

ABAG Missing Middle Work Group / Session 3 (*Zoning for Middle Housing*)

Summary of Small Group Breakouts

Unlike previous sessions, this session had only two break-out groups, so that experts from both Opticos and ECONorthwest could be in the room to respond to questions. The two groups were:

- Large and Mid-Sized Cities, and
- Small Cities and Towns.

Participants were invited to ask questions not yet answered in the large group session (see recording), and to consider and respond to the following four questions:

Q1 - What options feel most doable?

Q2 - What seem to be the biggest obstacles?

Q3 - What options are still too abstract or unclear?

Q4 - What additional info or support do you need?

Q&A

- **How feasible would it be to develop a model ordinance that targets/encourages MMH. Think SB9/10 as a starting point.**
 - What Oregon did with House Bill 2001 is a potential model; either you write standards or adopt state default standards. Pieces are helpful, like cottage cluster standards, and jurisdictions are adopting them (particularly related to design standards).
 - 11 jxs in Marin County organized as one client and hired a consultant to develop a toolkit with countywide standards, including 8 zoning districts, that each jx could then take and customize/apply to their local issues/context.
- **Would like to regulate small lot missing middle different than apartment complex; how do we break these up?**
 - First you need to look at where you want the small infill to go. But if you are also considering a large piece of land on the edge of town, you need to say what the rules are for a big piece of land. Opticos creates standards that can apply to both; it may be a large site, but it's made up of individual units so start from there.
 - May be precedents for this; some have special infill design standards so possible to flip it to apply; would need to define what you mean by infill. Also, sometimes there are standards triggered if a building is more than a certain amount of feet long, like in a commercial zone. Could apply a similar framework for MF; if more

than this big, need to have different standards, but if only this big, here is what is needed from a design perspective.

- **Sometimes standards come from fire/building, and those are in conflict with forms. What are those obstacles and how do you get around them? Also, what fixes can we make to zoning to not send mixed messages/undermine goals?**
 - Need to be aware of these issues and write standards to reflect. It's important to have a dialogue with fire depts about reqs. Can be an issue when depts are talking in generalities without qualifying what model they are envisioning. Also, consider outcomes the community and jxs want and if they are in alignment with zoning, and if not, change.
 - Home 2001 included building needs to be flexible in certain instances.
- **Equity? Placing in more walkable areas? Redlining maps? Where are people likely to embrace or fight against and how do jurisdictions handle this?**
 - Tyler has used Urban Displacement Technologies to find 1) which areas are exclusive and can receive immediate action and 2) which areas need targeted conversations about impacts. <https://www.urbandisplacement.org/>
- **Do you have examples where a base density is established (maybe 20 DU/acre) but a higher density is allowed for small footprint MMH? Same question for reduced parking standards applicable only to MMH?**
 - That's certainly an approach but we haven't prepared standards exactly that way. This approach allows a wider variation of outcomes than is productive. It's more effective to allow a range of smaller footprint MMH types and let developers/builders choose from that range.

Q1 - What options feel most doable?

- Moraga: When cities developed over time, moving to auto-oriented homes; wondering if MM would be more successful in a tighter urban pattern?
 - In terms of thinking of commercial areas, some jxs put it all on a transit corridor, commercial area to keep it out of neighborhoods. MM can't usually be feasible in large commercial areas. Think about where MM makes sense in places where you want to see redevelopment. Is it reasonable MM could be a fit? Is there tolerance for less parking?
- Gilroy: No inclusionary; currently drafting staff report on what kind of AH policies they want. As part of the incentives, want to bring up MM and where it might go. How to identify where and not displace?
 - ECONW - function of price and size of property today to figure out. Things that get torn down are cheaper, smaller, not in good repair. When a house is at a

certain low price point, it often gets torn down; what goes up can vary and offer opportunity. Some people think MM will cause redev, but a lot of time redev is already happening due to lower cost housing stock.

