



## MEMORANDUM

### Middle Housing Code Concepts Springfield Development Code Update Project

Date: December 31, 2020

To: Technical Advisory Committee (TAC) - Housing

From: Mark Rust, City of Springfield

CC: Kristina Kraaz, City of Springfield  
Brenda Jones, City of Springfield  
Sandy Belson, City of Springfield

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### Introduction

The purpose of this memorandum is to provide information to the Community Technical Advisory Committee (TAC) for the Housing phase of the Springfield Development Code Update Project. The information provided is intended to allow the TAC to provide advice to staff on how to proceed with implementing the new Oregon Administrative Rules (OAR's or rules) for HB 2001, Middle Housing.

**Staff is seeking feedback on primarily two general questions:**

- 1. How should the City address inconsistencies with the Comprehensive Plan in adopting new middle housing code language?**
- 2. With some flexibility allowed in implementing the Middle Housing rules, how should code provisions be drafted for permitting new Middle Housing?**

**These two broad questions are discussed in more detail below.**

## 1. How should the City address inconsistencies with the Comprehensive Plan in adopting new middle housing code language?

The City of Springfield Comprehensive Plan, Residential Land Use & Housing Element, uses the density of homes (number of housing units per acre of land) as the basis for calculating the need for buildable residential land. The densities used are based off the broad density categories of the regional Metro Plan and are used in the Springfield Residential Land and Housing Needs Analysis (RLHNA, more generally this is the cities HNA, Housing Needs Analysis, as discussed below). These densities translate into the Springfield Development Code (SDC) to regulate how much housing is allowed in specific locations determined through the zoning.

The passage of HB 2001 for Middle Housing no longer allows cities to regulate by density for the following housing types: duplexes, triplexes, fourplexes, townhomes, and cottage cluster housing. In adopting new code language to implement the Middle Housing requirements, regulating by housing type rather than by density will be necessary. Given this situation, staff is seeking input from the TAC on how best to proceed.

Staff has reached out to the Department of Land Conservation and Development (DLCD) to seek input on our concerns about how best to address the issue of adopting new Development Code language that will not be consistent with Springfield's adopted Comprehensive Plan for Housing. The response from DLCD was to adopt "bridge language" into the Comprehensive Plan to transition from regulating by density to regulating by housing type.

DLCD recommended bridge language:

*For purposes of housing (or middle housing, or HB 2001 implementation or...?), state statutes override comprehensive plan provisions. The statutes compelled the city to amend its development code to comply with the new housing legislation thus the code provisions, demanded by statute, override any conflicting comprehensive plan policy or provision.*

It is not within the scope of the Springfield Development Code Update Project to include an in-depth update of the Springfield Comprehensive Plan for the Housing Element to create consistency with the required Middle Housing code language. Staff has discussed options internally for how the process for creating ultimate consistency may look. Some options would expand the scope of or delay the Code Update Project. Included as Attachment 1 is a flow chart, Options for Implementing HB 2001 – Comprehensive Plan Update, with four potential options to consider. Staff is seeking input from the TAC on these options.

The four options include:

1. Do nothing (let the state model code be implemented, have state-mandated code alongside the city code.)
2. Add bridge language to the Comprehensive Plan now and leave the inconsistent policies in place to be addressed later
3. Adjust/Modify Comp. Plan policy language now (could further delay code project)
4. Comprehensive Plan Updates for Housing (delay code project, let state model code be implemented for the time being)

Ultimately the Comprehensive Plan will be updated as required by HB 2003 (companion legislation to HB 2001). This legislation requires the City to update the Housing Needs Analysis (HNA) by December 31, 2025 (3½ years after the required deadline to adopt the Middle Housing changes into code under HB 2001). The new HNA will update and replace the current RLHNA that was done in 2011.

Staff is recommending option 2, adding bridge language to the comprehensive plan. One potential issue with “opening up” our comp plan as part of the code update process is that it could bring additional challenges to the fact that we aren’t otherwise updating the comprehensive plan or housing needs analysis/buildable land inventory. This could bring a potential challenge to a comprehensive plan amendment that could sideline the code update process.

