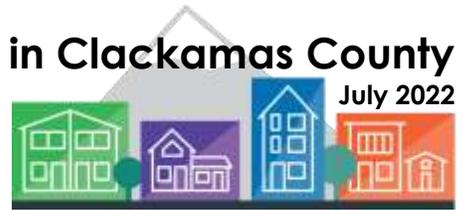


FAQs

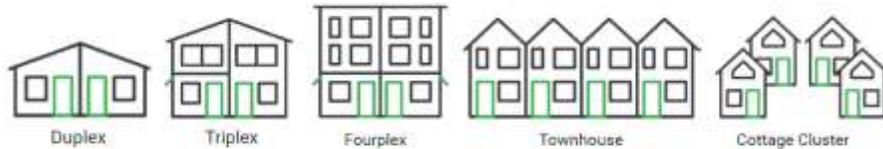
FREQUENTLY ASKED
QUESTIONS

Middle Housing in Clackamas County

July 2022



Effective **July 1, 2022**, the development of certain **middle housing** types - **duplexes, triplexes, quadplexes (fourplexes), townhouses and cottage clusters** – is allowed in urban, residential zones that already allow single-family homes.



Why did the county change the rules to allow middle housing?

The Oregon Legislature passed a law in 2019, called House Bill 2001 (HB 2001), that required certain cities and counties to make changes to allow middle housing. On June 2, 2022, the Board of County Commissioners adopted amendments to the county's [Zoning and Development Ordinance \(ZDO\)](#) and its [Comprehensive Plan](#) to comply with this law.

Did the county change my zoning?

No. The new regulations did not change anyone's zoning designation; they simply add more housing options for property in certain zoning districts.

What zoning districts were affected by this change?

In unincorporated Clackamas County, the following zoning districts will allow middle housing starting on July 1:

- Urban Low-Density Residential Zoning Districts, **R-5, R-7, R-8.5, R-10, R-15, R-20, R-30**
- Village Residential Zoning Districts, **VR-4/5 and VR-5/7**

Please note:

- Some middle housing types were already allowed in urban, multifamily or commercial zoning districts in the unincorporated area; nothing has changed about middle housing development in those zoning districts
- Housing in rural, unincorporated areas of the county is not affected by the new regulations

Can I still build a single-family house on my property in the listed zoning districts?

Yes, the development of single-family housing will still be allowed.

Can any type of middle housing be built anywhere in these zoning districts?

All of the middle housing types may be allowed on your property, but just like for any development, what middle housing could actually be built on your property depends on whether it can meet all applicable development and design standards. Some of the key standards are identified in the table (pg.2).

What is the process for building middle housing on my property?

State law requires that development of middle housing in these zones follow the same approval process as the development of a single-family home. **In most cases**, this means no land use approvals are needed and **you can proceed directly to apply for building permits**. Before you start the process, **contact the Planning and Zoning Division at 503-742-4500 or zoninginfo@clackamas.us** to verify your zoning and to make sure there are no overlays, protected areas, or other special circumstances on your property that would limit your ability to develop middle housing or require additional land use approvals before you could develop.

Can I divide my property so that each middle housing dwelling unit has its own lot?

Yes. Once middle housing is built, or you have submitted for building permits to build middle housing, you may be allowed to divide your property. This division is called a "Middle Housing Land Division" and it requires a pre-application conference and approval of a land use application.

**Middle Housing Requirements:
R-5, R-7, R-8.5, R-10, R-15, R-20, R-30, VR-4/5, and VR-5/7 Zoning Districts***

* This table summarizes some of the key standards for developing middle housing in the listed residential zones; it is not intended to identify every standard that needs to be met. Please refer to the county's Zoning & Development Ordinance (ZDO) www.clackamas.us/planning/zdo.html to identify all regulations applicable to your specific site.

Type of Middle Housing	Definition	Maximum number of dwelling units per lot	Minimum Lot Size	Allowed within a regulatory floodplain?	Are there unique development standards?	Required off-street parking	Required to connect to public sewer?	Required to build sidewalks on street frontage?
Duplex	2 <u>attached</u> dwelling units on a single lot	2 units (1 duplex)	None	Yes, subject to same standards and processes as a detached, single-family home	No, only standards that apply to detached, single-family homes will apply	1 space per dwelling unit	Yes, unless an exception available to a detached, single-family home applies	Yes, but may qualify for fee-in-lieu-of sidewalks (see ZDO Section 1007)
Triplex	3 <u>attached</u> dwelling units on a single lot	3 units (1 triplex)	5,000 sq. ft.	No	Yes, see specific standards in ZDO Section 845	1 space per dwelling unit	Yes	Yes, but may qualify for fee-in-lieu-of sidewalks (see ZDO Section 1007)
Quadplex	4 <u>attached</u> dwelling units on a single lot	4 units (1 quadplex)	7,000 sq. ft.	No	Yes, see specific standards in ZDO Section 845	1 space per dwelling unit	Yes	Yes
Cottage Cluster	At least 4 <u>detached</u> dwelling units, with a common courtyard, on a single lot	No maximum; 4 to 9 dwelling units per cluster; may have more than 1 cluster per lot	7,000 sq. ft.	No	Yes, see specific standards in ZDO Section 845	1 space per dwelling unit	Yes	Yes
Townhouse	At least 2 <u>attached</u> dwelling units, each on its own lot	1 unit	None, number of townhouse lots allowed is calculated based on a density of 3 or 4 times the number of detached, single-family dwellings allowed	No	Yes, see specific standards in ZDO Section 845	1 space per dwelling unit	Yes	Yes, but may qualify for fee-in-lieu-of sidewalks if building 3 or fewer townhouses (see ZDO Section 1007)