Sherwood
Seth Brumley	Oregon Department of Transportation
Darci Rudzinski	EMEA, CCBA & WEA, MTAC
Ezra Hammer	Home Builders Association of Metropolitan Portland
Andrew Morphis	Redevelopment/Urban Design, MTAC
Mike O'Brien	Environmental Science Associates, MTAC
Jae Douglas	Multnomah County Public Health & Urban Forum
Erin Wardell	Washington County
Karen Buehrig	Clackamas County
Jamie Stasny	Clackamas County
Steve Williams	Clackamas County
Allison Boyd	Multnomah County
Garet Prior	City of Tualatin and Cities of Washington County
Donovan Smith	Community Member, TPAC
Idris Ibrahim	Community Member, TPAC
Yousif Ibrahim	Community Member, TPAC
Rachael Duke	Housing Affordability Organization, MTAC
Nick Fortey	Federal Highway Administration

Cody Meyer	DLCD
Bill Holmstrom	DLCD
Jessica Reichers	OR. Department of Energy
Amanda Pietz	Oregon Department of Transportation
Kari Schlossauer	Safe Routes to School
Jonathan Harker	
Andrew Campbell	
Austin Barnes	Marion County
Natalie Rogers	City of Milwaukie
Steve Adams	City of Milwaukie

Metro Staff Attending

Kim Ellis, Principal Transportation Planner	Margi Bradway, Deputy Director Planning & Dev.
Caleb Winter, Senior Transportation Planner	Matthew Hampton, Senior Transportation Planner
John Mermin, Senior Transportation Planner	Ally Holmqvist, Senior Transportation Planner
Ted Reid, Principal Regional Planner	Tim Collins, Senior Transportation Planner
Grace Cho, Senior Transportation Planner	Chris Johnson, Research Manager
Summer Blackhorse, Program Asst. III	Marie Miller, TPAC & MTAC Recorder

1. Call to Order and Introductions

Chairman Tom Kloster called the workshop meeting to order at 10 a.m. Introductions were made. The meeting format held in Zoom with chat area for shared links and comments, screen name editing, mute/unmute, and hands raised for being called on for questions/comments were among the logistics reviewed.

2. Comments from the Chair and Committee

- Chairman Kloster updated the committees with news on Metro. Metro Regional Center is not expected to be open to the public until January 2021. Different work spaces and meeting room configurations are being planned, with meeting capabilities in the future for both in-person and virtual. Employee furloughs are expected again this fall which will affect work schedules. Updates on these will be forthcoming.
- Jeff Owen appreciated the understanding from the public with impacts on the transit systems as work on the Steel Bridge makes progress. The project is due to be completed the end of this month. Latest updates on TriMet operations related to COVID are found: trimet.org/health
- Colin Cooper announced the City Council from Hillsboro held a work session related to public safety and was currently broadly designing repositioning safety strategies from this information.
- Jae Douglas noted how the COVID-19 response from Multnomah County Health has been challenged moving into Phase 1, especially addressing equity priorities. There is a disproportionate impact with populations of people of color and those of low income with the pandemic. Setting up contact tracers in the County that represent people of color to address these needs was significant work, as well as providing background services for communities. While more complex and challenging, they have provided an important context to understand the needs for relevant health and safety response. It was noted that 6,000 restaurants in the County and changes to health inspections while the pandemic changed business hours, shut-downs and take out designs was often confusing. However, staff provided support and critical information for the last several months, and proved adaptability where needed.

- Tom Armstrong announced that the City of Portland Council voted to approve the residential in-fill project compliant with HB 2001. This provides several designs to multi-plexes including affordable 6-plex options in 60% of the area. This project has been 5 years in the making, and will now move into Phase 2 with continued compliance with HB 2001. Cottage clusters and larger lot standards will be considered. Chair Kloster congratulated Mr. Armstrong on the City's approval and invited him to another combined workshop in 2021, which could be following LCDC adoption of the new rules.
- Jae Douglas asked if any information was available on vacant office space downtown that would be converted to affordable housing. Mr. Armstrong noted it was too early to tell at the moment until the pandemic played out. Work schedule changes, the extent to shifting to telework, and need for office space in the future is still unknown at this time.
- Glen Bolen noted the difficulties in converting office buildings into residential homes. It was suggested to be proactive in tracking shifts in employment, rental needs, downtown housing needs and affordability, office space needs and addressing equity issues. Mr. Bolen noted the Red Cross is offering free anti-body testing with blood testing and encouraged participation.

3. Public Communications on Agenda Items (none)

4. State Agencies' Response to Governor Brown's Climate Action Executive Order 20-04: Implications for land use and transportation planning (Amanda Pietz, Climate Office Director, ODOT/ Bill Holmstrom, Land Use and Transportation Planning Coordinator, DLCD, Cody Meyer, Land Use and Transportation Planner, DLCD, and Jessica Reichers, Technology and Transportation Planner, Oregon Department of Energy)

Amanda Pietz, Bill Holmstrom, Cody Meyer and Jessica Reichers introduced themselves. Ms. Pietz provided an overview of what has led to the Governor's Executive Order 20-54 to reduce pollution to at least 45 percent below 1990 emissions levels by 2035 and to at least 80 percent below 1990 emissions by 2050. Four agencies (Oregon Department of Transportation, Department of Land Conservation and Development, Department of Environmental Quality, and Department of Energy) have worked together to develop a two-year Multi-Agency Implementation Work Plan to make progress toward the Oregon Statewide Transportation Strategy's vision. The plan focuses on initial objectives and priority actions that can benefit from collaborative relationships and programs already established among the agencies. This Work Plan does not replace but rather complements existing agency efforts to reduce greenhouse gas emissions and, because the Strategy is not enough to reach the goals in Executive Order 20-04, the four agencies recognize that more must be done.

