DLCD

Updated August 20, 2019

KEY ELEMENTS OF HOUSE BILL 2001
(Middle Housing)

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:	Middle Housing Requirements		Infrastructure Deficiency Process
Who is affected:	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 20, 2022	Medium Cities Extension Requests by December 31, 2020 Large Cities Extension Requests by June 30, 2021
Effect of missed deadline:	Model code applies directly	Model code applies directly	No extension granted

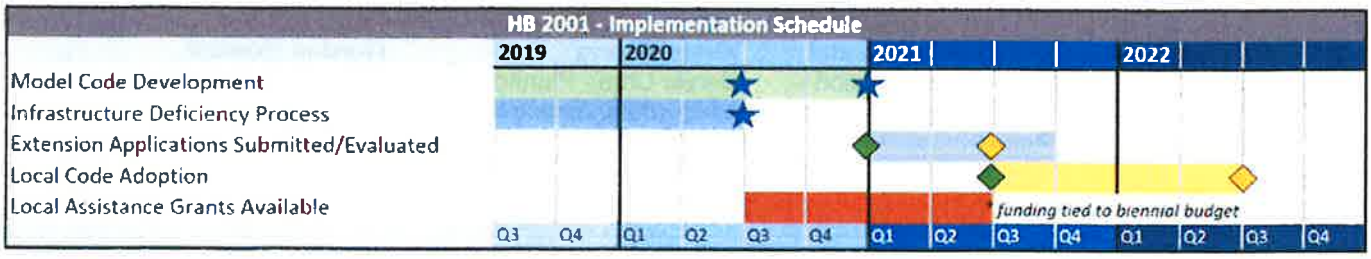
Medium Cities

All Oregon cities outside the Portland Metro boundary with a population between 10,000 and 25,000.	
Middle Housing Requirement	Duplexes "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) AND 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."*



Medium Cities Large Cities DLCD Action

For specific dates, please reference chart above or enrolled version of HB 2001

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 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 www.oregon.gov/lcd

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