

OCTOBER 23, 2020

MIDDLE HOUSING
CODE ASSESSMENT AND CONCEPTS
CITY OF ROSEBURG, OR



BACKGROUND

The Oregon Legislature passed House Bill 2001 (HB 2001) in 2019 to provide Oregonians with more housing choices, especially attainably priced housing choices. The “middle housing” addressed by HB 2001 includes duplexes, triplexes, quadplexes, townhouses and cottage clusters. The Legislature focused on these housing types as they can be more affordable, meet the housing needs of many younger people, older people, and low-income households who cannot afford or do not need a large single-family detached house, and reduce environmental impacts associated with large houses.

Under the bill, by June 30, 2021, Oregon’s medium-sized cities (those with 10,000 to 24,999 population) must allow development of duplexes on all lots where single-family detached dwellings are permitted. By June 30, 2022, cities in the Portland Metro region and large cities across the state (those over 25,000 population) must allow construction duplexes on all residential lots and construction of all other middle housing types in residential areas.

The PSU Population Research Center identifies the 2019 population of Roseburg as 24,890.¹ Under House Bill 2001, Roseburg is a “Medium City”. However, Roseburg is continuing to grow with a future projected population of 35,771 by 2039.² The city will soon qualify as a Large City when it exceeds 25,000 residents in the near future.³ For both these regulatory reasons and a desire to provide greater housing opportunities for Roseburg residents, this project looks at all middle housing types as required for Large Cities.

The Oregon Land Conservation and Development Commission (LCDC) is in the process of rulemaking to adopt minimum compliance standards in Oregon Administrative Rules (OARs) and a model code that local governments can use to meet the requirements of HB 2001. LCDC has adopted final OARs and model code for duplexes. The draft OARs and Model Code for Large Cities are pending final revisions and adoption by LCDC, expected in mid-November, but

¹ https://ondeck.pdx.edu/population-research/sites/g/files/znlchr3261/files/2020-05/Certified%20Population%20Estimates_%2012_15_2019.pdf

² Population forecast from 2019 HNA, pg viii.

³ The 2020 PSU population estimates are due out in December, and may reveal that Roseburg has already reached 25,000 population. If so, the city would have until two years from the date of the estimate to adopt the full range of middle housing types. (OAR 660-046-0050(2).)

are largely complete and provide general direction for the purposes of this draft code assessment.⁴

The City of Roseburg recently completed a Housing Needs Analysis (HNA), dated June 2019, that identifies future housing needs for the growing and changing population. The report identified that recent development has been at relatively low densities, in part because much of the available land is constrained by slopes, with a future need for more single-family attached and multifamily housing development to meet the demand for 2,678 new housing units over the next 20 years. In addition, the HNA planning efforts recommended housing policies and actions to address housing affordability problems across the income spectrum. Many of those policies and actions concern development code updates to remove known barriers to housing development, such as requirements for 60-foot-wide rights-of-way for new streets, and create opportunities for expanded development, such as new cottage cluster housing development standards. These planning efforts generally, and the recommended housing policies specifically, set the direction and underscore the need for this code assessment and code update concepts to expand middle housing development opportunities as part of Roseburg's efforts to address housing needs and affordability concerns.

The focus of this draft code assessment is to identify existing provisions that apply to duplexes and other missing middle housing in the Roseburg code, to understand the opportunities and barriers to developing these housing types, and to develop concepts to update the code to better support development of middle housing that meet state requirements. The focus of this planning effort is on:

- Duplexes, triplexes, quadplexes, townhouses and cottage clusters siting and design standards, specifically that:
 - Duplexes are allowed **on all lots** where single-family detached dwellings are permitted
 - Triplexes, quadplexes, townhouses and cottage clusters are allowed **in areas** where single-family detached dwellings are permitted.
- The six residential zoning districts that permit single-family detached dwellings: R10, R7.5 and R6 (Low-Density Residential), MR14 and MR 18 (Medium-Density Residential), and MR29 (High-Density Residential)
- Clear and objective standards and review processes for middle housing

⁴ The final code assessment will incorporate any changes to the draft Model Code and OARs for Large Cities developed during the LCDC adoption process.

The distinction between permitting duplexes **on all lots** and other middle housing **in areas** has been a key point of debate through the development of state regulations to implement HB 2001. For Roseburg, this will mean looking at how the middle housing allowances should be modified or limited in sensitive areas, including:

- Airport Impact Overlay (12.04.080)
- Floodplain Overlay (12.04.090)
- Hillside Development Overlay (12.04.100)
- Historic District Overlay (12.04.110)

This project will exclude lands that are “not zoned residentially” including all commercial, manufacturing and institutional zoning districts in Roseburg, even if they allow some form of residential uses like the C1 Limited Commercial zone. It also excludes the MR 40 high-density residential zone, because single-family detached dwellings are not permitted there.