Key objectives with Every Mile Counts were identified as:

- Reduce Vehicle Miles Traveled Per Capita
- Support Use of Cleaner Vehicles and Fuels
- Consider Greenhouse Gas Emissions in Decision-Making

PRIORITY ACTIONS

- Transportation electrification. Expand electric vehicle rebate program, identify needed charging infrastructure.
- Cleaner fuels. Expand market-based Clean Fuels Program, providing data and information on the use of cleaner alternative fuels for freight trucks, and developing a roadmap and strategy to support alternative fuel adoption.
- Transportation options. Explore employer options to reduce driving, such as telecommuting, parking regulations, and employee incentives.
- Local greenhouse gas reduction planning. Plan and build cities where Oregonians can walk, bike, and take transit to get where they need to go.

The Memorandum of Understanding (MOU) is at least a 10 year commitment with a work plan every two years, including implementation teams checking in frequently with accountability mechanisms and public engagement.

Bill Holmstrom provided information on DLCDC led efforts in the work plan. These included transportation planning rules and housing rules with monitoring and enforcement, scenario and local climate pollution reductions planning, and parking management. Work on this work will be supported with other agencies.

The Climate-Friendly and Equitable Communities action will include a set of rulemaking activities to integrate climate and equity outcomes into a number of land use and transportation planning administrative rules. One of the largest rulemaking efforts will be the update of the Transportation Planning Rules (TPR). Overall the TPR directs most cities and counties in Oregon to have coordinated land use and transportation plans. Rule amendments will require local governments to plan for transportation systems and land uses to reduce GHG emissions, including requiring transportation plans within metropolitan areas to meet GHG reduction goals. Strengthened requirements will include encouraging more housing mixed-use development in centers and along transit corridors; enhancing planning for pedestrian, bicycle, and transit networks; limiting how motor vehicle capacity-based performance standards may be used in planning; and adjusting how projects are prioritized and selected in transportation plans.

Jessica Reichers provided information on the Oregon Department of Energy efforts to support transportation electrification in Oregon by developing a statewide interagency Zero Emission Vehicle (ZEV) Action Plan. Other DOE efforts on climate include directives in the Executive Order specific to appliance standards, building codes, and statewide transportation strategies.

Ms. Reichers noted the current update work on Biennial Energy Report this year, Oregon Global Warming Commission, Energy Sector Climate Vulnerability Assessment, and EV Dashboard. The Dashboard has been updated and will be posted online soon.

Amanda Pietz provided information on Department of Environmental Quality led efforts, noting that more from DEQ will be presented at TPAC on Sept. 4. A state trip reduction policy would require certain-sized businesses in certain geographic areas of the state (medium to large metropolitan areas)

to plan for and implement techniques to reduce employees' vehicle miles traveled. Techniques may include telecommuting, flexible work schedules (to shift travel out of peak hours), free transit passes, parking cash-out programs, encouraging bike and pedestrian options, etc. These strategies work where transportation options are available and continued investment in bicycle and pedestrian infrastructure and public transportation is needed. Development of a Statewide Trip Reduction Policy would be led by DEQ, who would amend their Employee Commute Options (ECO) Rule.

DEQ will enter into a rulemaking process for the Clean Fuels Program, implementing the direction of Governor Brown's Executive Order. The Clean Fuels Program will be extended and the requirements enhanced.

The freight market has a large GHG emission profile and actions are needed to support reduced emissions. Accordingly, this action will focus on the potential for freight trucks to be powered by electricity, hydrogen, or other lower carbon fuels. Specifically, the study will identify fueling and infrastructure needs and associated approaches agencies may take to enable transition to alternative fuels. The adoption of new emissions standards and ZEV requirements for medium and heavy-duty trucks is being considered as well.

ODOT led efforts include the transportation electrification infrastructure needs analysis. The Executive Order specifies that ODOT must complete a statewide transportation electrification infrastructure needs analysis by June 2021. While the focus is on light vehicles, the analysis will look at electrification across modes including micro-mobility (scooters and bikes), public transportation, and freight vehicles.

As the work plan is implemented and future actions are identified, concerted efforts will be made to identify, address, and integrate diversity, and climate justice and equity throughout Every Mile Counts efforts. More information on Every Mile Counts can be found here:

<https://www.oregon.gov/odot/Programs/Pages/Every-Mile-Counts.aspx>

Comments from the committee:

- Eric Hesse noted the efforts between the TPR, Mobility Policy Standards and OHP, which are all working to reduce greenhouse emissions in various strategies. Bill Holmstrom noted there are conversations happening with all agencies to figure these out, likely having the direction to possible phasing out measures with vehicle congestion. Kim Ellis added input on the Regional Mobility Policy update framed to advance climate smart goals, with planned testing new measures, and coordination with the RTP which begins scoping next fall.

