

# Keizer Middle Housing Code Update

Planning Commission Meeting #4

February 9, 2022, 6:00 pm

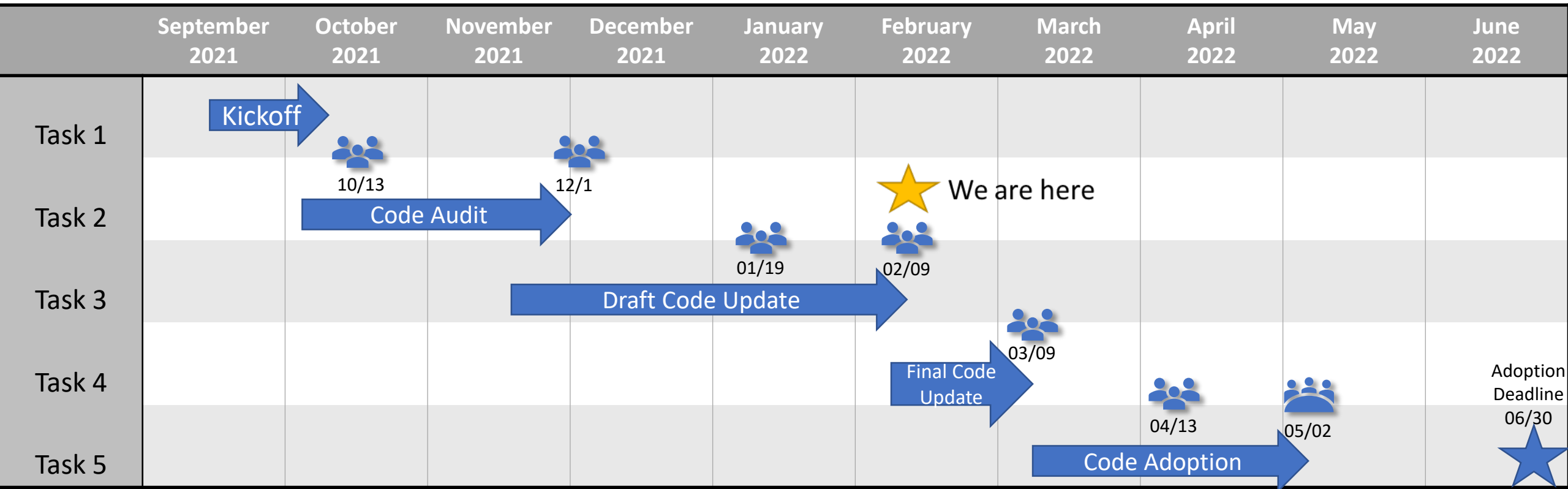


# Agenda



1. Project Status
2. Draft #1 Code Update Revisions
3. Draft #2 Code Updates
4. Middle Housing Land Division Options
5. Next Steps and Adjourn

# Project Status and Schedule



✓ Completed second phase of Code amendments (Draft #2)

# Middle Housing Draft #1 Code Amendments

## – Revisions



- Increase lot size for quadplex lot size to 7,000 sf in RH and MU zones
- Increase minimum parking to four spaces for quadplexes in RH and MU zones
- With current density requirements, no quadplex can develop under ~7,200 sf in RH and MU
  - In practice, 7,000 sf is still a decrease in lot size (no longer any density requirements)

# Middle Housing Draft #2 Code Amendments – SB 458 Middle Housing Land Divisions



## Background

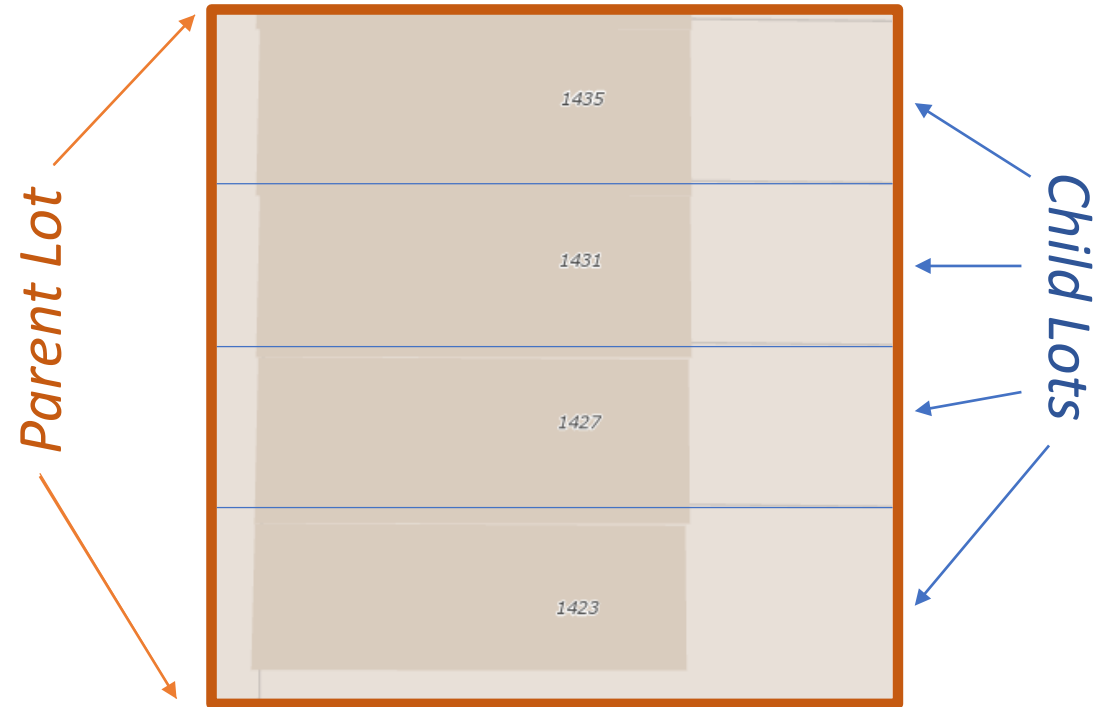
- Passed in 2021 as companion bill to HB 2001
- Requires HB 2001 cities to allow expedited land divisions for middle housing
- Intent to create more homeownership opportunities for middle housing types
- Same timeline as HB 2001 – statute effective June 30, 2022



