

**846 AFFORDABLE HOUSING**

**846.01 DEFINITIONS**

A. As used in Section 846, affordable housing means a development in which:

1. Each dwelling unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income (AMI) as defined by the U.S. Department of Housing and Urban Development; or
2. The average of all dwelling units on the property is made available to families with incomes of 60 percent or less of AMI; or
3. A manufactured dwelling park is operated that serves only households with incomes of 120 percent or less of AMI; and
4. Whose affordability, including affordability under a covenant as described in Oregon Revised Statutes (ORS) 456.270 to 456.295, is enforceable for a duration of no less than 30 years.

B. In a Commercial District, affordable housing also means a development with mixed use structures with ground floor commercial units and residential units subject to an affordable housing covenant as provided in ORS 456.270 to 456.295 making the properties affordable to households with incomes between 80 and 120 percent of AMI.

**846.02 STANDARDS**

Affordable housing shall comply with the following standards:

A. Ownership: Except for affordable housing defined under Subsection 846.01(B), the affordable housing shall be located on a lot that is owned by:

1. A public body, as defined in ORS 174.109;
2. A nonprofit corporation that is organized as a religious corporation;
3. A nonprofit corporation that is organized as a public benefit corporation whose primary purpose is the development of affordable housing;
4. A housing authority, as defined in ORS 456.005; or
5. A manufactured dwelling park nonprofit cooperative, as defined in ORS 62.803.

B. Development in Industrial Districts: In the BP and LI Districts, development of affordable housing is permitted only if:

1. The lot is publicly owned;
  2. The lot abuts a residential or commercial zoning district; and
  3. The development does not include the conversion of a building from a commercial use to a residential use.
- C. Density Standards: If there are no density standards for housing in the applicable zoning district, or for development of affordable housing defined under Subsection 846.01(B), the housing shall be subject to the density standards in the abutting residential or commercial district with the highest maximum density allowance.
- D. Dwelling -Type: The dwellings developed shall be of a type allowed under this Ordinance.
- E. Prohibitions: Development of affordable housing is prohibited:
1. On slopes greater than or equal to 25 percent;
  2. In a mass movement hazard area regulated by Subsection 1003.02; and
  3. In the Floodplain Management District regulated by Section 703, *Floodplain Management District*.
  4. In the Habitat Conservation Area District regulated by Section 706, *Habitat Conservation Area District*.
  3. In the Water Quality Resource Area District regulated by Section 709, *Water Quality Resource Area District*.