

## Memorandum

Date: October 14, 2021

To: West Linn Planning Commission

From: Darren Wyss, Planning Manager

Subject: HB2001 Phase 2 Briefing

---

[HB2001](#), also known as the “middle-housing” bill, requires jurisdictions to adopt development code standards to meet the [Oregon Administrative Rules](#) put in place to implement the bill. The City has completed work on [Phase 1 of HB2001](#) implementation. Phase 1 was a technical exercise to identify the minimum Community Development Code amendments, known as the “de minimus” package, necessary to comply with HB2001. Phase 1 also resulted in the identification of a number of policy options that, if implemented, could help further encourage the development of middle housing types in the community.

The City has also recently completed a [Housing Needs Analysis \(HNA\)](#) with the help of a consultant as required by [HB2003](#). The HNA projected a need for an additional 215 units of “middle-housing” (21.4% of total need) over the next 20 years for the City of West Linn. This included 84 units of single-family attached housing (townhomes) and 131 units of duplex/triplex/quadplex housing. Over the past 10 years, the City has produced very few units of “middle-housing” (28 duplex units or 7.0% of total housing units built). To meet the future “middle-housing” needs, contemplation of these policy options is an important task for the Planning Commission and City Council to consider as part of the HB2001 code amendment package.

The City is currently in [Phase 2](#), which will focus on engaging the community on whether the City should simply adopt the “de minimus” package, or go further and adopt additional amendments to better encourage the development of middle housing. City staff will meet with the community to glean feedback on the policy questions. Phase 2 will conclude with the legislative adoption process with the Planning Commission and City Council. The City has secured additional grant funding from the Department of Land Conservation and Development (DLCD) for Phase 2. MIG, Inc., the same consultant funded by DLCD grants for Phase 1, will be working with staff on Phase 2.

Staff will present the policy options as questions for discussion with the community, Planning Commission, Neighborhood Associations, Community Advisory Groups, and City Council during Phase 2. The results of the discussions will inform the final code amendment package that is brought forward for adoption. Currently, the City has an [online survey](#) for feedback on the nine

policy questions, which is available on the City's website and will be publicized via the West Linn Tidings, social media, city newsletter, and various groups.

Listed below are the policy questions that will be presented for discussion with the community during Phase 2:

1. Should the City consider allowing detached plexes?
2. Should the City consider waiving street improvements?
3. Should the City consider allowing reduced setbacks?
4. Should the City consider allowing increased heights?
5. Should the City consider allowing increased lot coverage standards?
6. Should the City consider allowing increased floor area ratios?
7. Should the City consider allowing reduced off-street parking requirements if on-street parking is available next to the site?
8. Should the City take an extra step and create a streamlined process for allowing for fee simple ownership of middle housing?
9. Should the City consider incentives or exceptions (i.e. taxes, fees, system development charges, etc.)?

Staff is looking for initial feedback on the policy questions and will return in December 2021 for additional discussion and feedback. At the December meeting, staff will present the public feedback on the nine policy questions for Planning Commission consideration. The goal is to have a final proposed amendment package ready in early 2022 with adoption of code amendments that comply with HB2001 administrative rules by June 30, 2022.

Attached you will find the presentation being used with the various community groups.

If you have questions about the work session or materials, please feel free to email or call me at [dwys@westlinnoregon.gov](mailto:dwys@westlinnoregon.gov) or 503-742-6064. As always, please submit questions before the meeting to increase the efficiency and effectiveness of the discussion as it allows staff to prepare materials and distribute them for your consideration. Thank you and hope to see everyone on the 20<sup>th</sup>.

# Housing Bill 2001- Policy Questions



# LET'S DISCUSS WHAT HB2001 MEANS

Housing Bill 2001 (HB2001), also known as the “housing choices” bill, requires jurisdictions to allow for middle housing and was passed by the Oregon Legislature in 2019. The City of West Linn is required to implement the bill through compliance with the associated state administrative rules by **June 30, 2022**.

HB2001 requires the City of West Linn to amend its Community Development Code to accommodate various types of middle housing on properties that allow for residential Single-family detached.

Middle housing is defined in HB 2001 as duplexes, triplexes, quadplexes (fourplexes), cottage clusters, and townhouses. It is called middle housing because it offers more living units than a single-family house but less than a typical apartment building.

## Middle Housing Types

### Duplexes:

Two dwelling units on a lot, usually in a single building.



### Triplexes and quadplexes:

Three or four dwelling units on a lot, usually in a single building.



### Townhouses:

Homes that are constructed in a row of attached units, each on a separate lot.

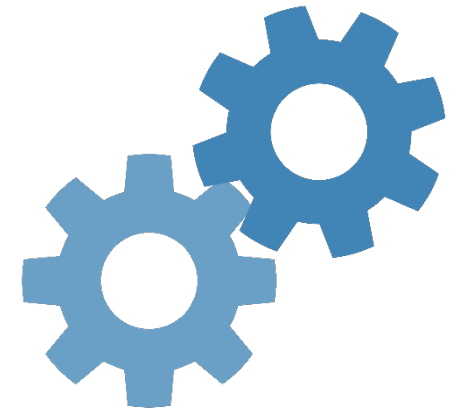


### Cottage cluster:

A grouping of smaller homes (maximum building footprint of 900 square feet) that includes a common courtyard.



# THE FUNCTIONS OF THE COMMUNITY DEVELOPMENT CODE



The Community Development Code is designed to provide the standards and procedures governing the use and development of land in the City of West Linn and to implement the goals and policies of the West Linn Comprehensive Plan.

There are chapters in the Community Development Code that regulate zoning designations, parking minimums, etc.

Generally speaking, the City's zoning code prescribes what kinds of uses can take place where.

The proposed amendments to the Community Development Code would allow for middle housing to be built on any property that allows for the development of detached single-family housing.

# PHASES OF ADOPTION



The City is treating the adoption of HB2001 as a two-phase project.

Phase I was *completed June 2021* and was a technical exercise which included a community survey. The outcome was recommended comprehensive plan and code changes to comply with HB2001 as well as some policy questions to address during the public engagement process.

Phase 2 is our public engagement process to receive community feedback on policy choices and programs. That feedback will be used to help determine whether the City adopts the minimum to comply with HB2001 or adopts code language to implement some of the policy choices. The final action of Phase 2 will be adoption of Community Development Code amendments.

We are  
in Phase  
2!

# WHAT POLICY QUESTIONS ARE AT PLAY?

The City would like to hear the community's thoughts and feedback on the policy questions. This information will be used by the Planning Commission and City Council in the decision making process for the proposed amendments to the Community Development Code.

Please view the next 9 policy questions that are up for discussion in the next slides.