# Code Updates – Definitions



- Middle Housing Parent Lot –  
Original middle housing lot before  
MHLD
- Middle Housing Child Lot –  
Resulting lots with individual units  
after MHLD



# What Keizer *Must* Require



- All middle housing types allowed under HB 2001 – includes those built before June 30, 2022
- Only one unit per resulting *child* lot
- Development/design requirements apply to *parent lot*, not the *child lot*
  - (e.g., triplex that undergoes MHLA is still considered a triplex, does not become a townhouse)
- Separate utility connections for each unit
- Easements required for pedestrian access, common areas, driveways/parking, and utilities
- Buildings must meet the Oregon Residential Specialty Code

# What Keizer *May* Require



- Street frontage improvements for lots that abut a street
- Concurrent review with building permits (*not recommended*)
- Preliminary/final plat procedures consistent with existing City procedures
- Record final plat before issuing building permit (current process for partitions)
  - May be issue with pre-existing middle housing developments



# What Keizer *Cannot* Require



- Street frontage improvements for lots that *do not* abut a street
- Parking/driveway access to each resulting *child* lot
- Minimum lot sizes or dimensions for *child* lots
- Further divisions of a *child* lot after MHLD
- Additional review criteria
- Conditions of approval

# Code Updates – Procedures



- Add Middle Housing Land Divisions and Expedited Land Divisions as new application types
- Final decision made by staff
- Appeal of staff decision heard by Hearings Officer
- Appeal of HO decision heard by Court of Appeals

# Code Updates – New Section and Submittal Requirements



- New Section for Middle Housing Land Divisions and Expedited Land Divisions (KDC 3.115)
- Includes requirements directly from statute (ORS 197.360 – 197.380 and SB 458)
- Organized for Keizer’s Code – follows similar format to Partitions section (KDC 3.107)
- Submittal Requirements - Preliminary Plat showing:
  - Existing separate utility connections
  - Existing or proposed easements
  - Include copies of building permits and demonstrate compliance with building codes

# Code Updates – Review Procedure



- Completeness review – **21 days**
- Notice – property owners within **100 feet** of site
- Comment period – **14 days**
- No public hearings on application
- Decision by Zoning Administrator with **63 days** of receiving complete application
- Appeals to Hearings Officer made within **14 days** of Zoning Administrator decision
- Cannot make these time periods longer

# Code Updates – Review Criteria



- If possible – Certificate of Occupancy must be issued before a MHLD – ensures all appropriate utility connections, easements, improvements, and access are provided
- Must comply with existing zoning, local building code, and Oregon Residential Specialty Code
- Separate utilities for water, stormwater, and sewer are present
- Formal easements are provided as necessary for:
  - Utilities
  - Common areas
  - Pedestrian access
  - Driveways/parking
- Frontage improvements required for lots created that abut a street – must be completed or guaranteed prior to MHLD.

# Code Updates – Review Criteria and Final Plat Approval



- Preliminary Plat must:
  - Prohibit further division of child lots
  - Include notation that the middle housing type shall not be altered by MHLD
    - I.e., Continues to be considered original middle housing type, pre-MHLD
  - Note that accessory dwelling units are *not* allowed on the child lot
- Cannot attach conditions of approval for:
  - Driveways/parking
  - Vehicle access
  - Min/max street frontage
- Final Plat
  - Consistent with final plat process for partitions
  - Record final plat within 3 years of preliminary plat approval
  - Improvements constructed or guaranteed through a performance bond

# Expedited Land Division Criteria and Submittal Requirements



- ELD requirements already apply to Keizer – recommending codifying statute language for easier implementation
- May use ELD process instead of a partition, subdivision, or planned development
- Must comply with ORS 197.360 – 197.380
- Must be zoned residential and a residential use within the UGB
- Follow same preliminary plat and final plat requirements for MHLD
- Cannot be within floodplain, Greenway Overlay, or Resource Conservation Overlay
- Land division must:
  - Create lots that result in 80% or more of max net density of the zone, or;
  - Sold or rented to households below 120% County AMI



# Next Steps



- Revisions to Phase 2 draft amendments and policy options
- Draft final Code updates
- Planning Commission meeting (project meeting #5) – **March 9<sup>th</sup>**
- Revisions to final Code updates – adoption draft
- Planning Commission Hearing – **April 13<sup>th</sup>**
- City Council Hearing – **May**