It was noted how the STIP also played a part in these initial steps. Mr. Hesse noted the tools that have been developed as good informational elements on types of projects. Ms. Pietz added the tools that develop transportation strategy have been supplemented with more features to include tracking and monitoring which will benefit programs.

- Margi Bradway appreciated the information provided by the panel. It was noted Metro plans to be engaged with these efforts. Regarding the STIP, it was noted that in order to reconcile the analysis of projects, both the system level and project level are being addressed. Ms. Pietz

agreed there are lots of moving parts with these efforts. It was noted that one part is the overall programmatic approach being considered, often with different attributes to each project. Another part are variables with investment amounts and project specifics that may or not overlap with other projects and plans.

- Steve Williams mentioned he had not heard the phrase “mixed use” in the presentation. It was suggested to shift away from single use zones to mixed use concepts in residential areas, which would provide more incentive to get people away from cars. It was noted a greenhouse gas analysis plans in the presentation. What type of analysis would be done for land use plans regarding this and their implications? Bill Holmstrom noted the importance with mixed use in the state, focused on centers and transit corridors. Future amendments in rules will address these issues. Cody Meyer added scenario planning with program investment level planning helps raise the bar for requirements and planning across the state. The agency is working define mixed use with regulatory and technical tools.
- Glen Bolen noted several modeling examples Metro is using, with Chris Johnson adding specifics on these. As more planning addresses climate change and equity issues with land use and transportation, these tools can be used and applied to local jurisdictions and agencies.
- Chris Deffebach thanked the presenters for an informative program. It was asked how best to tackle all the strategies and plans with keeping groups updated. A question was asked on the climate adaptation plan, whether with ODOT facilities, or with counties or cities use? Ms. Pietz noted the adaptation plan was focused on asset strategy moving forward to identify vulnerable risk areas across the state, which in turn would identify how local jurisdictions assets were affected. On the issue of updating groups, it was noted these were collaborative efforts, with future phases of work directed to more specific areas that jurisdictions could be engaged on.

Ms. Pietz noted the websites listed posted in the chat area during this meeting:

www.oregon.gov/odot/Programs/Pages/Every-Mile-Counts.aspx

www.oregon.gov/lcd/CL/Pages/Adaption-Framework.aspx

www.oregon.gov/odot/Get-Involved/Pages/ACT-R1.aspx

Each website will be updated as programs are developed. ODOT is holding an online webinar in October, and all agencies can be contacted for presentations and adding participation.

Mr. Holmstrom noted the strong public involvement with resources for housing rulemaking, but now have limited resources for land use and transportation. In the last legislative sessions 14% of the DLCD budget was eliminated. It was noted changes to how the RAC would be recruited to allow a wider variety of voices to the committee. For interest or questions on this the staff email was provided: emanvel@dlcd.state.or.us

Chairman Kloster thanked the panelists for their information and encouraged a constructive and collaborative approach from our agencies and partners moving forward.

5. Adjourn

There being no further business, meeting was adjourned by Chair Kloster at 11:55 am.

Respectfully submitted,

Marie Miller, MTAC and TPAC Recorder

Attachments to the Public Record, MTAC and TPAC workshop meeting, August 19, 2020

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	08/19/2020	08/19/2020 MTAC and TPAC workshop meeting agenda	081920M-01
2	MTAC Work Program	08/11/2020	MTAC Work Program, as of 08/11/2020	081920M-02
3	TPAC Work Program	08/12/2020	TPAC Work Program, as of 08/12/2020	081920M-03
4	MTAC/TPAC Work Program	08/11/2020	MTAC/TPAC Work Program, as of 08/11/2020	081920M-04
5	Fact Sheet	May 2020	Every Mile Counts: Reducing Greenhouse Gas Emissions from Transportation in Oregon	081920M-05
6	Work Plan Report	N/A	Statewide Transportation Strategy: A 2050 Vision for Greenhouse Gas Reduction: Multi-Agency Implementation Work Plan June 2020 - June 2022	081920M-06
7	Presentation	08/19/2020	EVERY MILE COUNTS AND TRANSPORTATION CLIMATE EFFORTS	081920M-07



KEY ELEMENTS OF HOUSE BILL 2001 (Middle Housing)

Updated Nov. 6, 2019

House Bill 2001 (HB 2001) provides \$3.5 million to DLCD for technical assistance to local governments to:

- 1) assist local governments with the development of regulations to allow duplexes and/or middle housing, as specified in the bill, and/or
- 2) assist local governments with the development of plans to improve water, sewer, storm drainage and transportation services in areas where duplexes and other middle housing types would not be feasible due to service constraints.