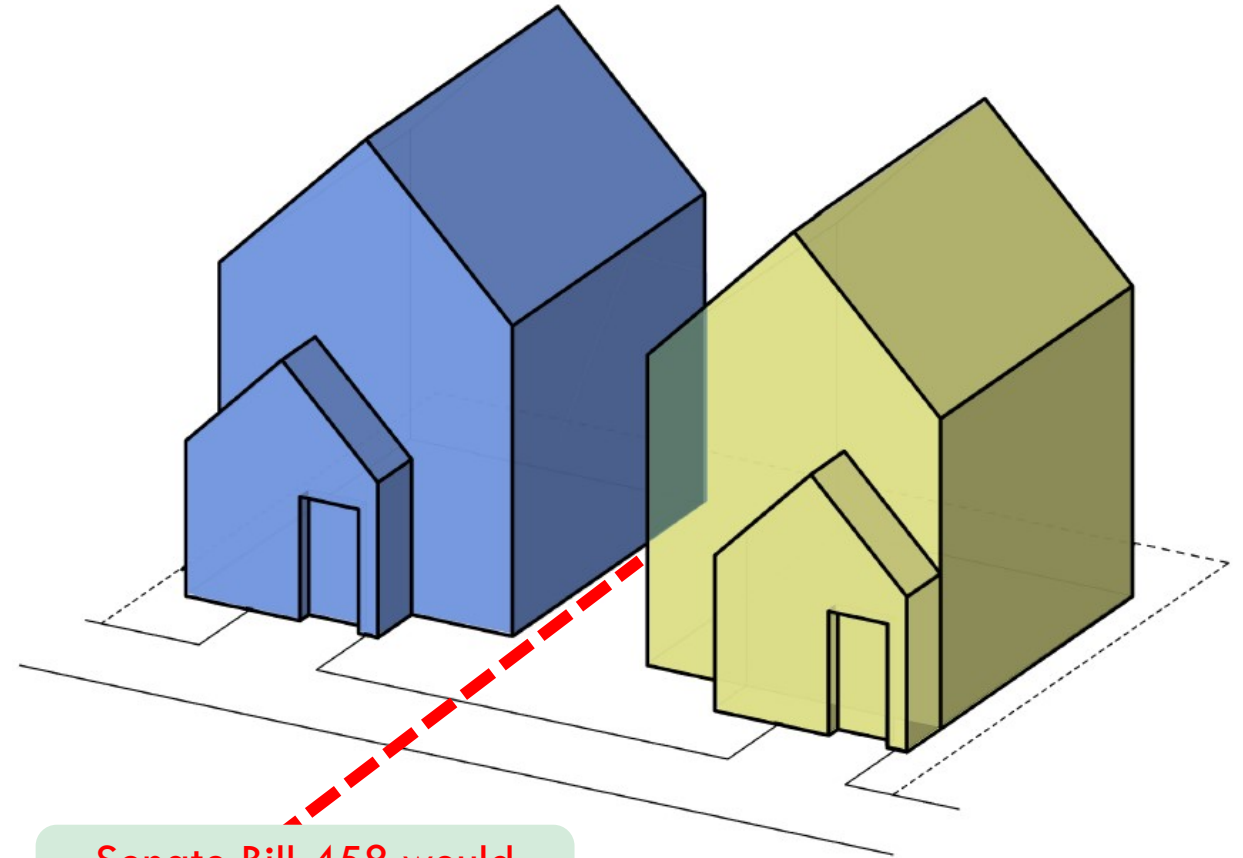


# QUESTION 1

Senate Bill 458 (passed in 2021) requires the City to allow for the land division of middle housing, resulting in fee simple ownership.

Should the City consider allowing detached plexes to encourage the construction of middle housing?

Plexes- duplex, triplex, quadplex



Senate Bill 458 would allow for the division



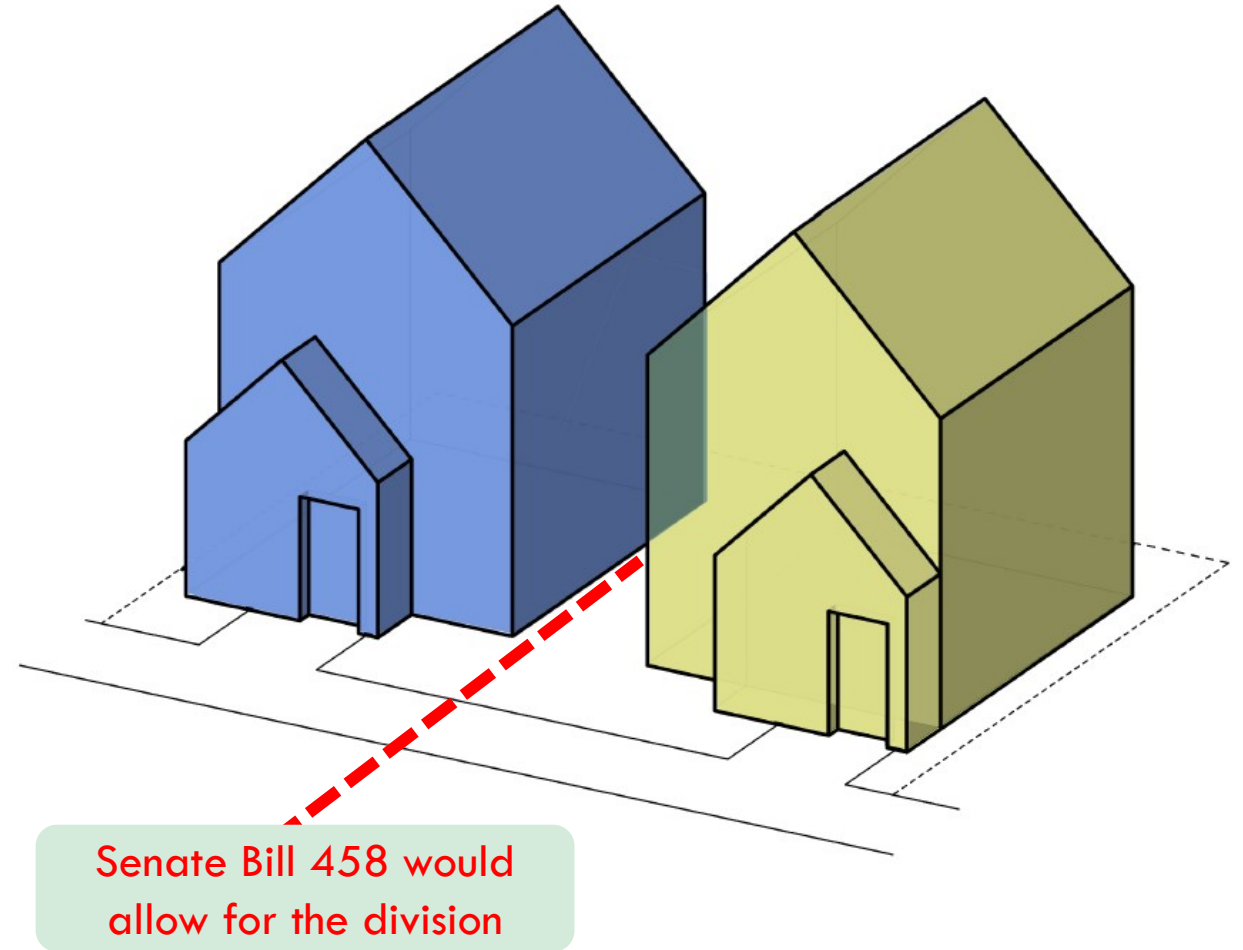
# QUESTION 1

## Pros and Cons

Allowing detached plexes can...

- result in easier property division
- allow for more privacy
- resemble a smaller detached single-family home
- result in multiple detached structures on a property
- allow property owners to add dwelling units without impacts to the existing home

Plexes- duplex, triplex, quadplex



## QUESTION 2

Currently, the City requires street improvements (curb, gutter, and sidewalk) to be installed with new housing.

Should the City consider waiving street improvements to encourage the construction of middle housing?