One approach to amending the comprehensive plan uses a specific provision of state law that allows the amendment without a public hearing. This approach to adopting the bridge language would require limited staff time and no public outreach.<sup>1</sup>

**Question #1:** Based on the information above, do TAC members agree with pursuing Option 2 as recommended by staff?

## Code Updates

In order to implement the Middle Housing requirements into the Development Code, staff is considering changing the names of the zoning districts since the names themselves are based on density (Low Density, Medium Density, High Density) rather than housing types (Single Unit Dwelling, Middle Housing, Multi-unit Housing, etc.). Included as Attachment 2 is a table, *Housing Code Update Table*, that shows a new proposed framework for the new zoning code language compared to the existing framework. The new framework would change the zoning district (or land use district) names to R-1, R-2, and R-3.

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<sup>1</sup> ORS 197.612 allows the City to amend the comprehensive plan just for the purpose of complying with new state statutes (or OARs), if DLCD agrees that is the only effect of the change. If DLCD is supportive of the bridge language idea in the first place, getting confirmation under ORS 197.612 seems like it should be pretty straightforward. The Planning Commission would make a recommendation on amending the comprehensive plan and the City Council would need to approve the amendment, but no public hearing process would be required.

**Question #2:** Do TAC members agree with the proposed new land use district framework of using R-1, R-2, and R-3 rather than the existing LDR, MDR, and HDR?

## **2. How should the City draft code provisions for permitting new Middle Housing?**

The discussion below provides a summary of siting and design standards, and associated code concepts for implementing the HB 2001 Middle Housing code amendments into the larger Springfield Development Code Update Project<sup>2</sup>. The intent is to summarize the options in developing middle housing code amendments. With this information staff is seeking the TAC's input on how to write new code language for middle housing.

The Oregon Land Conservation and Development Commission (LCDC) adopted the new Oregon Administrative Rules (OARs) on December 9, 2020 that will guide cities' implementation of middle housing requirements ([OAR Chapter 660, Division 46, Middle Housing in Medium and Large Cities – Attachment 3](#)). The Minimum Compliance Standards in the OARs are fairly prescriptive and are therefore likely to have a significant influence on the approach to middle housing regulations. The new rules also include a [Model Code as an Exhibit \(included as Attachment 4 to this memo\)](#). Also included as an attachment to this memo is a [comparison table, Attachment 5](#), prepared by staff to show the differences between the Model Code standards and the Minimum Compliance Standards contained in the OAR's.

The Minimum Compliance Standards establish the standards that a city must meet to be deemed compliant with the provisions of HB 2001. The standards constitute the range of reasonable siting and design standards that local governments may adopt to regulate the development of middle housing. These standards are intended to allow cities more flexibility than the standards included in the Model Code.

The state Model Code is available for cities to adopt wholesale if a city doesn't want to or doesn't have the capacity to go through the process of modifying/amending their code to be in conformance with the Middle Housing regulations. The Model Code also will be directly applied to a city if the city does not adopt its own code changes, in compliance with the Middle Housing rules, by the required deadline (for large cities the deadline is June 30, 2021). The Model Code is generally more permissive than the Minimum Compliance Standards. Examples include: Triplexes and fourplexes are allowed on all residentially zoned lots regardless of size in the Model Code, whereas the

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<sup>2</sup> A substantial portion of the information in this section of this memo is from or is based on a memo written by Kate Rogers and Matt Hastie of Angelo Planning Group that was provided to the City of Eugene Planning Commission at their December 14, 2020 meeting. Angelo Planning Group and Matt Hastie was the consultant to the State of Oregon through the Rule Making Advisory Committee process for HB 2001 that City of Springfield staff was involved with. Angelo Planning Group wrote the state Model Code for implementing middle housing.