- Potential with SB9 where instead of fix and flipping of 1 unit, could be 1 unit to 3 units; benefit to housing supply but still may be an issue where developer flips house so it is no longer affordable.
- Pleasanton: SB-9 influences. Community values providing input. Considering objective standards to retain the integrity of existing neighborhoods. Parking limits are harder because of the lack of efficient transit in suburban communities.
- San Mateo County. Smaller scale is possible, this blends-in well with the neighborhood. Duplex, Triplex, Fourplexes. Easier to get over the mental hurdle of “this will not harm your neighborhood.” Reducing parking will have a major impact.
- Berkeley. Smaller lots. Parking.
- Oakland: More affordable units is council preference.
- Redwood City: More affordable units are doable. Access to housing, variety of ownership opportunities. Subdividing larger structures or condos may be easier.
- Hayward: Conversions into 2+ units seems possible.

Q2 - What seem to be the biggest obstacles?

- Rio Vista: Density may always be a barrier. How do you regulate?
 - Not necessarily; continue regulating everything else the same, make MM a zoning district or separate set of standards you apply to existing districts.
 - Reference Medford Oregon, and all of Oregon right now can no longer apply density to duplex/tri/four, cottage clusters if over 25k pop. Lot size standards instead - any lot over certain sq ft. Doesn't get you into upper middle housing, but gets you some.
 - When talking to electeds and community, it often comes to conflation of bigger sites with MM and it's important to be clear this is its own kind of MF housing. They are house scale buildings, and very different.
 - If unit is 500 sf, counts as .3 of equivalent du; sort of a density bonus but helps providers understand to do basic math. Not form-based but workarounds that put form first with a density number that gives people some idea/expectation.
 - Can benefit those considering utilities and impacts on systems.
- Cupertino/Los Gatos/Fairfax: Barrier is emotional attachment to density.
- Burlingame: No density limits downtown and worked fine because people are focused on setbacks, lot size and height. Code has all the standards, just missing density and regulated by everything else.
- Pleasanton: Since this is new, examples of MMH from the Bay Area would be helpful
- Berkeley: Strict demolition controls - issue with SF homes.

- Berkeley: Half the city units are rentals. 20,000 are rent-controlled. SB-9 has a lot of clauses that protect rent-controlled. So demolition may be difficult + SB-9 may not be strong. *Don't want to incentivize only small units.*
- San Francisco: What does every family want to do? Family versus developer. Why/what would people want to change?
- Hayward: Hills might have the most pushback. Townhomes have such a good return that often more dense projects are not achieved.
- Oakland: Market feasibility and construction costs
- San Mateo County: Economic factors are difficult. Cost of construction is high, SF homes are so expensive (\$2 million).

Q3 - What options are still too abstract or unclear?

- Pleasanton: How does MMH change single family neighborhoods?
- San Mateo County: Meshing topics of Floor Area and Density, often need a concession?
 - For 35-50%, it is easy to address through additional height. Beyond 50% this is tricky. Four-story height concessions are pretty extreme regarding neighborhood compatibility. If no standard is in place, there is an option to create a Transitional Standard to bridge the gap between zones. Trying to be more explicit about the outcome that the Density Bonus is aiming to achieve.

Q4 - What additional info or support do you need?

- Cupertino/Los Gatos/Fairfax: How can we avoid vulnerable communities being left out?
 - Important to make part of the conversion. For example, the community wants to know the implications and how to avoid displacement impacts. This is a challenge. Here are a couple resources:
 - https://www.portland.gov/sites/default/files/2019-12/vol_3_appendix_b_displacement_risk_and_mitigation.pdf
 - <https://www.lincolnst.edu/publications/working-papers/eight-deaths-portlands-residential-infill-project>
- Pleasanton: How do we have a conversation about MMH in a meaningful way in the context of RHNA and the Housing Element update? Also, safe harbor assumptions approved by HCD would be greatly helpful.
- Hayward: HCD sometimes questions site potential. Are there pro-formas or anything we can use to give to HCD?
 - Will provide info about ADUs and affordability as well as RHNA at next sessions.
- San Mateo County: Technical information on Density Bonus + form-based codes would be helpful.