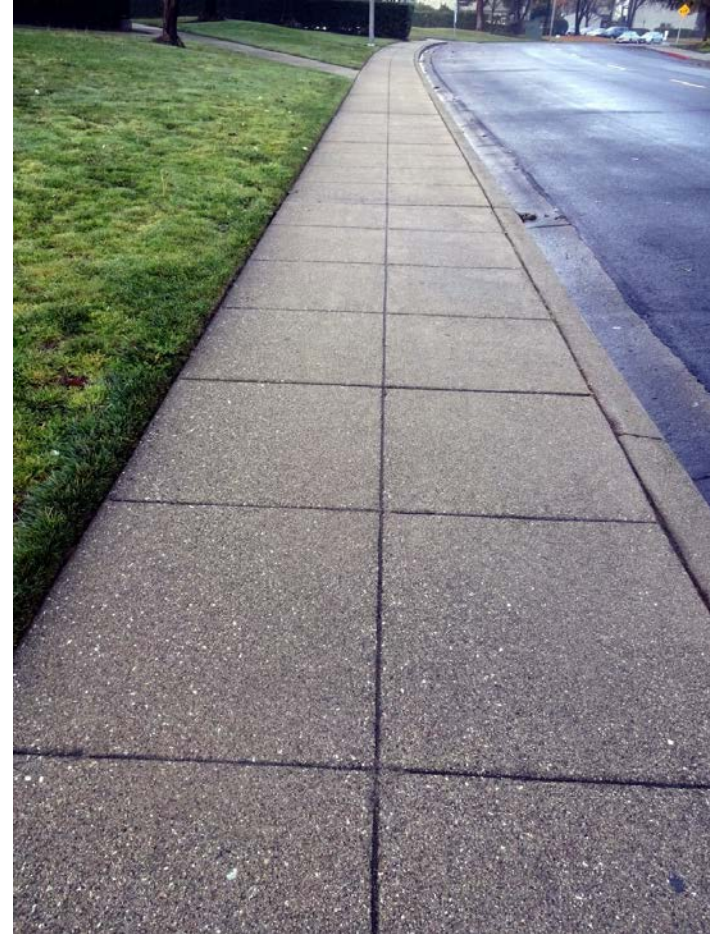


# QUESTION 2

## Pros and Cons

Waiving street improvements  
can...

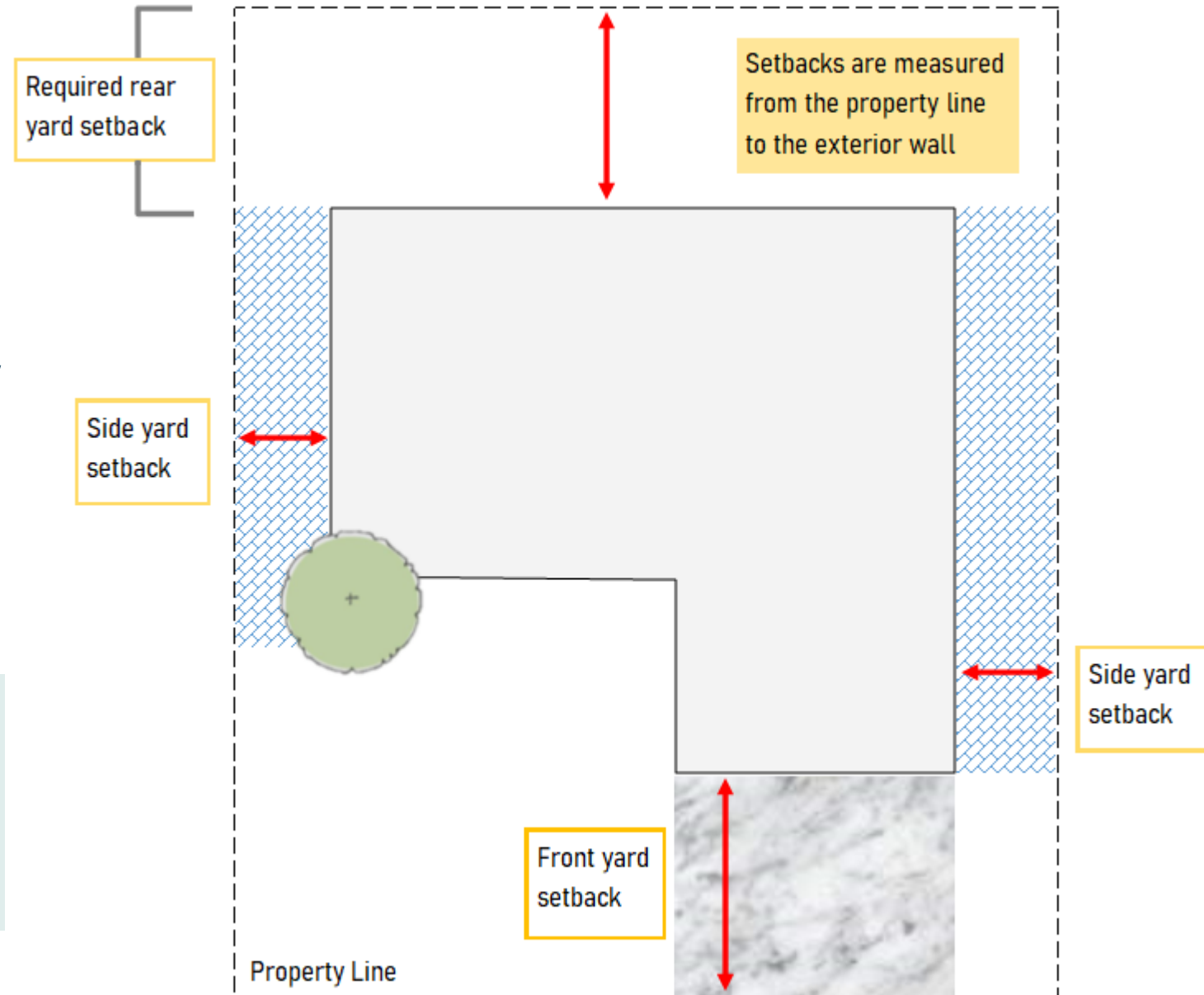
- reduce construction costs
- result in less private land being taken
- result in a lack of appropriate infrastructure for the project
- limit walkability



# QUESTION 3

Should the City consider allowing reduced setbacks for middle housing to encourage construction?