DLCD Required Rulemaking: Who is affected:	Middle Housing Requirements		Infrastructure Deficiency Process
	Medium Cities	Large Cities	Medium & Large Cities
Significant dates:	DLCD Rules and model code adoption December 31, 2020	DLCD Rules and model code adoption December 31, 2020	DLCD Rules adoption [no date specified in bill] Target: July 2020
Local Government Deadlines:	Local Government Adoption of model code or alternative June 30, 2021	Local Government Adoption of model code or alternative June 30, 2022	Medium Cities Extension Requests due by December 31, 2020 Large Cities Extension Requests due by June 30, 2021
Effect of missed deadline:	Model code applies directly	Model code applies directly	No extension granted

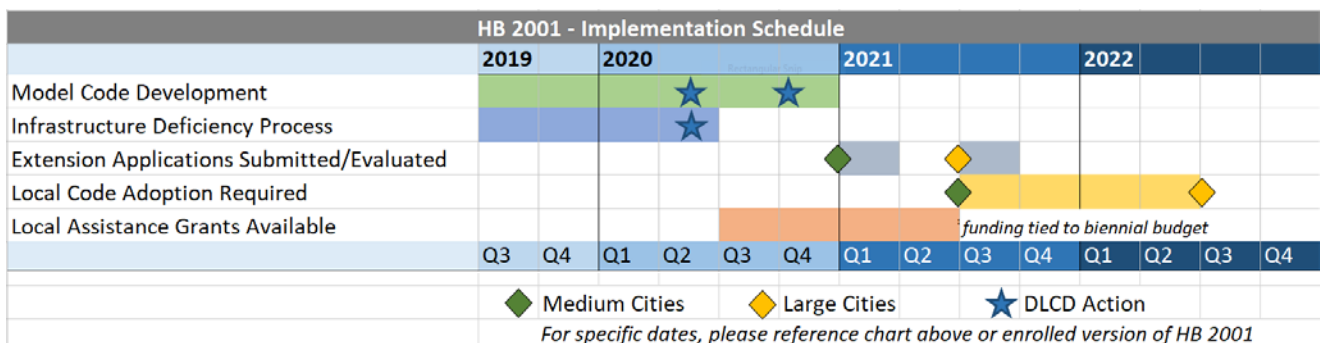
Medium Cities

All Oregon cities outside the Portland Metro boundary with a population between 10,000 and 25,000.	
Middle Housing Requirement	Duplexes to be allowed “on each lot or parcel zoned for residential use that allows for the development of detached single family dwellings.”

Large Cities

All Oregon cities with a population of more than 25,000, unincorporated areas within the Portland Metro boundary that are served by sufficient urban services, and all cities within the Portland Metro boundary with a population of more than 1,000.	
Middle Housing Requirement	Duplexes (as above) <u>AND</u> triplexes, quadplexes, cottage clusters, and townhouses “in areas zoned for residential use that allow for the development of detached single family dwellings.”

Flexibility *Medium and Large Cities “may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable cost or delay.”*



Other Provisions in HB 2001

- ✓ A local government may request an extension of time to adopt the required regulations based on an application identifying an infrastructure constraint (water, sewer, storm drainage, or transportation) to accommodating middle housing development, along with a plan of actions to remedy the deficiencies in those services.
- ✓ The applications for time extensions based on infrastructure deficiency will be reviewed by DLCD and approved or denied.
- ✓ Housing Needs Analyses, in conjunction with a UGB decision, may not assume more than a three percent increase in housing units produced as a result of the adoption of middle housing regulations unless the local government can show that higher increases have been achieved to date.
- ✓ The bill amends requirements relating to accessory dwelling units (ADUs). The bill states, “Reasonable local regulations relating to siting and design’ [for ADUs] does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.” However, such regulations may be applied if the ADU is used for vacation occupancy.
- ✓ Changes the annual housing production survey required by passage of HB 4006 in 2018. Adds requirement to report on ADUs and units of middle housing, both for market rate housing and for regulated affordable units.
- ✓ Directs the Building Codes Division to develop standards to facilitate conversions of single-family dwellings into no more than four residential dwelling units.
- ✓ Prohibits the establishment of new Covenants, Conditions & Restrictions or similar instruments that would prohibit middle housing or ADUs in a residential neighborhood.
- ✓ The bill also notes that the department shall prioritize technical assistance to cities or counties with limited planning staff, or that commit to implementation earlier than the date required by the act.

This fact sheet is intended to summarize key elements of HB 2001. It is not intended to replace a detailed review of the legislation. For specific bill language, please review the enrolled version of the HB 2001:
<https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2001>

“HB 2001 is focused on increasing the supply of ‘middle housing’ in Oregon cities – not by limiting construction of single family homes, but by allowing development of duplexes, triplexes, and quadplexes. Through technical assistance and resources for local governments, DLCD joins the effort to help create housing opportunities for all Oregonians.”

- Jim Rue, DLCD Director

For more information visit our website at <http://www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx>

DLCD Staff Contacts: With questions about local implementation – [Contact your Regional Representative](#)

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Division 46

Middle Housing

660-046-0000 Purpose

The purpose of this division is to prescribe standards guiding the development of Middle Housing types as provided in Oregon Laws 2019, chapter 639. OAR 660-046-0010 to OAR 660-046-0235 establish standards related to the siting and design of Middle Housing types in urban growth boundaries. OAR 660-046-0300 to OAR 660-046-0370 establish the form and substance of an application and review process to delay the enactment of standards related to the siting and design of Middle Housing types in areas with significant infrastructure capacity deficiencies.