Minimum Compliance Standards allow a city to restrict triplexes to lots 5,000 sq. ft. and larger, and fourplexes on lots 7,000 sq. ft. and larger. Another example includes parking for triplexes and fourplexes. The Model Code permits only one off-street parking space for a triplex or fourplex. The Minimum Compliance Standards allow a city to require 1 space per unit for triplexes and fourplexes, or 3 total off-street spaces for a triplex and 4 total off-street spaces for a fourplex.

This memo focuses on identifying where the City has flexibility to make choices regarding its approach to middle housing code amendments. The summary provided in this memo is based on consideration of the following questions:

- Where do state requirements provide relatively more or less flexibility in formulating specific approaches or standards?
- How do the middle housing requirements fit within the existing Springfield regulatory context (comprehensive plan and zoning)?
- What types of standards potentially impact financial feasibility and could lead to unreasonable cost or delay for development of middle housing?
- How will standards impact conditions and policies within existing neighborhoods related to the scale, siting and massing of buildings, off-street parking, and management of natural resources and hazards?

The remainder of this memo is organized into the following sections:

- I. Applicable Zones
- II. Optional “Performance Metric Approach”
- III. Housing Definitions
- IV. Options for Siting Standards
- V. Options for Design Standards

## **I. Applicable Zones**

HB 2001 requires that Springfield and other “Large Cities”<sup>3</sup> allow:

1. Duplexes on every lot or parcel zoned for residential use that allows for the development of detached single-family dwellings; and
2. Triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use that allow for the development of detached single-family dwellings.

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<sup>3</sup> “Large City” is defined as a city with a certified Portland State University Population Research Center estimated population of 25,000 or more or a city with a population over 1,000 within a metropolitan service district. A Large City includes unincorporated areas of counties within a metropolitan service district that are provided with sufficient urban services as defined in ORS 195.065. Sufficient urban services means areas that are within an urban service district boundary.

“Zoned for residential use” means a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation. In Springfield, the residential base zones that meet this criterion and allow for development of single-family detached dwellings (SFD) are:

1. LDR: Low-Density Residential
2. SLR: Small Lot Residential
3. MDR: Medium-Density Residential
4. HDR: High-Density Residential

Note: The Small Lot Residential (SLR) zone is being contemplated to be combined with the LDR zone.

The existing SDC allows development of detached SFD’s in each of the residential zones. Staff has discussed the option of no longer allowing detached SFD’s in the HDR zone. In continuing to allow detached SFD’s in the HDR zone middle housing types would have to also be allowed irrespective of density. In order to preserve the limited supply of HDR zoned lands for higher density multi-unit housing (multi-family housing), rather than needing to allow middle housing on the HDR zoned lands, removing the allowance for detached SFD’s on HDR zoned lands, the city would no longer have to allow all of the middle housing types. Since density can’t be considered in allowing middle housing, and HDR land is intended for the highest density ranges (28-42 units per net acre) in Springfield, not allowing middle housing on HDR lands would preserve these lands for higher density housing. Even without allowing detached SFD’s, the code could still allow higher middle housing types if they met the specified density range in the HDR zone.

**Question #3:** Do TAC members agree that the city should no longer allow detached SFD’s in the HDR zone?

Springfield will need to permit outright all middle housing types in each of the above zones through the same non-discretionary review process that applies to single-family homes. The City must allow **duplexes** on every lot or parcel in each zone. The remaining “higher” middle housing types—**triplexes, quadplexes (fourplexes), townhouses (rowhouses on individual lots), and cottage clusters**—must also be allowed within each of these zones, but not necessarily on every lot.

OAR 660-046-0205 allows the City to regulate or limit development of higher middle housing types in the following areas:

- **Goal-Protected Lands** – Cities can limit middle housing development other than duplexes in areas protected or designated pursuant to a statewide planning goal. In Springfield, that includes the following overlay zones:
  - Willamette Greenway Overlay,
  - Drinking Water Protection Overlay District,

- Historic District Overlay
- Floodplain Overlay District, and
- Hillside Development Overlay District

NOTE: The City cannot prohibit middle housing within the Willamette Greenway Overlay but can regulate middle housing under the Willamette Greenway permit approval criteria and standards.