Setback- a distance from a property line within which construction of permanent structures is limited or prohibited

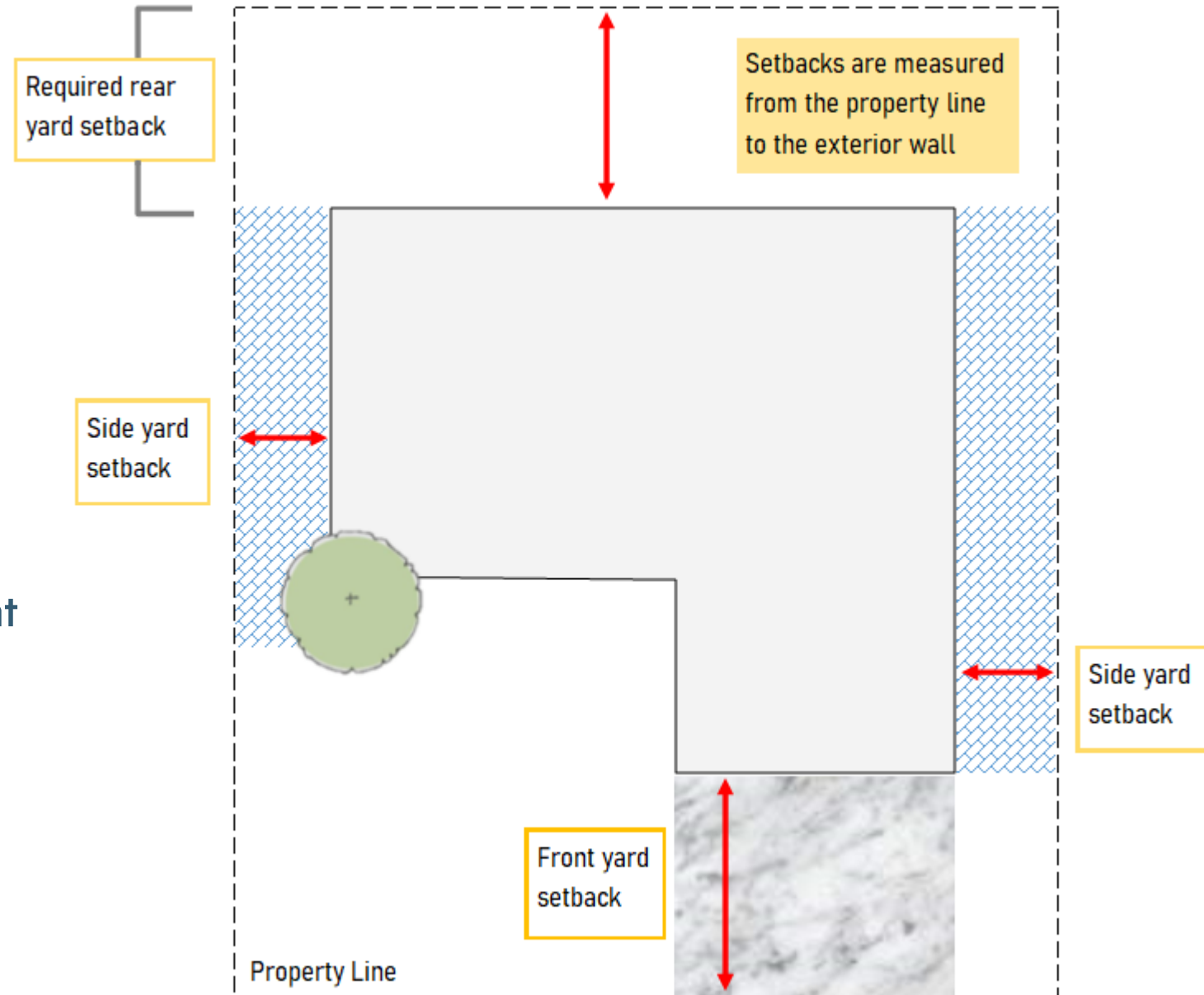


# QUESTION 3

## Pros and Cons

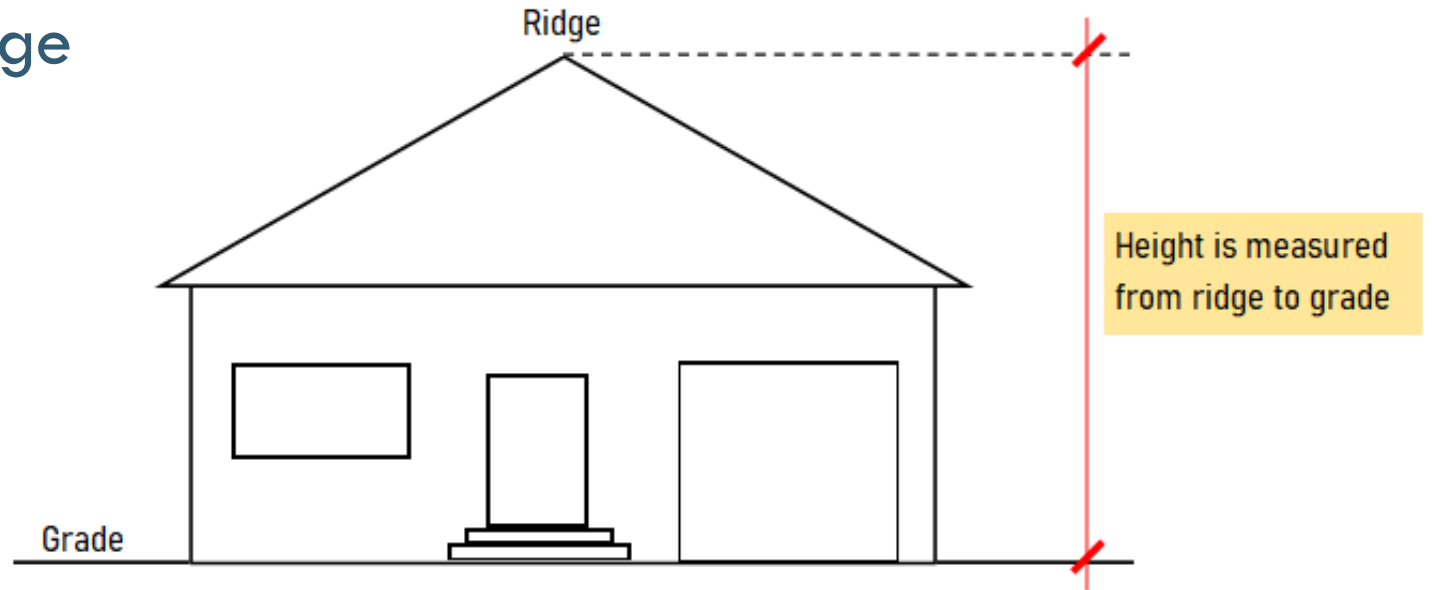
Allowing reduced setbacks can...

- allow for more design flexibility
- result in less privacy for adjacent neighbors
- allow for a more continuous streetscape



## QUESTION 4

Should the City consider allowing increased heights for middle housing to encourage construction?



