

# Highlights of HB 2001 Draft Code Amendments 7/7/21

- Minimum Lot Sizes
- Off-Street Parking Minimum
- Floor Area Ratio (FAR)
- Cottage Clusters
- Reduction of Compatibility Standards

**Minimum Lot Sizes for Triplexes and Quadplexes:** The overall density is affected by the minimum lot size but generally, small deviations in lot size won't affect the building's total cost. Example: a single lot in a new development is valued at about \$160,000 regardless if the lot is 4,000 sq. ft. or 5,000 sq. ft.

**Proposed code minimums are lower than the state's recommendation:**

	<u>Existing code</u>	<u>Proposed code</u>	<u>State minimum</u>
Triplexes	9,000 sq. ft.	4,000 sq. ft.	5,000 sq. ft.
Quadplexes	(new)	4,000 sq. ft.	7,000 sq. ft.

**Reasons for concern:**

- ✓ Setting the minimum lot size less than the state's recommended minimum may reduce the number of bedrooms provided per dwelling unit.
- ✓ The number of bedrooms of a dwelling unit has a direct impact on the anticipated value. The builder may be more likely to build a duplex on a small lot instead of a triplex or quadplex.
- ❖ **The committee's failure to conduct any site studies and proformas for any of the options calls into question what type of middle housing types will be built and/or who will be able to afford them.**

**Off-Street Parking Minimums** – HB 2001 states cities can regulate siting standards if regulations don't cause unreasonable costs. Providing parking is about 1-3% of the projects cost.

**Fact – The Central Oregon lifestyle makes garages highly desired.**

- ✓ Builders on the committee admitted that they will continue to build garages and surface parking.
- ✓ A phone survey of 15 residential property managers found 100% agreement on the importance of parking.
- ✓ A field survey of middle housing project developments found 99% had garages.

	<u>Duplexes</u>	<u>Triplexes</u>	<u>Quadplexes</u>	<u>Townhouses</u>	<u>Cottages</u>
Existing code	2 per unit	2 per unit	(new)	2 per unit	1 per unit
Proposed code	Zero	zero	1 per building	1 per unit	1 per unit

The designers, architect and builders on the committee stated that the builders could be trusted to meet the market parking demand regardless of the min. code requirements but failed to consider the code's max. limit.

**Community members concerns –**

- ✓ Bend Development Code 3.3.300 states the maximum number of spaces can be no more than 50% of the minimum requirement. Zero + 50% is zero. One + 50% is one (BDC 3.3.300 rounds fractions down).
- ✓ Meanwhile, in-fill builders almost always build to the minimum standard which leads to vehicles overflowing into the neighborhood.

**Floor Area Ratio (FAR)** – FAR is intended to regulate the building's mass and scale to discourage the construction of exceptionally large residences out of scale with the surrounding neighborhood.

## Background:

Floor Area Ratio = Total floor area / lot area

FAR = 0.60  
2,400 sq.ft. house  
on a 4,000 sq.ft lot



2-story on 4,000 sq.ft lot =  
3,600 sq.ft. house  
3-story on 4,000 sq.ft lot =  
4,400 sq.ft. house  
2-story on 6,000 sq.ft. lot=  
5,400 sq.ft. house  
3-story on 6,000 sq. ft. lot=  
6,600 sq.ft. house

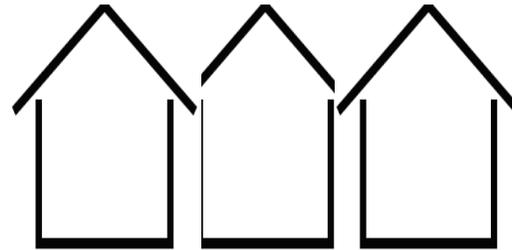
## Reasons for concern:

- ✓ HB 2001 doesn't mandate this increase in the FAR. This change was driven by the designers / architect / builders on the committee.
- ✓ This proposed code change in table 2.1.700 states any new residence (Single-family, duplex, triplex, quadplex and Townhouse) could be 1.5 times the size of the existing residences on 4,000 sq.ft. lots. If the lot is 6,000 sq.ft., over 2.5 times the size (which is common in existing neighborhoods).
- ✓ Increasing the size of this new residence doesn't guarantee its affordability. It encourages higher pricing.

**Cottages:** The common definition of a cottage is that it is a small dwelling. In the Bend Development Code definitions, the existing “Cottage Housing” was intended to be small residences arranged around a small shared open space.

Comparison of the existing Cottage Housing to the additional Cottage Clusters -

Cottage Housing  
1,200 sq.ft. each



Cottage Cluster  
2,700 sq.ft. each

### Reasons for concern:

- ✓ Staff added a second “cottage” building type rather than making a few minor code revisions to the existing “cottage housing” building type.
- ✓ The designers and architect lead the call for eliminating the maximum total floor area which then allows for a larger dwelling over twice the size of the previous “cottage housing.” Is it reasonable to have three-story, 2,700 sq. ft. cottages separated by as little as six feet?

## Disregard for “compatibility” to existing neighborhood.

### **Proposed code amendments – Add up all the negative impacts.....**

- eliminating regulations in the existing code establishing to provide some modest effort to be compatible with the existing neighborhood (portions of BDC 3.6.200)
- Larger buildings on smaller lots with no parking, a trifecta of bad news for an existing neighborhood.
- No site studies and proformas to determine if these changes can provide a measurable increase in the number of more affordability housing.
- No community engagement prior to developing these code changes and insufficient review period prior to adoption.

### **Takeaways from Daniel Parolek’s, the founder of Missing Middle Housing, lecture about the top five mistakes to avoid.**

- #1 maintain “home scale” to ensure more small dwellings, not large dwellings, get built.
- #2 apply thoughtful methodology of site planning and proformas to back into standards.
- Engage the community to achieve buy-in to avoid push back when the results don’t turn out as campaigned.

# Is this the future for Bend? Can you trust all builders?



Seven vehicles for this one duplex plus in the background are two more vehicles illegally parked in the alley. This was shot early morning. This duplex and a 1,000 sq.ft. Short-term rental just listed for \$1,399,000.