NOTE: In historic districts, the City cannot prohibit middle housing types, but can apply any discretionary historic design standards and review procedures that apply to SFDs.

- **Master Planned Communities** – Large Cities can regulate or limit middle housing other than duplexes in Master Planned Communities (as defined in OAR 660-046-0020) but must allow all middle housing types and meet certain density targets.
- **Lands Impacted by State or Federal Law** – Cities must demonstrate that limiting middle housing is necessary to implement or comply with an established state or federal law or regulation on these types of lands. In Springfield, this may apply to federally regulated waterways and floodplains—these areas largely overlap with “goal-protected lands.”

### Sufficient Infrastructure

In addition to the above goal protected lands, cities can require that any property where a higher middle housing type is proposed (not including duplexes) has “sufficient infrastructure”—meaning that sewer, water, vehicle access, and storm drainage facilities are capable of meeting cities’ “established service levels”. The review of sufficient infrastructure must be done in a clear and objective way through a Type 1 process. It is not clear yet at this point how this assessment will be done.

## **II. Optional “Performance Metric Approach”**

The OARs provide cities with the option to apply different minimum lot size and maximum density standards than those otherwise outlined in OAR 660-046 (this is allowed only for higher middle housing). To pursue these alternative lot size/density standards, the City would need to demonstrate that middle housing would still be allowed on a certain percentage of residential lots. The rules define which percentage of lots in each applicable zone must allow the various housing types:

- Triplexes – Must be allowed on 80% of lots
- Quadplexes – Must be allowed on 70% of lots
- Townhouses – Must be allowed on 60% of lots
- Cottage Clusters – Must be allowed on 70% of lots

In addition, the City would need to ensure the equitable distribution of middle housing by allowing at least one middle housing type (other than duplexes) on 75% of all lots in applicable residential zones within each census block group in the city.

This approach would require that the city analyze the sizes of its residential lots by zone and Census block group to determine what alternative lot size or density thresholds might be workable for this alternative approach. Staff has worked with our GIS staff to perform some very preliminary analysis to evaluate this potential option (see [Attachment 6 - GIS map](#)). Based on this preliminary analysis staff finds that this would add significant complexity to the Middle Housing Code work and would not provide any real advantage to the City. As such, this approach is not recommended.

### **III. Housing Definitions:**

There are a few options for how certain middle housing types can be defined as described below.

#### **Defining Duplexes, Triplexes, and Fourplexes**

There are two primary options for how duplexes, triplexes, and fourplexes can be defined:

1. Limit the definition to attached units only; or
2. Allow units to be either attached or detached.

The current Springfield Development Code (SDC) language defines duplexes, triplexes, and fourplexes as attached dwellings, which is consistent with the conventional understanding and typical definition of these housing types. However, the OARs allow cities to expand the definition to include detached units as well. There are advantages to allowing detached units, such as promoting preservation of existing single-family homes by allowing detached units to be added to a lot, and, allowing increased flexibility for unusual site configurations (slopes, natural resources, etc.). However, allowing detached units may add complexity to the code—especially for design standards. It could also potentially result in overlapping definitions for cottage clusters and detached triplexes and fourplexes. The choice may come down to flexibility versus simplicity of the code.

**Question #4:** Should the definitions for “plexes” allow detached units or limit the housing type to attached units?

#### **Defining Cottage Clusters**

HB 2001 does not specify whether cottage clusters are defined as units on a single lot or on individual lots. Therefore, cities have the option of allowing one or both development types. While permitting cottage clusters on a single lot is relatively straightforward, allowing each cottage to be on an individual lot may introduce



significant complexity to the regulations. The code would need to address perimeter setbacks in addition to setbacks for individual lots, and also address shared accessory structures, shared parking and open space tracts, cross-access easements, etc. It may be difficult to define a clear and objective path in which cottage cluster subdivisions are permitted outright in all applicable zones.