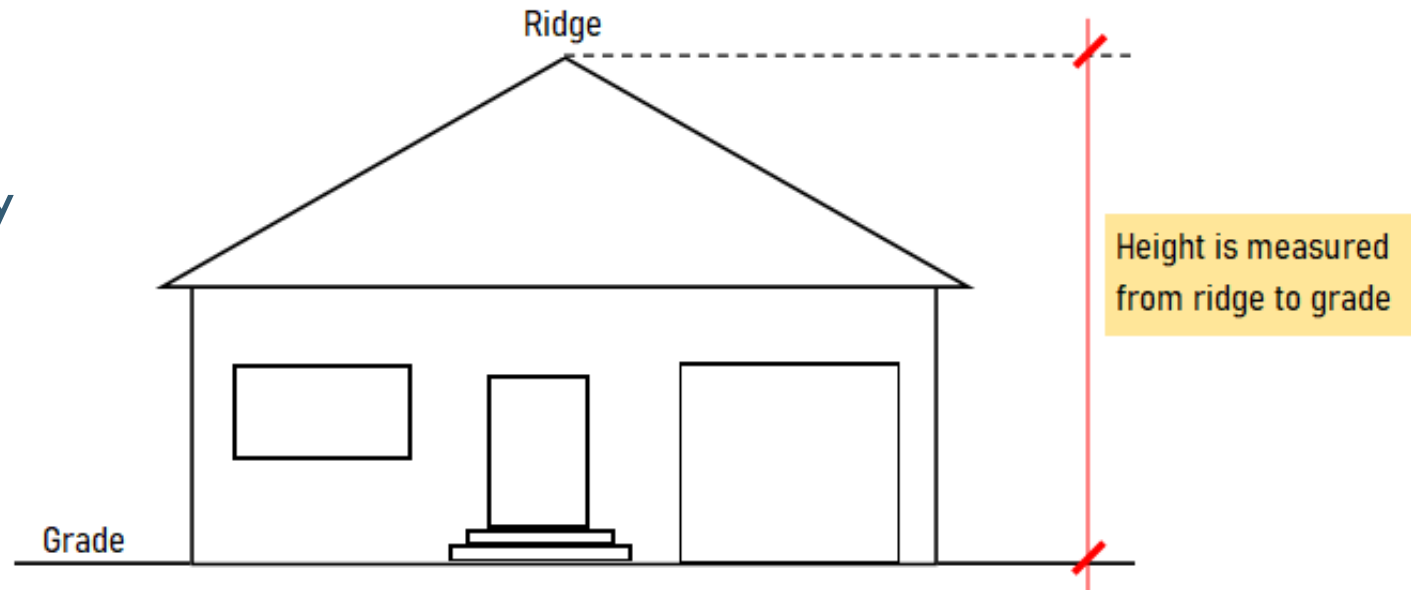


# QUESTION 4

## Pros and Cons

Allowing increased heights can...

- allow for more design flexibility
- restrict views
- have more shading occur on adjacent properties
- allow for more preservation of open space
- result in incompatible height with neighborhood



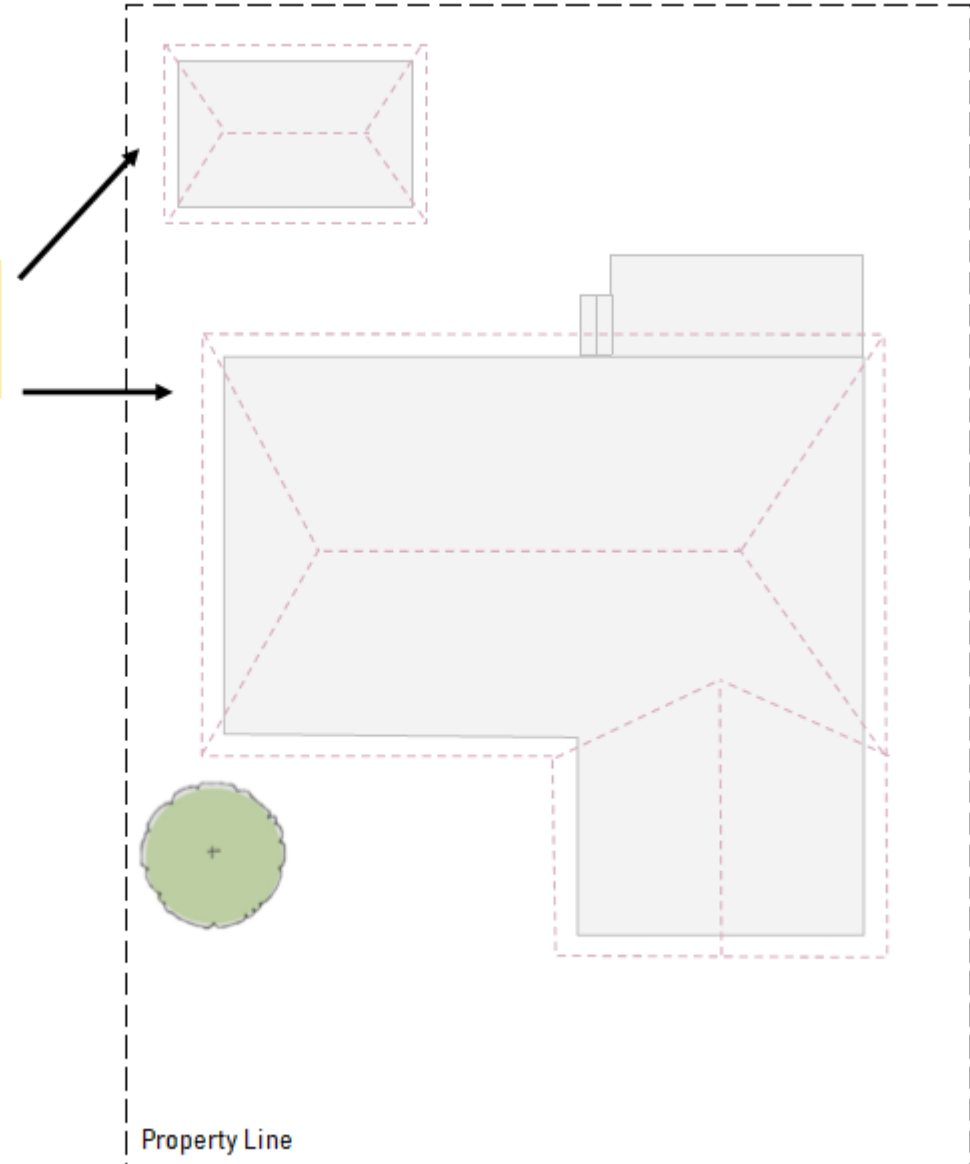


# QUESTION 5

Should the City consider allowing increased lot coverage standards for middle housing to encourage construction?

Lot coverage- the area covered by building(s) expressed as a percentage of the total land area