660-046-0010 Applicability

1. A local government that is a Medium City or Large City must comply with this division.
2. Notwithstanding section (1), a local government need not comply with this division for:
 - a. Lands that are not zoned for residential use, including but not limited to lands zoned primarily for commercial, industrial, agricultural, or public uses;
 - b. Residentially zoned lands that do not allow for the development of a detached single-family home; or
 - c. Lands that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.
3. Local governments may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where local governments have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by OAR 660-046-0010.
 - a. Goal 5: Natural Resources, Scenic, and Historic Areas - Pursuant to OAR chapter 660, division 23, local governments must adopt land use regulations to protect identified resources under Goal 5, including regulations to comply with protective measures (including plans, policies, and regulations) applicable to Middle Housing.
 - A. Goal 5 Riparian Areas, Wetlands, and Wildlife Habitat – Pursuant to OAR 660-023-0050 through 660-023-0115, local governments must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5. Local governments may apply regulations to Middle Housing that apply to detached single-family dwellings in the same zone.
 - B. Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), local governments must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Local governments may apply regulations to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a local government has not adopted land use regulations to protect nationally significant historic resources, they must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the local government adopts land use regulations in compliance with OAR 660-023-0200. Local governments may not apply the following types of regulations specific to Middle Housing:

- i. Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; or
 - ii. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.
- b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), all waste and process discharges from future development, when combined with such discharges from existing developments, shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules, and standards. Local governments may apply regulations to Middle Housing in a manner that complies with federal and state air, water and land quality requirements.
- c. Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), local governments must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:
 - A. Special Flood Hazard Areas as identified on the applicable FEMA Flood Insurance Rate Map (FIRM); and
 - B. Other hazard areas identified in an adopted comprehensive plan or development code; provided the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:
 - i. Increasing the number of people exposed to a hazard;
 - ii. Increasing risk of damage to property, built, or natural infrastructure; and
 - iii. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.
- d. Goal 15: Willamette Greenway – Pursuant to OAR 660-015-0005, cities and counties must review intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Local governments may regulate Middle Housing to comply with Goal 15 protective measures that apply to detached single-family dwellings in the same zone.
- e. Goal 16: Estuarine Resources – Pursuant to OAR 660-015-0010(1) and OAR chapter 660, division 17, local governments must apply land use regulations that protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Local governments may prohibit Middle Housing in areas regulated to protect estuarine resources under Goal 16.
- f. Goal 17: Coastal Shorelands – Pursuant to OAR 660-015-0010(2) and OAR 660-037-0080, local governments must apply land use regulations that protect shorelands for water-dependent recreational, commercial, and industrial uses. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 17. Local governments may apply regulations to Middle Housing that apply to detached single-family dwellings in the same zone.
- g. Goal 18: Beaches and Dunes – Pursuant to OAR 660-015-0010(3), local governments must apply land use regulations to residential developments to mitigate hazards to life, public and private property, and the natural environment in areas identified as Beaches and Dunes. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 18 including but not limited to restrictions on use, density, and occupancy; provided the development of Middle Housing presents a greater risk to life or property than development of detached single-family dwellings. Greater risk includes but is not limited to actions or effects such as:
 - A. Increasing the number of people exposed to a hazard;
 - B. Increasing risk of damage to property, built or natural infrastructure; and
 - C. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.

4. For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the Commission adopts the following model Middle Housing Model Codes. The applicable Model Code adopted by reference in this section will be applied to Medium and Large Cities who have not acted to comply with the provisions of ORS 197.758 and this division and completely replaces and pre-empts any provisions of that local jurisdictions development code that conflict with the Model Code:
 - a. The Medium City Model Code as provided in Exhibit A; and
 - b. The Large City Model Code as provided in Exhibit B.
5. This division does not prohibit local governments from allowing:
 - a. Single-family dwellings in areas zoned to allow for single-family dwellings; or
 - b. Middle Housing in areas not required under this division.

660-046-0020 Definitions

As used in this division, the definitions in ORS 197.015 and ORS 197.758 et seq apply, unless the context requires otherwise. In addition:

1. "A Local Government That Has Not Acted" means a local government that has not adopted acknowledged land use regulations that are in compliance with ORS 197.758 and this division.
2. "Cottage Cluster" means a grouping of no fewer than four detached dwelling units per acre, each with a footprint of less than 900 square feet. Units may be located on a single Lot or Parcel, or on individual Lots or Parcels that include a common courtyard.
3. "Department" means the Department of Land Conservation and Development.
4. "Detached single-family dwelling" means a detached structure on a Lot or Parcel that is comprised of a single dwelling unit, either site built or a manufactured dwelling.
5. "Duplex" means two attached dwelling units on a Lot or Parcel. A local government may define a Duplex to include two detached dwelling units on a Lot or Parcel.
6. "Goal Protected Lands" means lands protected or designated pursuant to any one of the following statewide planning goals:
 - a. Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
 - b. Goal 6 Air, Water and Land Resource Quality;
 - c. Goal 7 Areas Subject to Natural Hazards;
 - d. Goal 15 Willamette River Greenway;
 - e. Goal 16 Estuarine Resources;
 - f. Goal 17 Coastal Shorelands; or
 - g. Goal 18 Beaches and Dunes.
7. "Infrastructure Constrained Lands" means lands where it is not feasible to provide acceptable water, sewer, storm drainage, or transportation services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development; where the local government is not able to correct the infrastructure limitation by utilizing the process outlined in OAR 660-046-0300 through OAR 660-046-0370 due to cost, jurisdictional, or other limitations; and which cannot be remedied by future development of Middle Housing on the subject Lot or Parcel.
8. "Large City" means each city with a certified Portland State University Population Research Center estimated population of 25,000 or more or city with a population over 1,000 within a metropolitan service district. This also includes unincorporated areas of counties within a metropolitan service district that are provided with urban services as defined in ORS 195.065.
9. "Lot or Parcel" means any legally created unit of land.
10. "Master Planned Community" means a site that is any one of the following:
 - a. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary that is zoned for or proposed to be zoned for residential development for which a Large City proposes to adopt a master plan or a plan that functions in the same manner as a master plan;
 - b. Greater than 20 acres in size within a Large City or adjacent to the Large City within the urban growth boundary for which a Large City adopted a master plan or a plan that functions in the