At the same time, developing units on individual lots is generally a more desirable path for builders, because the units can be owned “fee-simple”— with a homeowner owning each unit and the land underneath the unit, with common ownership only of shared amenities within the cottage cluster development. Units on a single parcel could be sold as condominiums (or rented), but this is a more complex option from a legal and financial perspective.

**Question #5:** Should Cottage Clusters standards allow individual units on separate lots or limit this housing type to multiple units on one lot or parcel?

#### IV. Options for Siting Standards

OAR 660-046-0020(16) provides the following definition of siting standard:

*“Siting Standard” means a standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.*

As used in the Springfield Development Code, some development standards meet the definition of “siting standards”. However, some development standards meet the OAR definition of “design standards,” as noted below.

#### Considerations for Siting Standards

This section summarizes some key considerations regarding siting standards for middle housing and identifies some options to consider.

**Building height and setbacks:** Setbacks and building height are key characteristics of residential neighborhoods. Applying these standards consistently, regardless of housing type, can help promote transitions between existing and new development. Setbacks and building height define the basic “envelope” within which a building can be developed, but additional measures to control bulk and scale may promote walkable, vibrant streets and a variety of housing opportunities.

**Bulk and scale:** Bulk generally refers to the relative size, volume, or massing of a building. Scale generally refers to how people perceive the size of a building compared to other buildings or forms. Bulk and scale are often regulated to avoid stark contrasts between adjacent buildings or all buildings in a neighborhood or district. Regulating

building scale or bulk may be appropriate because middle housing is more likely to maximize the buildable envelope on the site, compared to SFD. The two most likely options for regulating bulk and scale are described below.

- **Lot Coverage** – Springfield currently regulates lot coverage in its residential zones (45% in LDR, MDR, and HDR; an increase in lot coverage is allowed in the MDR and HDR in order to allow compliance with density). Lot coverage is typically defined as the percent of the site that is covered by enclosed buildings. Springfield considers lot coverage as any covered structure. However, there are exceptions for the Hillside Development Overlay District. A maximum lot coverage standard is used widely in residential zones to control building bulk and to encourage open space and green space on the site. A lower maximum lot coverage standard encourages 2 or 2.5 story buildings and a higher proportion of open space on the site but may present a barrier to multi-unit development. A higher maximum lot coverage standard generally allows for larger buildings but may also encourage single-story development.
- **Floor Area Ratio (FAR)** – FAR is a ratio of the floor area in the structure to the square footage of the site. A maximum FAR standard works by limiting the size of a building in proportion with the size of the lot. FAR ensures relatively consistent size of buildings but provides flexibility in how floor area is distributed across the site and across multiple units. Two buildings with the same FAR on the same or similar-sized lot can look very different and include a range of dwelling sizes, but the overall bulk and scale of the buildings will be generally similar. (NOTE: Portland and Bend both regulate FAR for middle housing.)

*NOTE: There are other options for regulating bulk and scale, including caps on unit size and “bulk plane” regulations; however, these are not authorized by the OAR and would therefore fall into the “alternative siting standards” category.*

**Off-Street Parking:** Springfield currently requires two off-street parking space per dwelling for SFD and duplexes. For triplexes, fourplexes the requirement is currently 1 space per dwelling. These standards generally comply with the OAR’s minimum compliance requirements. As ECONorthwest reported in its analysis of triplex and quadplex standards for the DLCD Middle Housing Model Code project, the space dedicated to parking can be an issue if it limits building size. On small lots, even requiring more than one parking space (per development) creates feasibility issues because it limits the potential building footprint. The City could consider reducing parking requirements for certain middle housing types and/or allowing on-street parking to count towards the requirement (an approach used in the Middle Housing Model Code).

**Question #6:** Should the city take a more permissive approach or a more restrictive approach in addressing siting standards for middle housing?  
(See Table 1 at the end of this memo.)