Include footprints of all principal and accessory structures



Structures should be counted if they require a building permit

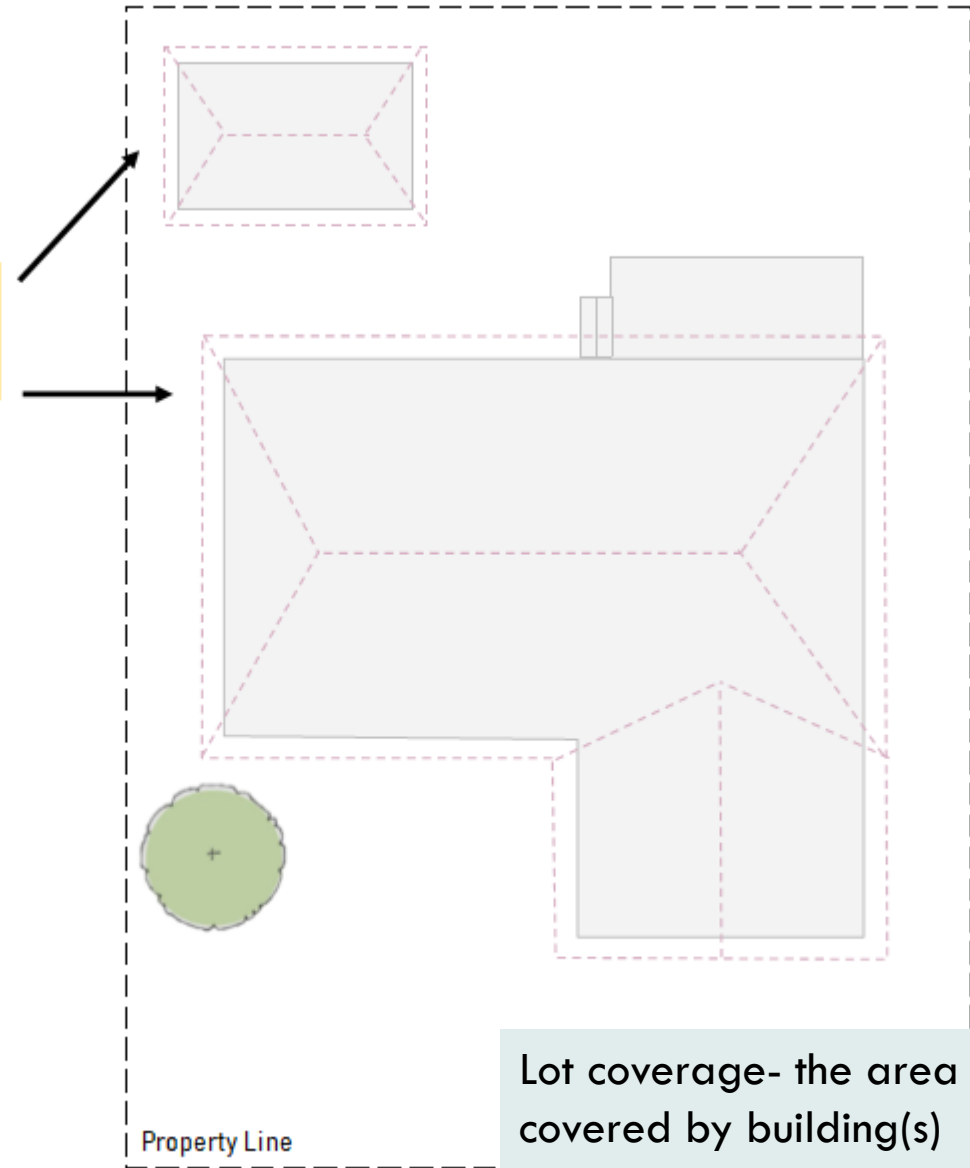
# QUESTION 5

## Pros and Cons

Allowing for increased lot coverage can...

- allow for larger/more units to be built
- allow for units to have lower heights
- result in more impervious surface
- more efficient use of developable land within the urban growth boundary

Include footprints of all principal and accessory structures



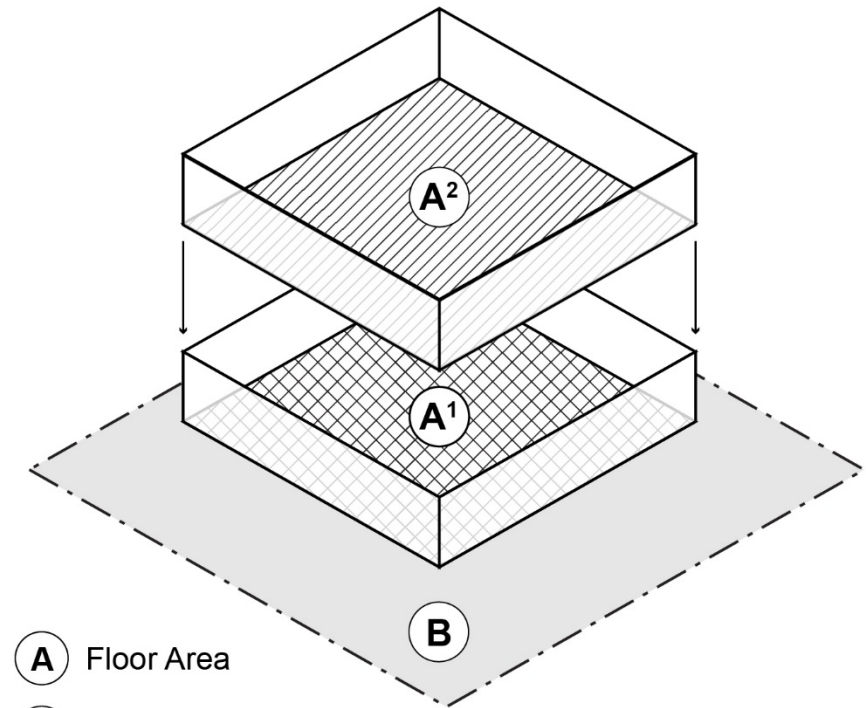
Structures should be counted if they require a building permit

Lot coverage- the area covered by building(s) expressed as a percentage of the total land area

## QUESTION 6

Should the City consider allowing increased floor area ratios for middle housing to encourage construction?

Floor area ratio- the area of habitable space expressed as a percentage of the total land area



- Ⓐ Floor Area
- Ⓑ Site Area

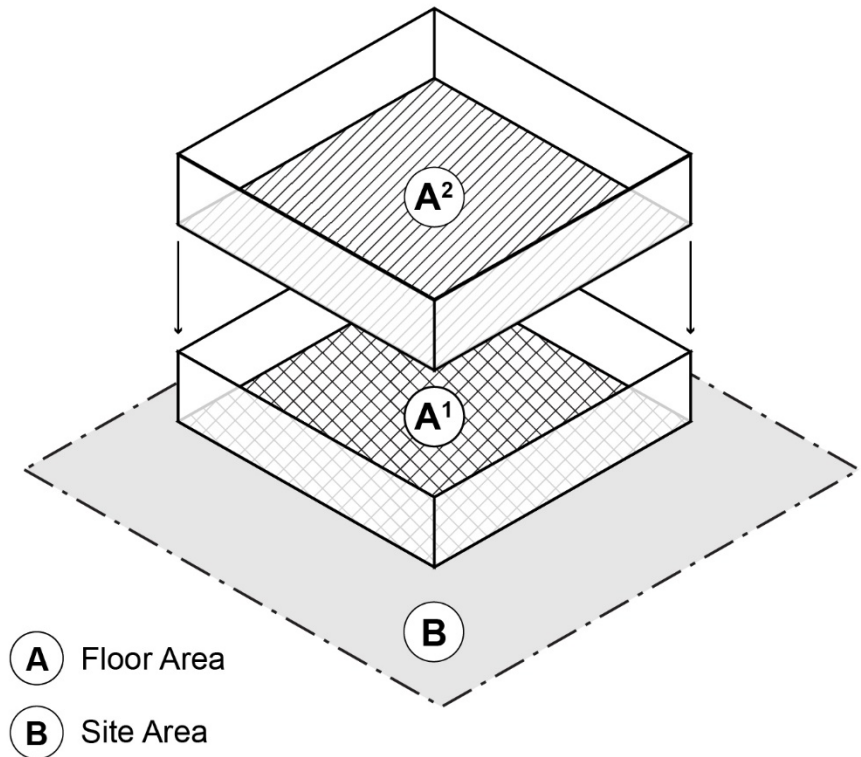
$$FAR = \frac{A^1 + A^2}{B}$$

# QUESTION 6

## Pros and Cons

Allowing for increased floor to area ratios can...

