

ORDINANCE NO. ZDO-282

An Ordinance Amending Chapters 4, 6, and 10 and Appendix B of the Clackamas County Comprehensive Plan, Amending Sections 202, 315, 316, 317, 510, 824, 839, 1001, 1002, 1005, 1006, 1007, 1009, 1010, 1012, 1015, 1021, 1102, 1105, and 1307 of the Clackamas County Zoning and Development Ordinance, and Adding a New Section 845 to the Clackamas County Zoning and Development Ordinance

WHEREAS, the Clackamas County *Housing Needs Analysis (HNA)*, completed in 2019 at the direction of the Clackamas County Coordinating Committee (C4), the Board of County Commissioners (Board), and County Administration, found that housing in the county has become less affordable and that over the next 20 years there is expected to be a deficit of available residential land for as many as 5,000 dwelling units in the urban unincorporated area; and

WHEREAS, The *Housing Affordability and Homelessness Task Force*, appointed by the Board in 2018, recommended actions the county can take to address housing affordability issues, including strategies related to funding, housing services and housing supply; and

WHEREAS, the Board's *Performance Clackamas* strategic plan identified a five-year goal for the Department of Transportation & Development to provide zoning/places for 700 new dwelling units affordable to households from 60% to 110% of the area's median income (AMI); and

WHEREAS, the 2019 Oregon Legislature passed House Bill 2001 (HB2001), which mandates jurisdictions, including Clackamas County, allow people to build middle housing -- duplexes, triplexes, quadplexes, cottage clusters, and townhomes -- in urban areas zoned for single-family detached housing; and

WHEREAS, the 2021 Oregon Legislature passed Senate Bill 458 (SB458), which requires that any jurisdiction subject to the requirements of HB2001 also allow the division of land that has or is proposed to have middle housing developed consistent with the HB2001 regulations; and

WHEREAS, the 2022 Oregon Legislature passed House Bill 4064 (HB4064), which prohibits jurisdictions from having different design standards for manufactured dwellings than for detached single-family dwellings; and

WHEREAS, the Planning & Zoning Division, at the direction of the Board, initiated a three-phased project to consider amendments to the county's Zoning & Development Ordinance (ZDO) to provide more opportunities for housing development in unincorporated Clackamas County and to address changes required by said legislation; and

WHEREAS, the second phase of that project included work necessary to implement HB2001, SB 458 and HB4064 and to help reduce barriers to housing development by allowing, and establishing development and design standards for, middle housing in urban low density residential areas; removing the 3,000 square foot minimum lot size for residential development; simplifying the maximum lot coverage requirements in urban low density residential zoning districts; allowing, and establishing standards for, middle housing land divisions; repealing design standards specific to manufactured dwellings; and

clarifying processes for creating condominiums, all of which would be achieved with the amendments to the Comprehensive Plan and ZDO in Exhibits A and B, hereto attached; and

WHEREAS, the amendments are consistent with Statewide Planning Goals and Guidelines; applicable Oregon Revised Statutes and Oregon Administrative Rules; the Metro Urban Growth Management Functional Plan; the Clackamas County Comprehensive Plan; and the ZDO, as found in Exhibit C, hereto attached; and

WHEREAS, after duly-noticed public hearings on April 27, 2022, and May 11, 2022, and after considering a recommendation by the Planning Commission following their public hearing on March 28, 2022, the Board of County Commissioners orally approved the amendments; now therefore

The Board of Commissioners of Clackamas County ordains as follows:

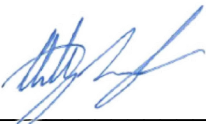
- Section 1:** The Board adopts, as its findings and conclusions supporting the action described herein, the following document, attached hereto as Exhibit C: “Findings of Consistency with Statewide Planning Goals and Guidelines; Oregon Revised Statutes and Oregon Administrative Rules; the Metro Urban Growth Management Functional Plan; the Clackamas County Comprehensive Plan; and the county’s Zoning and Development Ordinance (ZDO).”
- Section 2:** Chapters 4, 6 and 10 and Appendix B of the Clackamas County Comprehensive Plan are hereby amended, as shown in Exhibit A, hereto attached.
- Section 3:** Sections 202, 315, 316, 317, 510, 824, 839, 1001, 1002, 1005, 1006, 1007, 1009, 1010, 1012, 1015, 1021, 1102, 1105, and 1307 of the Clackamas County Zoning and Development Ordinance are hereby amended, as shown in Exhibit B, hereto attached.
- Section 4:** Section 845 is hereby added to the Clackamas County Zoning and Development Ordinance, as shown in Exhibit B, hereto attached.
- Section 5:** This ordinance shall be effective on July 1, 2022.

ADOPTED this 2nd day of June, 2022

BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary