

SECTION 10.1700

AFFORDABLE HOUSING DEVELOPMENT

TABLE OF CONTENTS

General

- 10.1701 Purpose
- 10.1702 Applicability
- 10.1703 Coordination with Other Regulations

Standards

- 10.1711 Review Criteria and Standards

Process

- 10.1721 Procedures

GENERAL

10.1701 PURPOSE

The purpose of this section is to expand options for the development of income restricted housing. It describes qualifying affordability terms and specifies the applicable standards and procedures. This section also authorizes density and height bonuses in land use districts that permit residential use(s) (ORS 197.308).

10.1702 APPLICABILITY

This section shall apply to all affordable housing development throughout the City unless exempted in Section 10.1703.

10.1703 COORDINATION WITH OTHER REGULATIONS

- A. This section does not apply to property in the Floodplain Overlay District, Highly Sloped Subareas, and the Natural Resource Overlay.
- B. Section 10.1100 Shoreline Height Standards does not apply to affordable housing development under this section.

STANDARDS

10.1711 REVIEW CRITERIA AND STANDARDS

- A. Each unit on the property shall be made available to own or rent to families with incomes of 80% or less of the area median income, or the average of all units on the property shall be made available to families with incomes of 60% or less of the area median income. Area median income shall be determined by the

Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development (ORS 458.610).

- B. The affordability shall be enforceable by an affordable housing covenant (ORS 456.270 to 456.295), for a duration of no less than 30 years.
- C. Affordable housing may take the form of any residential use, including but not limited to townhouses, multifamily, and cottage clusters. When a residential use is only permitted in land use districts under the affordable housing provisions, such as multifamily in GI, the application shall be subject to:
 1. The development standards for the land use district in which the property is located.
 2. **Section 7.0000 Design Review**, unless exempted in **Section 7.0002(D)**.
 3. The design standards in **Table 10.1711(A)**.

TABLE 10.1711(A): Review Standards for Residential Uses Allowed Only as Affordable Housing

Proposed Residential Use	Location	Applicable Design Standard
Manufactured Dwelling Park	In all locations	7.0410 Manufactured Dwelling Park Design Standards
Single Detached Dwelling	In all locations	7.0420 Design Standards for Single Detached Dwellings, Duplexes, Triplexes, and Quadplexes
Duplexes, Triplex, and Quadplex	In the Downtown Plan District and the Rockwood Design District	7.0100 Corridor Design District Design Guidelines and Standards
Duplexes, Triplex, and Quadplex	In all locations, except the Downtown Plan District and the Rockwood Design District	7.0420 Design Standards for Single Detached Dwellings, Duplexes, Triplexes, and Quadplexes
Cottage Cluster	In all locations	7.0440 Cottage Cluster Design Standards
Townhouse	In a Design District	The design standards applicable to townhouses in that design district
Townhouse	Not in a Design District	7.0432 Corridor District Townhouse Design Standards
Multifamily	In a Design District	The design standards applicable to multifamily in that design district
Multifamily	Not in a Design District	7.0100 Corridor Design District Design Guidelines and Standards

4. Where the code does not define standards for a residential use in a land use district, the Manager shall determine which standards are appropriate.
- D. Affordable housing shall be permitted on public parks and open spaces.
 - E. Residential uses not permitted in the LDR-5, LDR-7, TR, TLDR, MDR-12, MDR-24, LDR-PV, VLDR-SW and LDR- SW districts shall be permitted as affordable housing when the housing is owned by a public body (ORS 174.109) or a nonprofit corporation that is owned by a religious corporation.

- F. Affordable housing in the IND-SW land use districts shall be permitted on property owned by a public body and adjacent to property where residential uses or school uses are permitted.
- G. Affordable housing in the GI district shall be permitted:
 - 1. On property owned by a public body and adjacent to property where residential uses or school uses are permitted, or
 - 2. When an applicant demonstrates that the title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.
- H. Affordable housing in the LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, OFR, RTC, SC, SC-RJ, CMU, CMF, CC, MC, DCC, DMU, DTM, DEM, DRL-1, DRL-2, DCL, CNTH, CNTM, CNRM, LDR-PV, MDR-PV, HDR-PV, TC-PV, NC-PV, MUE- PV, VLDR- SW, LDR-SW, THR- SW, VC-SW districts is permitted a density and height bonus based on the maximum density of the property and the residential use, as applicable, (**Table 10.1711(B)**).

Table 10.1711(B): Affordable Housing Density and Height Bonus

Property Maximum Density	Density Bonus	Height Bonus
16 units per acre or fewer	200%	12 feet
16.1 to 45 units per acre	150%	24 feet
45.1 units per acre or more	125%	36 feet

The following exceptions and modifications to the development standards apply:

- 1. When determining the maximum net density of a property, the proposed residential use shall be considered in residential districts. Affordable housing on properties in the LDR-5, LDR-7, TR, TLDR, MDR-12, MDR-24, OFR, LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW, and THR-SW districts shall use the maximum net density under “All other uses” on the applicable development standards table to determine the maximum net density.
- 2. Minimum net density does not apply.
- 3. Affordable housing applications on properties subject to **Section 7.0420(F)** Rear Lot Provisions or **Section 9.0610** Height Transition Standards, may add the applicable height bonus in **Table 10.1711(B)** to the maximum building height described in **Section 7.0420(F)** or **Section 9.0610**.

PROCESS

10.1721 PROCEDURES

- A. An application, including an application for a residential use only allowed in a land use district as affordable housing, shall be subject to the procedure type specified in **Table 11.0204**. An application for affordable housing development is not a unique application type.
- B. The applicant shall submit a statement with the development permit application describing how the application shall meet the applicable income restrictions, terms, and ownership standards in **Section 10.1711**. The statement shall be signed by the housing and property owner(s).
- C. Prior to building permit issuance, the applicant shall submit an affordable housing covenant recorded by the County recorder, which demonstrates:
 - 1. Each unit on the property shall be made available to own or rent to families with incomes of 80% or less of the area median income or the average of all units on the property shall be made available to families with incomes of 60% or less of the area median income. Area median income shall be determined by the

Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development (ORS 458.610).

2. The affordability shall be enforceable by an affordable housing covenant (ORS 456.270 to 456.295), for a duration of no less than 30 years.