- allow and encourage larger/more units to be built
- can result in larger units that may have higher price points
- allow for larger/more homes without increasing heights or reducing setbacks
- more efficient use of developable land within the urban growth boundary

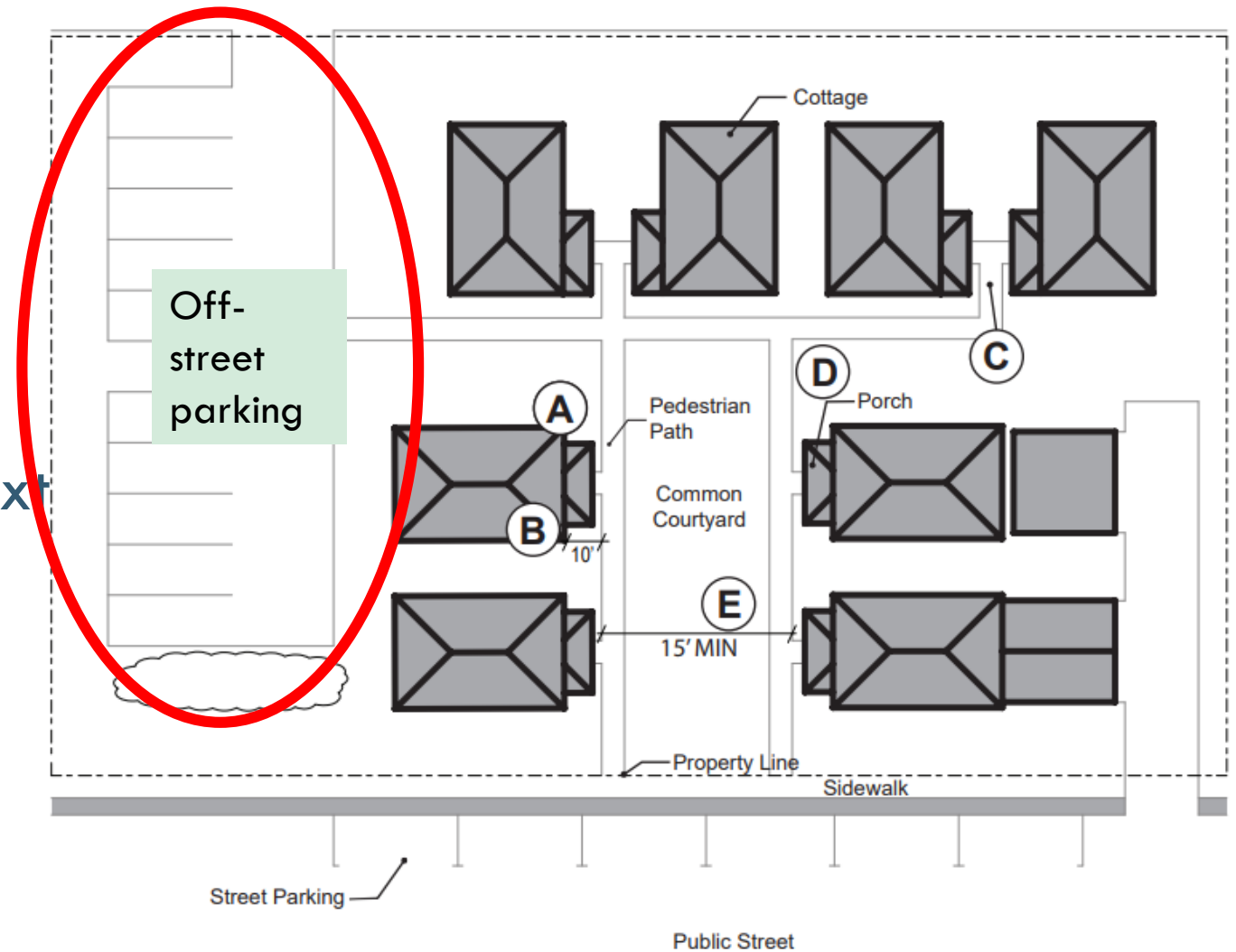


$$FAR = \frac{A^1 + A^2}{B}$$

Floor area ratio- the area of habitable space expressed as a percentage of the total land area

# QUESTION 7

Should the City consider allowing reduced off-street parking requirements if on-street parking is available next to the site?

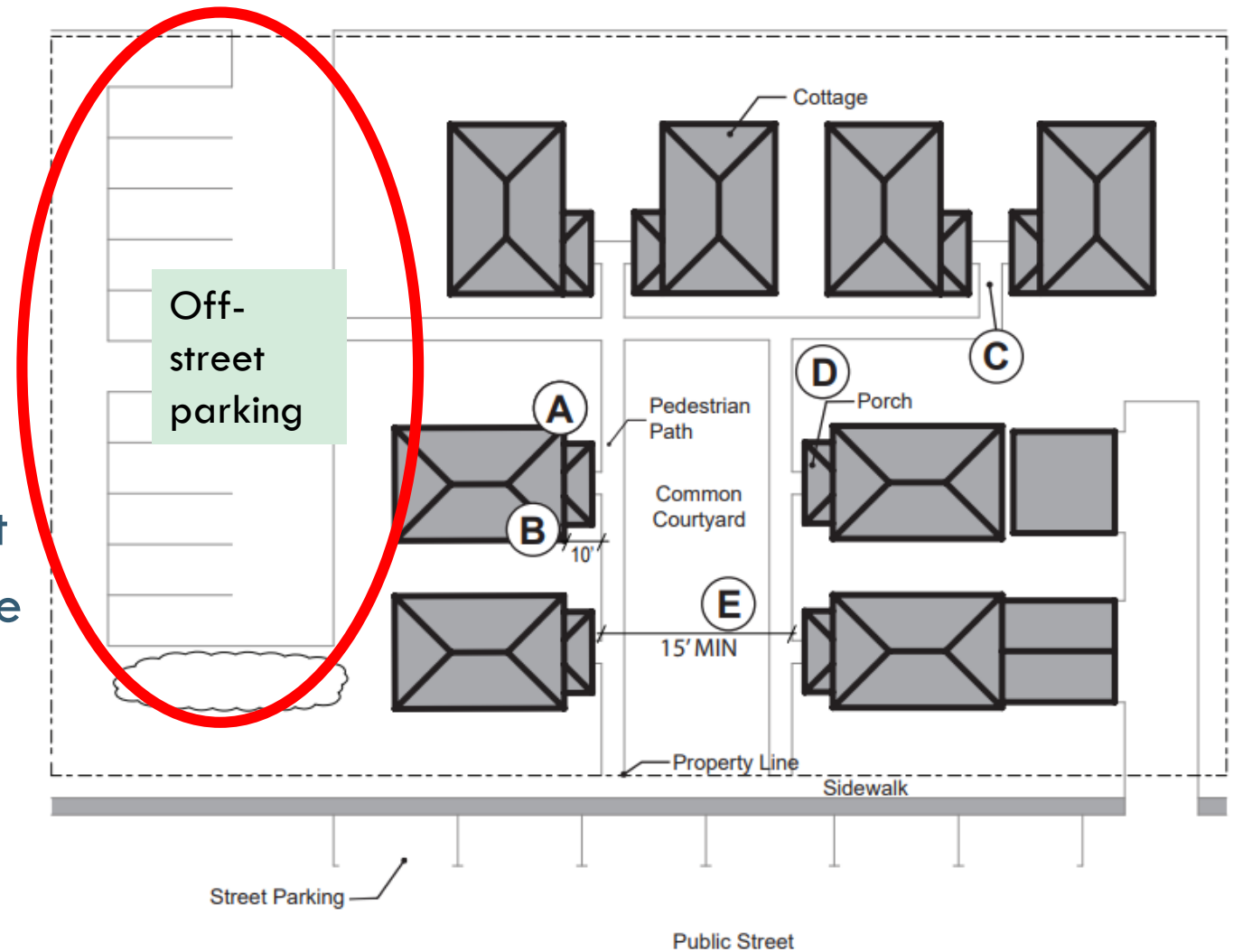


# QUESTION 7

## Pros and Cons

Allowing reduced off-street parking requirements can...