same manner as a master plan after the site was incorporated into the urban growth boundary;
or

- c. Added to the Large City's urban growth boundary after January 1, 2021 for which the Large City proposes to adopt a master plan or a plan that functions in the same manner as a master plan.
11. "Medium City" means each city with a certified Portland State University Population Research Center estimated population more than 10,000 and less than 25,000 and not within a metropolitan service district.
12. "Middle Housing" means Duplexes, Triplexes, Quadplexes, Cottage Clusters, and Townhouses.
13. "Model Code" means the applicable model code developed by the Department contained in OAR 660-046-0010(4).
14. "Quadplex" means four attached dwelling units on a Lot or Parcel. A local government may define a Quadplex to include any configuration of four detached or attached dwelling units on one Lot or Parcel.
15. "Townhouse" means a dwelling unit that is part of a row of two or more attached units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent unit.
16. "Triplex" means three attached dwelling units on a Lot or Parcel. A local government may define a Triplex to include any configuration of three detached or attached dwelling units on one Lot or Parcel.
17. "Zoned for residential use" means a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.

660-046-0030 Implementation of Middle Housing Ordinances

1. Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.
2. In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:
 - a. Waiving or deferring system development charges;
 - b. Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and
 - c. Assessing a construction tax under ORS 320.192 and ORS 320.195.
3. When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

660-046-0040 Compliance

1. A local government may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 et seq and the provisions of this division.
2. A local government may request from the Department an extension of the time allowed to complete the action under subsection (1) pursuant to the applicable sections of OAR 660-046-0300 through OAR 660-046-0370.
3. A Medium City which is A Local Government That Has Not Acted by June 30, 2021 or within one year of qualifying as a Medium City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) in its entirety to all proposed Middle Housing development applications until such time as the local government has adopted provisions under section (1).
4. A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed

development applications for that specific Middle Housing type until such time as the local government has adopted provisions under section (1).

5. If a local government has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the city's land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court solely on procedural grounds, the local government is deemed to have acted. Accordingly, the local government may continue to apply its own land use regulations and comprehensive plan as they existed prior to the adoption of land use regulations or comprehensive plan amendments that were the subject of procedural remand until the first of the two options:
 - a. The local government has adopted land use regulations or amended its comprehensive plan in response to the remand; or
 - b. 120 days after the date of the remand. If the local government has not adopted land use regulations or amended its comprehensive plan within 120 days of the date of the remand, the local government is deemed not to have acted under sections (3) and (4).
6. If a local government has adopted land use regulations or amended its comprehensive plan by the date provided under sections (3) and (4) and the local government's land use regulations or comprehensive plan changes are subsequently remanded by the Land Use Board of Appeals or an appellate court on any substantive grounds, the city is deemed to have not acted under sections (3) and (4).
7. If a local government acknowledged to be in compliance with this division subsequently amends its land use regulations or comprehensive plan, and those amendments are remanded by the Land Use Board of Appeals or an appellate court, the city shall continue to apply its land use regulations and comprehensive plan as they existed prior to the amendments until the amendments are acknowledged.
8. Where a local government directly applies the Model Code in accordance with sections (3), (4) and (5), the Model Code completely replaces and pre-empts any provisions of that local government's development code that conflict with the applicable sections of the Model Code.

660-046-0050 Eligible Local Governments

1. If a local government was not previously a Medium City and a certified Portland State University Population Research Center population estimate qualifies it as a Medium City, the local government must comply with this division within one year of its qualification as a Medium City.
2. If a local government was not previously a Large City and a certified Portland State University Population Research Center population estimate qualifies it as a Large City, the local government must comply with this division within two years of its qualification as a Large City.

660-046-0100 Purpose of Middle Housing in Medium Cities

OAR 660-046-0105 through OAR 660-046-0130 are intended to measure compliance with ORS 197.758 et seq and Goal 10 Housing for Medium Cities.