**Lot Size:** A specific question related to the implementation of the new Middle Housing provisions focuses on the minimum lot size for Single-unit Dwellings (formally single-family dwellings or SFD's). The current minimum lot size for a SFD in the LDR zone is 4,500 sq. ft. Under the existing SLR (Small Lot Residential zone, which no land is zoned) zoning district, a minimum lot size of 3,000 sq. ft. is allowed. This smaller lot size is to permit achieving the maximum density of 14 units per net acre, as allowed in both the LDR and SLR zones. Because middle housing types are now allowed on lots formally restricted to single-family dwellings, reducing the minimum lots size is no longer needed to meet the maximum density in the zoning district. If the lot size minimum is lowered from 4,500 sq. ft. to 3,000 sq. ft. in the new R-1 zone this would allow a Single-unit Dwelling, or a duplex as required by HB 2001.

**Question #7:** Should the minimum lot size for Single-unit Dwellings (SD-D's) (formally Single Family Dwellings or SFD's) be lowered to 3,000 square feet?

### *Duplexes*

The rules give cities limited ability to regulate siting standards for duplexes. In accordance with OAR 660- 046-0120, cities must apply the same, or less restrictive, siting standards to duplexes as those that apply to SFDs. Also, duplexes cannot count toward maximum density in a zone. Where the City does have options is in its ability to encourage duplexes by applying more permissive/less restrictive siting standards than it applies to SFDs. For example, the City could allow duplexes to be taller or have a higher lot coverage.

**Question #8:** Should the city include more permissive siting standards to encourage duplex development such as allowing a taller height limit than SFD's or allowing a higher lot coverage than SFD's? Or should the siting standards for duplexes be the same as for detached SFD's in the same zone?

### *Higher Middle Housing*

For middle housing other than duplexes ("higher middle housing" types include triplex, fourplex, townhomes, and cottage clusters), the draft rules are also fairly prescriptive in limiting siting standards. OAR 660-046-0220 specifically limits the types of standards that a city may apply to the following:

- Minimum lot size
- Minimum lot width (cottage clusters only) and street frontage (townhouses only)
- Density (townhomes only)
- Setbacks
- Height
- Dwelling unit size (cottage clusters only)
- Maximum lot coverage or Floor Area Ratio
- Off-street parking ratios

Many of the OAR standards for minimum compliance refer to the standards for SFD's, similar to duplexes. However, there are additional limitations for certain siting standards. For example: perimeter setbacks for cottage clusters cannot exceed 10 feet; and townhouses must be allowed to be three stories if a garage is required. These OAR limits are intended to ensure that middle housing is feasible to build, in terms of site layout (e.g., setbacks are not so large that the available building footprint is unworkable), and that the standards do not cause unreasonable cost or delay.

**For higher middle housing types, the City has two divergent opportunities for flexibility:**

1. Encouraging middle housing by applying more permissive standards for middle housing than what is required for minimum compliance. This could include removing the barriers to middle housing that were identified in the City's 2019 Springfield Housing Code Audit, Attachment 7.
2. Adopting Alternative Siting Standards. Any siting standards that are not authorized by 660-046-0220—meaning, any standards that either exceed the OAR standards or are not mentioned by the rules—are considered “alternative siting standards,” and must meet the criteria outlined below.

**Question #9:** Should the city include more permissive siting standards for higher middle housing types? Or should the OAR siting standards for higher middle housing be used?

**Removing Barriers to Middle Housing**

The City's 2019 Housing Code Audit identified regulatory land use barriers to development of housing in general, including middle housing. Many of the barriers identified in the audit are applicable to duplexes, triplexes, fourplexes, rowhouses, and cottage clusters. Some of the barriers can be addressed by complying with minimum OAR standards. However, the City could go beyond minimum compliance. Doing so would maximize housing opportunities and further the intent of the house bill.

Existing Base Solar Development Standards, SDC 3.2-225, are identified in the Housing Code Audit as being a barrier to development by adding considerable complexity to the allowed height and required setbacks in each zone, and having the potential to require relatively high setbacks, in excess of 20 feet, for many developments. This standard can't be applied to new higher middle housing types (triplex, fourplex, townhomes, and cottage clusters). The solar standards could only be applied to duplexes if the standards continued to be applied to single detached dwellings. Staff would like the TAC to provide input on if the solar standards should be kept for single detached dwellings and applied to duplexes.

