

Middle Housing Code Implementation: Areas for Local Refinement
Prepared for Tillamook County
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Overview: Tillamook County cities and unincorporated communities are required by SB 406 to permit middle housing as required for Large Cities, including allowing duplexes, triplexes, quadplexes, townhouses and cottage clusters in areas where single-family detached homes are permitted. Middle housing zoning standards must be in compliance with OAR 660-046 governing middle housing, with additional standards set in the Large City Model Code for middle housing.

The intent of this document is to identify aspects of middle housing standards that can be refined by local communities as part of SB 406 implementation. There are two general categories of local refinements that are possible:

- Most of the middle housing requirements are the same across the OARs and the Model Code, but there are a few areas where the Model Code provides additional permission or flexibility for middle housing that are optional for communities.
- There are additional local opportunities to modify zoning standards for single-family detached homes, such as minimum lot size, height or design standards, that could then be similarly applied to middle housing, unless otherwise precluded by OARs.

This list of topics is not exhaustive but addresses some of the common issues that other communities have explored with middle housing code implementation, and touches on some of the rationale behind the individual policy options that could be further explored in local context.

Plex Configurations: Duplexes, triplexes and quadplexes have traditionally required all units to be part of a single structure, in a “attached” configuration. *Communities may also choose to allow “detached” configurations that allow 2-4 separate structures on a lot for greater flexibility, especially when adding additional homes on lots already developed with an existing home.*

Number of Townhouses: A minimum of four attached townhouses must be permitted; four townhouses can be built under the single-family residential building code rather than the more complex specialty building code, which makes four-unit structures a more common type. *Additionally, communities can permit greater than four attached townhouses, in some or all zones, or have no maximum number specified in code for greater flexibility.*

Number and Size of Cottages: *Communities may specify a minimum of three, four, or five cottages within each cluster; requiring a minimum of five can eliminate any overlap with triplexes and quadplexes but allowing as few as three can add more flexibility. Communities must permit at least eight cottages per common courtyard, and communities can permit a greater number of cottages such as 12 or 16 clustered around a common courtyard, or set no regulatory maximum in favor of allowing flexibility on the site.*

Further, communities must apply a 900-SF maximum building footprint for cottages. *Communities may allow an additional 200 SF for an attached garage with each cottage. Communities may limit cottages to a single story, limiting them to 900 SF, or may permit cottages up to two stories/25 feet tall and establish a maximum size limit between 900-1,800 SF. The Model Code includes a maximum average size limitation of 1,400 SF per cottage, and other communities have picked a maximum or maximum average size of 1,200 or 1,600 SF.*

Minimum Lot Sizes: Most middle housing must be permitted on the same size minimum lots where single-family detached homes are permitted. A few local refinements could include:

- *Communities may allow triplexes on all lots, or require a minimum lot size of 5,000 SF. There are only a few zones with lots sizes less than 5,000-SF where this would be relevant.*
- *Communities may allow quadplexes and cottage clusters on all lots, or require a minimum lot size of 7,000 SF. There are some zones with lot sizes less than 7,000 SF where this would apply, but many of the single-family and low-density zones have minimum lot sizes of 7,500 SF which would apply to all middle housing types.*

Maximum Lot Coverage: Only Neskowin, Netarts and Oceanside have existing maximum lot coverage standards. *Communities may adopt a maximum lot coverage standard that applies to single-family detached homes as well as duplexes, triplexes and quadplexes, or adopt differentiated lot coverage standards with greater coverage permitted for more dwellings. A maximum lot coverage standard can address overall building massing and impervious surfacing. Allowing greater lot coverage for triplexes and quadplexes can increase development feasibility and serve as an incentive.*

Minimum Setbacks and Maximum Height: Both of these dimensional standards must generally be the same for single-family detached homes and middle housing; no specific opportunities for local decision making.

**Maximum heights cannot be less than 25 feet or two stories for middle housing, whereas many County zones have a 24-foot maximum height for bay and ocean-frontage lots. Further coordination with DLCD is needed into whether that is sufficient for “two stories” or if the height needs to be increased.*

Minimum Landscaping: There are not any minimum landscaping requirements that apply to residential lots in County code, but if they were introduced, they could generally be applied to single-family detached homes and middle housing.

Design Standards: There are not any specific building design standards for single-family detached homes in County code. Some cities have standards like a preferred roof form or minimum roof pitch, exterior building materials, entryway or porch requirements, standards addressing the relative width, size or setback of garage areas as part of the building’s front façade. *Clear and objective standards like these could be introduced for both single-family detached homes and middle housing.*

Additional design standards from the Model Code are permitted specific to various middle housing types; city-specific design standards for middle housing that differ from this “menu of options” are difficult to pursue. *Communities can choose to apply any or all of the following:*

- ***Triplexes and quadplexes*** can apply the Model Code design standards for entry orientation, window coverage (15% minimum standard), garage and off-street parking area limitations, limited width for driveway approach.
- ***Townhouses*** can apply the Model Code design standards for entry orientation, unit definition features, window coverage (15% minimum standard), driveway access and parking location standards. For townhouse lots at least 15 ft wide, a street-oriented driveway up to 12 ft wide must be permitted rather than requiring alleys.
- ***Cottage clusters*** can apply Model Code design standards that primarily address site design aspects such as cottage orientation towards the common open space, courtyard design including a minimum of 150 SF of courtyard space per cottage, and layout of

parking areas including options to limit size of parking clusters and require screening and landscaping on parking areas and/or permitting individual garages with cottages.

Minimum parking: Middle housing parking requirements cannot be greater than one space per dwelling. *Minimum parking could be set lower for certain middle housing types and/or on-street parking spaces could be allowed to count towards the minimum parking requirement.*

Density: The County code does not include minimum and maximum density standards for residential zones, relying instead on minimum lot sizes to control density. Middle housing is generally exempt from minimum and maximum density standards, in favor of lot size regulations, but townhouses are an exception.

Townhouses must be permitted with a minimum lot size of 1,500 SF, which translates to an effective density of 29 units per acre. *However, communities may choose to cap the maximum townhouse density at the lesser of 25 units per acre or four times the maximum density of single-family detached homes (23.2 units per acre in zones with a 7,500-SF minimum lot size, or 17.4 units per acre in zones with a 10,000-SF minimum lot size).* A maximum density in addition to the 1,500-SF minimum lot size would result in larger lot sizes on average.