There are further options to modify allowance of triplexes, quadplexes, townhouses and cottage clusters on land that is infrastructure-constrained or master planned, as those terms are defined in the state legislation, but it does not appear from our initial review that these exceptions will apply to Roseburg.

The draft code concepts are a mix of strategies to meet state requirements and local priorities. Middle housing code standards must meet the minimum compliance standards in OAR Division 660-046. The Model Code is one way to meet, and in some cases exceed, the minimum standards, but there is room for variation at the local level to better meet community preferences, built conditions and development feasibility provided the minimum standards are met. This draft of code concepts began by looking at ways to integrate Model Code provisions for all middle housing types, while highlighting the range of available options that would still meet minimum compliance. The code concepts will be revised to incorporate feedback from stakeholders, the CAC, City staff, and best practices recommendations from the consultant team, as well as to reflect any final changes to the state provisions adopted by LCDC in November.

CODE ASSESSMENT & CONCEPTS

Key code findings and concepts for each middle housing type are highlighted here along with areas for consideration to further refine the code concepts. The code was analyzed for compliance with the draft minimum compliance standards and Model Code provisions to determine the scope of changes needed to meet state requirements. Detailed analysis of existing code, state requirements, and improvements needed for each housing type, excluding cottage clusters, is provided in the attached tables; because there are no standards similar to a cottage cluster, that level of analysis was not deemed useful and potential new standards are discussed here instead. *Note: 'SFDD' is used throughout to abbreviate 'single-family detached dwelling.'*

Duplexes

Existing Code

Duplexes are allowed as a conditional use in R10, R7.5 and R6 zones, whereas SFDDs are permitted outright, and require lots that are 10% larger than SFDD lots. Duplexes are permitted outright in MR14, MR18 and MR29 zones where SFDDs are permitted outright, on lots 6,000 to 6,600 square feet. Other dimensional standards are identical for SFDDs and duplexes and do not appear to need any revisions. There are no minimum or maximum density standards that apply, and only minimal design standards that apply specifically to duplexes. Required minimum parking totals four parking spaces per duplex lot (two spaces per unit).



The state requirements for duplexes are the simplest and least flexible, essentially requiring that duplexes be regulated the same as SFDDs in nearly every regard. In order to meet state requirements, conditional use permit requirements and larger minimum lot sizes relative to SFDDs in particular should be removed. The minimum parking requirements should be lowered to comply with allowed ratios in state regulations, to one space per unit and two total spaces per lot, or lower as promoted by the Model Code with opportunities to reduce the required ratio or offer. Further, the ability to convert an existing SFDD to a duplex exempt from any design or parking standards should be explicitly permitted.

Implementation questions include:

- Consider whether to require the two duplex units to be attached, or allow detached configurations as well. Attached units is the minimum requirement, with the opportunity to expand the definition to include detached units for greater flexibility. (See pages 8-10 of the Model Code for examples of duplex configurations.)
- Develop minimum parking requirements between one space per unit (two spaces per lot), and zero spaces per unit and per lot, which is the allowed range of parking ratios in new state regulations. Consider additional ways to modify duplex parking requirements that complement minimum parking standards for greater flexibility, such as driveway requirements, parking space arrangement, on-street parking credits, or other standards.
- Explore whether to reduce current lot sizes of 6,000 to 10,000 square feet for SFDDs—and in turn, duplexes—in the R10, R7.5, R6 zones with this project, to support expanded development capacity.
- Explore reducing current lot sizes of 6,000 to 6,600 square feet for SFDDs and duplexes in the MR14, MR18 and MR29 zones with this project and introduce a minimum density standard, to support development of higher-density SFDD and duplex development in these zones. (See Housing Implementation Action 2.2c.)

Triplexes and Quadplexes

Existing Code

Triplexes and quadplexes (“plexes”) are currently regulated as multifamily dwellings, which brings along significant restrictions relative to state requirements and barriers to development feasibility, given the small scale of such projects. Plexes are not defined; as multifamily dwellings, they are prohibited in the R10, R7.5 and R6 zones and permitted outright in the MR14, MR18 and MR29 zones. The lot sizes for multifamily projects are higher than allowed for SFDDs, and there are no lot sizes specific to plexes. Other dimensional standards are identical for all dwelling types and do not appear to need any revisions; there are no minimum or maximum density standards so there are no updates needed. Plexes are subject to multifamily design and open space requirements. Required minimum parking is 1.5-2 spaces per unit, based on bedrooms, and parking areas are required to meet parking lot improvement and design standards significantly different from SFDD parking standards.