**Question #10:** Should the existing solar standards be kept for single detached dwellings and applied to duplexes? Or should the existing solar standards be removed?

## Alternative Siting Standards

OAR 660-046-0235 allow cities to apply existing or new siting standards that don't meet the minimum compliance standards; however, it must be able to demonstrate that standards "do not, individually or cumulatively, cause unreasonable cost or delay."

NOTE: This does not apply to minimum lot size or density standards—alternatives to those standards are available through the "Performance Metric Approach" noted above.

To demonstrate that siting standards do not cause unreasonable cost or delay, a city needs to provide findings and analysis that consider the following factors:

- The total time and cost of construction, including design, labor, and materials;
- The total cost of land;
- The availability and acquisition of land, including areas with existing development;
- The total time and cost of permitting and fees required to make land suitable for development;
- The cumulative livable floor area that can be produced; and
- The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.

Staff does not recommend pursuing alternative siting standards due to the time and complexity associate with demonstrating that there would be not be any unreasonable cost or delay.

## V. Options for Design Standards

OAR 660-046-0020(4) provides the following definition of design standard:

*"Design standard" means a standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of a dwelling unit or other elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window coverage, driveway access, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.*

For duplexes, OAR 660-046-0125 allows cities only one option for design standards—cities may only apply the same, or less restrictive, clear and objective design standards that apply to SFD's in the same zone. Currently SDC does not have any design standards for SFD's, therefore not would or could be applicable to duplex development. The existing SDC 4.7-142 contains design standards for duplexes in SLR, MDR, and HDR zones.

**Question #11:** Should the city add design standards for SFD's so that design standards can also be used for duplexes?

For higher middle housing, cities have a few more options. Cities can choose (per OAR 660-046-0225):

1. Design standards in the Model Code for Large Cities.
2. Design standards that are less restrictive than the Model Code.
3. The same clear and objective design standards that apply to SFDs in the same zone. (Note: Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances.)
4. Alternative design standards as provided in OAR 660-046-0235. Similar to alternative siting standards, cities can choose to apply either existing or new design standards that don't meet one of the options in 1-3 above; however, they must be able to demonstrate that standards do not, individually or cumulatively, cause unreasonable cost or delay.

There are currently no design standards applied to SFD's, therefore no existing design standards could be applied to higher middle housing types. Staff does not recommend pursuing alternative design standards due to the time and complexity associate with demonstrating that there would be not be any unreasonable cost or delay.

**Question #12:** Should the city use the Model Code design standards for higher middle housing types? Or should the city use less restrictive design standards than the Model Code for higher middle housing types?

**Table 1**

	More Permissive		More Restrictive
Standard	Option 1	Option 2	Option 3
<b>Defining Housing Types</b>			
Duplex, Triplex, Fourplex	Allow attached or detached		Limit to attached only
Cottage Cluster	Allow individual units on lots or multiple units on one lot		Only allow multiple units on one lot or parcel
<b>Siting Standards</b>			
<b>Lot sizes</b>	No minimum	Lesser minimum	Use OAR minimums
<b>Building Height</b>	No maximum	Higher maximum	Use OAR maximum
<b>Lot Coverage/FAR</b>	No maximum*	Higher maximum	Same as SFD
<b>Design Standards</b>			
<b>Design Standards</b>	No Standards (or same as SFD's)	Lesser standards	Use OAR standards
<b>Parking</b>			
<b>Parking</b>	No parking standard	Lesser standards (ex. Allow on street parking credit)	Use OAR standards
<b>Solar Setbacks</b>			
<b>Solar Setbacks</b>	No Solar Setbacks		Require Solar Setbacks for SD-D and Duplex
*Limited by other development standards (ex. stormwater, setbacks, parking, etc.)			