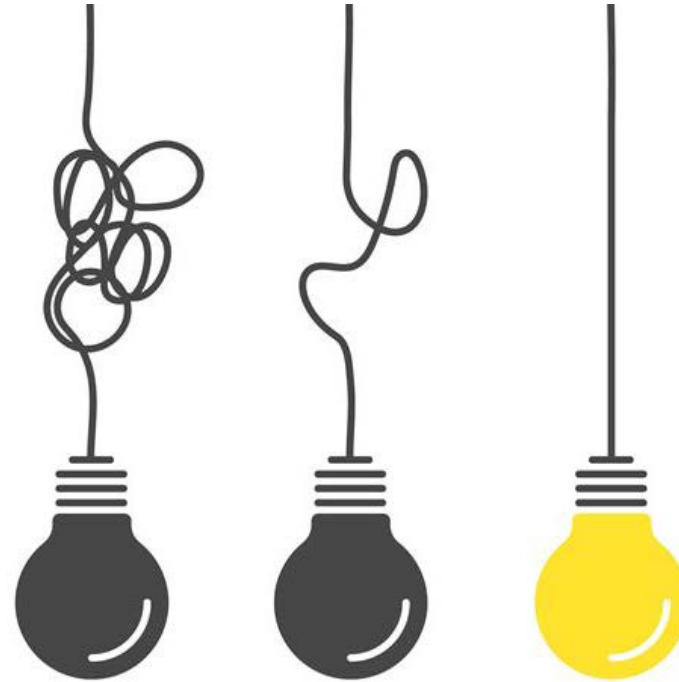
- result in lower development cost
- allow for less impervious surface on-site
- allow for more green space or area to build middle housing
- result in less street parking for adjacent properties



## QUESTION 8

The City is required to allow expedited review of a middle housing type land division as outlined in state statute.

Should the City take an extra step and create a streamlined process for allowing for fee simple ownership of middle housing?



Fee simple ownership- land owned completely by a homeowner

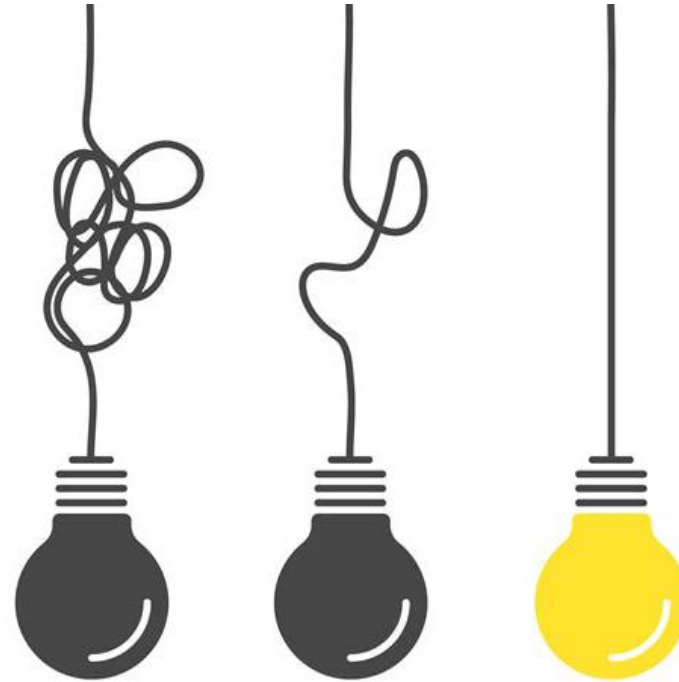


# QUESTION 8

## Pros and Cons

Allowing a streamlined process for allowing fee simple ownership can...

- allow for the division of middle housing to be at a Planning Manager decision level and not a Public hearing before Planning Commission
- allow for fee simple ownership of these smaller units to be more readily attainable
- reduce development cost



Fee simple ownership- land owned completely by a homeowner

# QUESTION 9

Should the City consider incentives or exemptions (taxes, fees, system development charges, etc.) for middle housing?



# ONLINE SURVEY

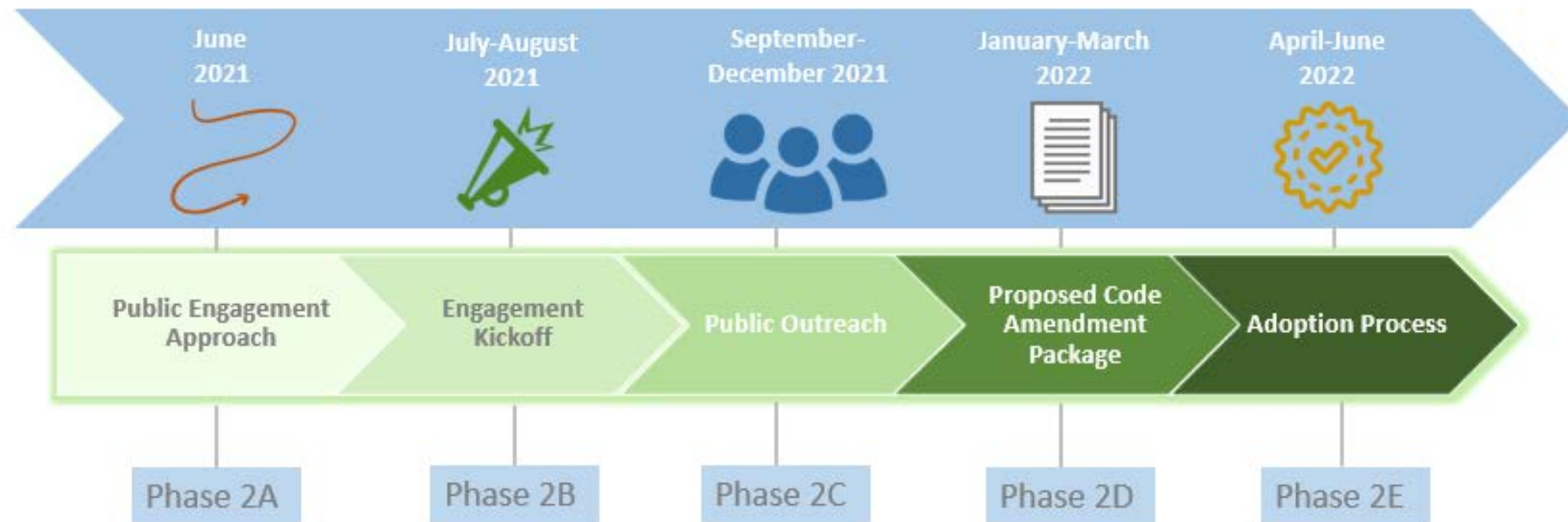
We need your input on the 9 policy questions. Please take our online survey:

<https://westlinnoregon.gov/planning/online-survey>

	her Nor ree	Somewhat Agree	Strongly Agree	Agree Completely
		<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
		<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

# PROJECT SCHEDULE

Please see the timeline for Phase 2, as we move towards adopting HB2001 code amendments by June 30, 2022.



# THANK YOU

Please visit the City of West Linn's project page on HB2001 for project updates and upcoming events and ways to provide feedback throughout the process:

<https://westlinnoregon.gov/planning/house-bill-2001-phase-2>

We welcome your comments and questions as we work through the adopting of HB2001. Thank you for taking the time to learn about this project.