660-046-0105 Applicability of Middle Housing in Medium Cities

1. A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.
2. OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

660-046-0110 Provisions Applicable to Duplexes in Medium Cities

1. Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Medium Cities may regulate siting and design of Duplexes, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with ORS 197.307(4); and

- b. Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.
3. Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.
4. Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval process provided in OAR 660-046-0115;
 - c. Siting standards provided in OAR 660-046-0120;
 - d. Design standards in Medium Cities provided in OAR 660-046-0125;
 - e. Duplex Conversions provided in OAR 660-046-0130; and
 - f. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0115 Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-007-0015, OAR 660-008-0015, and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0120 Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

1. **Minimum Lot or Parcel Size:** A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.
2. **Density:** If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.
3. **Setbacks:** A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.
4. **Height:** A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.
5. **Parking:**
 - a. A Medium City may not require more than a total of two off-street parking spaces for a Duplex.
 - b. Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.
6. **Lot Coverage and Floor Area Ratio:** Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.
7. A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Duplexes.

660-046-0125 Duplex Design Standards in Medium Cities

1. Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.
2. A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

660-046-0130 Duplex Conversions

Additions to or conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code.

660-046-0200 Purpose of Middle Housing in Large Cities

OAR 660-046-0205 through OAR 660-046-0235 are intended to measure compliance with ORS 197.758 et seq and Goal 10 Housing for Large Cities.

660-046-0205 Applicability of Middle Housing in Large Cities

1. A Large City must allow for the development Duplexes in the same manner as required by Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.
2. A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:
 - a. Goal-Protected Lands: Large Cities may regulate Middle Housing other than Duplexes on Goal-Protected Lands as provided in OAR 660-046-0010(3);
 - b. Infrastructure Constrained Lands: Large Cities may limit the development of Middle Housing other than Duplexes on Infrastructure Constrained Lands;
 - c. Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing other than Duplexes in Master Planned Communities as follows:
 - A. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it may not limit the development of any Middle Housing type on lands where single-family detached dwellings are also allowed, but may limit overall net residential density within the master plan area provided that net residential density is least 15 dwelling units per acre. A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five units or more or manufactured home parks. A Large City may not limit future conversion or redevelopment of already constructed residential units to any Middle Housing type.
 - B. If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes a net residential density of at least eight dwelling units per acre and allows all residential units, at minimum, to be detached single-family dwellings or Duplexes. A local government may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan.
 - d. A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes on these types of lands are the result of implementing or complying with an established state or federal law or regulation.
3. A Large City may:
 - a. Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in

- areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or
- b. Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that Middle Housing other than Duplexes is allowed on the following percentage of Lots and Parcels zoning for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
 - A. Triplexes – Must be allowed on 80% of Lots and Parcels;
 - B. Quadplexes - Must be allowed on 70% of Lots and Parcels;
 - C. Townhouses - Must be allowed on 60% of Lots and Parcels;
 - D. Cottage Clusters – Must be allowed on 50% of Lots and Parcels.
 - E. A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:
 - i. The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a single-family detached dwelling in the same zone;
 - ii. The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement;
 - iii. Maximum net or gross density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and
 - iv. The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).
 - F. A Large City must ensure the equitable distribution of Middle Housing by allowing at least one Middle Housing type other than Duplexes on 75 percent of all residential lots and parcels within each census block group within a Large City.
4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:
 - a. Duplexes – Local governments may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.
 - b. Triplexes and Quadplexes – Local governments may allow more than four units on a lot, including any accessory dwelling units.
 - c. Townhouses – Local governments must require at least two attached Townhouse units and must allow up to four attached Townhouse units. A local government may allow five or more attached Townhouse units.
 - d. Cottage Clusters –
 - A. Local governments must allow at least five units in a Cottage Cluster. Nothing in this section precludes a local government from permitting less than five units in a Cottage Cluster.
 - B. A local government must allow up to eight cottages clustered around a common courtyard. Nothing in this section precludes a local government from permitting greater than eight units clustered around a common courtyard.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Large Cities may regulate siting and design of Middle Housing, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.
3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:

- a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
- b. Permitted uses and approval processes provided in OAR 660-046-0215;
- c. Siting standards provided in OAR 660-046-0220;
- d. Design standards in Large Cities provided in OAR 660-046-0225;
- e. Middle Housing Conversions provided in OAR 660-046-0230;
- f. Alternative siting or design standards provided in OAR 660-046-0235; and
- g. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307(4). Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

660-046-0220 Middle Housing Siting Standards in Large Cities

1. Large Cities must apply standards to Duplexes as provided in OAR 660-046-0120.
2. The following siting standards apply to Large Cities' regulation of Triplexes and Quadplexes:
 - a. Minimum Lot or Parcel Size:
 - A. For Triplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be up to 5,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - B. For Quadplexes:
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a fourplex may be up to 7,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - C. A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs A. or B.
 - b. Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.
 - c. Setbacks: A Large City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.
 - d. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.
 - e. Parking:
 - A. For Triplexes, a local government may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of 3,000 square feet or less: one space in total;

