



MULTI-FAMILY CODE AUDIT

Citizen Advisory Committee Meeting #2

Meeting Date: August 25, 2022

The primary objective of this Project is to prepare an audit and updates to the Comprehensive Plan and Development Code for compliance with Needed Housing. The audit will focus on clear and objective standards for multifamily housing (5+ units) with recommended amendments for the Comprehensive Plan and Development Code.

This Housing Code Audit was funded through a Technical Assistance Grant from the State of Oregon. The audit outcomes are intended to identify areas of the city’s Comprehensive Plan and Development Code that should be updated to ensure multi-family housing-related regulations are clear and objective, reduce barriers to the provision of housing and ultimately increase the availability and affordability of housing in Newberg.

Currently, multi-family developments are subject to a Type II site design review process. The Newberg Development Code [Section 15.220.060](#) provides an applicant with a menu of design options. The applicant must demonstrate that the proposed project will meet a minimum point value (14 points for 5-8 dwelling units, 20 points for 9 or more dwelling units). While this process allows flexibility in design, it includes some subjectivity and does not fully meet the intent of providing a clear and objective review path for multi-family housing development.

The following sections of the Newberg Development Code and Comprehensive Plan have been identified as applicable to the development of multi-family housing in the city.

Multi-Family Housing Development Code and Comprehensive Plan Audit Matrix

Newberg Development Code			
Chapter	Section	Current Standards	Discussion
Review Process			
15.100 Land Use Processes and Procedures	15.100.030 Type II procedure.	A Type II land use action with staff-level review that includes public notice to neighboring property owners is required.	Should a Type I review be an option? A Type I review would not require public notice. Also, note that 15.220.030.B.2, 15.220.030.B.4 and 15.220.050.B all have discretionary language; however, these are generally applicable to ALL Type II design review, including commercial and industrial.
15.205 Nonconforming Uses and Buildings	15.205.050 Nonconforming buildings with legally conforming uses.	Alterations and modifications of nonconforming buildings or structures with legal conforming multi-family uses require a Type II review (single-family and middle housing require Type I).	
15.220 Site Design Review	15.220.020 Site design review applicability	Any new multi-family, or multi-family additions or remodels that add units and exceed certain thresholds, require Type II review.	

Chapter	Section	Current Standards	Discussion
Current Multi-Family Design Review Standards			
15.220. Site Design Review	15.220.060 Additional Requirements for multi-family residential projects	As part of the site design review process, an applicant for a new multi-family residential project must demonstrate that some of the following site and building design elements, each of which has a point value, have been incorporated into the design of the project. At least 14 points are required for smaller multi-family projects with five to eight units and at least 20 points are required for multi-family projects with nine or more units.	These are the current standards for a multi-family site design review where some discretion may be applied.
15.302 Districts and Their Amendment	15.302.032 Purposes of each zoning district.	Does not list multi-family as a housing type; however, 15.305.020 Zoning use table – Use districts lists it as conditional in R-1.	Need to reconcile (Code clean-up item).
Master Plans			
Springbrook District (SD)	15.326.040-.50 Review Process	A. Site Design Review.3. Criteria a. All multi-unit residential development shall follow the standards set forth in NMC 15.220.060.	Comments on 15.220.060 provided above.
	15.326.050	Certification of compliance with Springbrook design guidelines handbook required. Current Springbrook Master Plan, Page 48, "Development Standards Matrix", identifies multi-family housing in "mid-rise residential" area, which is currently about 12 acres. This may be proposed for forthcoming master plan amendment to expand area where multi-family housing is permitted.	The 1,800 sf min lot size per unit may restrict multi-family development opportunities.
15.346 Specific Plan (SP) Subdistrict	15.346.070	Subsection 8 (residential density) does not contemplate multi-family, though zoning supports it)	Consider reconciling to include multi-family housing
15.352 Riverfront (RD) Overlay Subdistrict		Specific residential design standards do not apply to multi-family. The plan itself says, "provide a smaller-scale character for multi-family housing. If multi-family housing is constructed, provide individual front doors and porches, balconies, or patios."	Current standards are clear and objective.
Clear and Objective Review Path			
15.415 Building and Site Design Standards	15.415.050 Middle Housing	Clear and Objective Standards are identified for middle housing types.	Consider adding a section for a clear and objective review of multi-family housing similar to what was adopted for site design review of middle housing types.

Chapter	Section	Current Standards	Discussion
Landscaping, Outdoor Areas and Parking			
15.420 Landscaping and Outdoor Areas		This section is flagged as landscaping and outdoor areas were identified at the first CAC meeting as an area of particular focus.	Consider outdoor areas per unit for multi-family in relationship to distance to public open spaces.
15.440 Off-Street Parking, Bicycle Parking and Private Walkways		Parking based on bedroom count per unit. On-street parking credit and available transit for affordable projects credit already a possibility.	Consider basing parking on dwelling unit count rather than bedroom count.
Newberg Comprehensive Plan			
II. Goals and Policies	I. Housing	Density Policy 1.a states that "density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan". This could be problematic to focus on density rather than housing types or dwelling units.	Consider updating as either part of this project or the HPS underway.
		Policy 3. Mix Policies	Just a note to review to make sure definitions meet those in the development code (such as "affordable housing")
	J. Urban Design	4.d states, "Special development and design standards should be adopted in the Development Code to ensure that multi-family, attached single-family and manufactured home park/subdivision projects are aesthetically-pleasing and compatible with nearby lower-density residential development."	Consider updating language as part of this project or the HPS project. Verify Housing Needs table numbers from HNA.
III. Plan Classifications		2.c High Density Residential (HDR) references an overall density of up to 21.8 dwelling units to an acre.	
V. Land Need and Supply	B. Housing and Residential Land Needs	1. Housing Needs includes a discrepancy in numbers between tables V-2 and V-4.	

Clear and Objective Design Criteria- Discussion Ideas

What are objective standards?

Objective design standards involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

What are the most important elements that all multi-family developments should include?

Should there be a difference for smaller projects (5-8 dwelling units) and larger projects (9+ dwelling units)?

- Landscaping
- Parking (vehicles and bicycles)
- Pedestrian Connectivity
- Outdoor Open Space (private vs. on-site shared, distance to public open spaces/parks)
- Building Design
 - Windows
 - Design Elements (building material variations, distinct floors, rooflines, etc.)
 - Building articulation and building façade
- Building Orientation
 - Facing a street or common open space

Looking for help in flushing this out some. Here is what we did in [Salem](#). Would it make sense to share the first 2 pages with the CAC so they can see an example of what this might look like?