Significant code changes are needed to create new use categories and development regulations for triplexes and quadplexes separately from the multifamily dwelling standards. Once new definitions are created, plexes should be allowed outright in R10, R7.5 and R6 in addition to MR14, MR18 and MR29. Minimum lot sizes for triplexes should correlate with lot sizes for SFDDs, allowing minimum lot sizes of 5,000 square feet, or the same lot size as SFDDs, whichever is greater, translating to 10,000 square feet in the R10 zone through 6,000 square feet in the R6, MR14, MR18 and MR29 zones. Minimum lot sizes for quadplexes should be set at 7,000 square feet or the same lot size as SFDDs, whichever is greater, translating to 10,000 square feet in the R10 zone through 7,000 square feet in the R6, MR14, MR18 and MR29 zones. The parking requirements should be revised to include reduced minimum parking spaces and improvement standards similar to SFDD parking standards. Further, the ability to convert an existing SFDD to a plex exempt from any design or parking standards should be explicitly permitted.⁵

Implementation questions include:

- Consider whether to require the three to four plex units to be attached, or allow detached configurations as well. Attached units is the minimum requirement, with the opportunity to expand the definition to include detached units for greater flexibility. (See pages 11-13 of the Model Code for examples of duplex configurations.)
- Review how broadly or narrowly plexes should be permitted in residential areas, while remaining consistent with requirements of HB 2001 to permit plexes in residential areas with some limitation permissible within resource areas (flood, hillside, riparian, historic).
- Develop minimum parking requirements between one space per unit (3-4 spaces per lot), and zero spaces per unit and per lot, which is the allowed range of parking ratios in new state regulations. Consider additional ways to modify plex parking requirements that work with minimum parking standards for greater flexibility, such as driveway requirements, parking space arrangement, on-street parking credits, or other standards.
- Consider whether to revise dimensional standards specific to plexes for lot coverage and setbacks to address regulatory requirements, development feasibility of plexes, and compatibility with scale and bulk of surrounding properties.
- Consider which, if any, of the Model Code design standards to adopt for plexes that address entry orientation for front doors, 15% or less window coverage requirement, garage and parking areas location, and driveway approaches. (See Model Code Section 3.c, pages 17-25.)

⁵ Conversion of three or more attached units triggers compliance with the commercial building code, rather than the residential building code, which makes conversion to a triplex or quadplex significantly more costly, complex, and less likely, however, the option must be allowed under state requirements.

Townhouses

Existing Code

Townhouses are currently permitted in residential areas in Roseburg, but limited by code standards relative to state requirements to allow them similar to SFDDs. Townhouses are conditional uses in the R10, R7.5 and R6 low-density zones and permitted outright in the MR14, MR18 and MR29 medium and high-density zones. Depending on the zone, some projects are limited to only two attached units and elsewhere up to eight attached units are permitted. The required minimum lot sizes for townhouses is 3,000 to 4,500 square feet in the R10, R7.5 and R6 zones, and 2,400 square feet in the MR zones, with lot widths between 25-35 feet. Existing townhouse design standards are clear and objective, addressing entryways, building modulation, glazing, and landscaping. Two parking spaces per unit are required, with further standards addressing access and driveway spacing.



Code updates are needed to allow townhouses more broadly in residential zones and with fewer development constraints. Townhouses should be allowed outright in R10, R7.5 and R6 in addition to MR14, MR18 and MR29. Minimum lot sizes for townhouses should be reduced to 1,500 across the board, consistent with state requirements and Housing Policy Recommendation 2.2b, with corresponding revisions to setbacks and lot coverage. The parking requirements should be revised to reduce minimum parking spaces to one per unit, and driveway spacing and access standards should be reviewed to maximize availability of on-street parking and development feasibility. The design standards are nearly identical to the Model Code standards and need only minor revisions including removal of landscaping standards, unless further revisions are desired to maximize development feasibility.

Implementation questions include:

- Review how broadly or narrowly townhouses should be permitted in residential areas, while remaining consistent with requirements of HB 2001 to permit townhouses in residential areas with some limitation permissible within resource areas (flood, hillside, riparian, historic).
- Consider how many attached units should be permitted in different R and MR zones, ensuring that a minimum of four attached units is permitted in all zones up to a maximum of eight.
- Consider possible revisions to the driveway spacing and access standards to increase availability of on-street parking and complement reduced off-street parking ratios, while still providing flexibility for site design.
- Consider what modifications, if any, to design standards are desired to address entry orientation for front doors, 15% or less window coverage requirement, and unit articulation.

Cottage Clusters

Existing Code

The City of Roseburg currently does not have cottage cluster standards, like most cities. The state Model Code provides an initial set of standards to help spur future development of this housing type. (See Model Code, beginning page 32.)



Implementation considerations include:

- Cottages must be permitted in all areas where SFDDs are permitted.
- Cottages must be permitted in clusters of 5-8 units, or greater.
- Traditionally, cottages are oriented around a common open space, however, the orientation requirements can negatively affect development feasibility and limit residents' access to parking areas
- State standards are focused around individual detached cottages, but consider whether there could be additional opportunities by allowing attached dwellings (potentially 2-4 per building) in clustered configurations similar to cottages.
- State standards are restricted to allowing cottage projects on a single lot, which results in either rental projects or condos. Consider opportunities to allow cottage subdivisions to create fee-simple ownership opportunities, which will require allowances for significantly reduced lot sizes and exemptions from street frontage requirements.