- ii. For Lots or Parcels greater than 3,000 square feet and less than or equal to 5,000 square feet: two spaces in total; and
 - iii. For Lots or Parcels greater than 5,000 square feet: three spaces in total.
 - B. For Quadplexes, a local government may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of 3,000 square feet or less: one space in total;
 - ii. For Lots or Parcels greater than 3,000 square feet and less than or equal to 5,000 square feet: two spaces in total;
 - iii. For Lots or Parcels greater than 5,000 square feet and less than or equal to 7,000 square feet: three spaces in total; and
 - iv. For Lots or Parcels greater than 7,000 square feet: four spaces in total.
 - C. A Large City may allow on-street parking credits to satisfy off-street parking requirements.
 - D. A Large City may allow but may not require off-street parking to be provided as a garage or carport.
 - E. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.
 - F. A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.
 - f. Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City chooses to apply Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.
3. The following rules apply to Large Cities' regulation of Townhouses:
 - a. Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it chooses to, the average minimum Lot or Parcel size may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet.
 - b. Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it chooses to, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys, and shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.
 - c. Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 units per acre, whichever is less.
 - d. Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.
 - e. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If local governments mandate off-street parking, their height standards must allow construction of at least three stories. If local governments do not mandate off-street parking, their height standards must allow construction of at least two stories.
 - f. Parking:
 - A. A Large City may not require more than one off-street parking space per Townhouse unit.
 - B. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.

- C. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.
 - g. Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse project greater than that of a single-family detached dwelling.
 - h. Minimum Open Space and Landscaping: A Large City is not required to regulate minimum open space area and dimensions, but if it chooses to, the minimum open space may not exceed 15% of the minimum Lot or Parcel size, and the minimum smallest dimension may not exceed the Lot or Parcel width or 20 ft, whichever is less. A Large City may establish provisions allowing the provision of open space through shared common areas.
- 4. The following rules apply to Large Cities' regulation of Cottage Clusters:
 - a. Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City chooses to regulate minimum Lot or Parcel size for Cottage Clusters, the following provisions apply:
 - A. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be up to 7,000 square feet.
 - B. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - b. Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City chooses to regulate minimum Lot or Parcel width for Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.
 - c. Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.
 - d. Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to single-family dwellings may not be greater than ten feet.
 - e. Height: A large City must allow a Cottage Cluster to be a height of at least one story.
 - f. Unit Size: A Large City may limit the size of dwellings in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per unit. A Large City may not include detached garages, carports, or accessory structures in the calculation of building footprint.
 - g. Parking:
 - A. A Large City may not require more than one off-street parking space per unit in a Cottage Cluster.
 - B. A Large City may allow but may not require off-street parking to be provided as a garage or carport.
 - C. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.
 - h. Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.
 - i. Nothing in this division precludes a Large City from allowing Cottage Cluster units on individual Lots or Parcels within the Cottage Cluster development.

660-046-0225 Middle Housing Design Standards in Large Cities

1. A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:

- a. Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - b. Design standards that are less restrictive than the Model Code for Large Cities in OAR 660-046-0010(4)(b);
 - c. The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or
 - d. Alternative design standards as provided in OAR 660-046-0235.
2. A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.

660-046-0230 Middle Housing Conversions

1. Additions to or conversion of an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.
2. If Middle Housing is being created through the conversion of an existing single-family detached dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.
3. A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster under the following conditions:
 - a. The preexisting single-family dwelling may be nonconforming with respect to the requirements of this code;
 - b. The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by this code; however, a preexisting single-family dwelling that exceed the maximum height, footprint, or unit size of this code may not be expanded;
 - c. The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;
 - d. The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt siting or design standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) or (2) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) or (2) below. Siting or design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. Existing Alternative Siting or Design Standards – A Large City must submit to the Department of Land Conservation and Development findings and analysis demonstrating that siting or design standards adopted prior to the adoption of these rules for Middle Housing types not in compliance with the standards provided in OAR 660-046-0220 or OAR 660-046-0225 have resulted in the substantial production of Middle Housing in areas where the standard was applied such that the standards have not, and will not in the future, individually or cumulatively cause unreasonable cost or delay to the development of Middle Housing.
 - a. Substantial production means:
 - i. The areas in which the Large City has applied the alternative standard or standards achieved a three percent or greater production rate of the applicable Middle Housing type over the time frame during which the Large City applied the standard or standards. At a minimum, the time frame must include two years of housing production data and housing production data from the full time frame in which the Large City applied the standard or standard. The production rate is the ratio of building permits issued for the applicable Middle

- Housing type in comparison to the total building permits issued for all Middle Housing and detached single-family dwellings over the same time frame; and
- ii. The areas in which the Large City applied the alternative standard or standards have a sufficient quantity of remaining sites where the Large City can accommodate Middle Housing to ensure a minimum three percent production rate over a twenty year horizon. The production rate is the ratio of building permits issued for the applicable Middle Housing type in comparison to the total building permits issued for all Middle Housing and detached single-family dwellings over the same time frame; and
 - b. If a Large City applied a design standard or standards that resulted in the substantial production of Middle Housing in a zone where the standard was applied, the Large City may apply that standard or standards in other zones, provided that any standard that scales by dwelling unit scales with the minimum Lot or Parcel size of the zoning district in which it applies.
2. New Alternative Siting or Design Standards – A Large City must submit to the Department of Land Conservation and Development findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:
- a. The total time and cost of construction, including design, labor, and materials;
 - b. The total cost of land;
 - c. The availability and acquisition of land, including areas with existing development;
 - d. The total time and cost of permitting and fees required to make land suitable for development;
 - e. The cumulative livable floor area that can be produced; and
 - f. The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.

Cities and Counties Affected by HB 2001

