

# HB 2001 IMPLEMENTATION CODE AMENDMENT FACTS

Details, Comparisons, and Q & A\*

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(\* ) Substantive edits made after the presentation are indicated by: 

Last revision on March 29, 2022

# Followup links

## Contact me

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## Independent information and link to the “Middle Housing Standards”

Housing-Facts.org

Housing-Facts.org/code

## Planning Division information and link to the staff proposal

<https://www.eugene-or.gov/4244/Middle-Housing>

<https://www.eugene-or.gov/DocumentCenter/View/64516/Middle-Housing-Code-Amendment-Package-V4-2022-01-20>

# Disclaimer

To the best of my knowledge, the facts presented are accurate and complete.

The City Planning Director was invited to have a staff member participate to ensure the accuracy of facts regarding the staff's proposed code amendments. However, she declined.

I would like to receive any corrections or omissions that are in the presentation. Please be specific and cite to the code section that has the accurate standard.

Thank you!

Paul Conte

# Comparison

## Neighborhood Leaders' "Middle Housing Standards"

- Standalone new code section
- Directly Based on the "Model Code developed and recommended by the Oregon Department of Land Conservation and Development.
- Criteria edited for local policies
- 34 pages

## Eugene Planning Division staff proposal

- "Redline" markup of existing code text
- "One-off," new and revised code language
- 139 pages (not counting code amendments to the Willamette River Greenway Permit standards)

# Staff proposed code amendments (1)

*Dwelling, ~~Fourplex-Plex~~.* ~~A building designed and used as dwellings for 4 families living independently of each other and having separate housekeeping facilities for each family.~~ Four dwellings on a single lot or parcel in any configuration. The dwelling type referred to as a fourplex in this land use code is the same as the dwelling type referred to as a quadplex as used in the Metro Plan, ORS 197.758, and Chapter 660, division 46 of the Oregon Administrative Rules.

*Dwelling, ~~Multiple-Family Units (Multi-Unit)~~.* One or more buildings on a single lot or parcel ~~containing 5 or more dwellings in any configuration. that are designed and used for 3 or more families, all living independently of each other, and having separate housekeeping facilities for each family.~~ The dwellings may be detached or may share common walls, common roofs, or common foundations. Multiple-~~family-unit~~ dwellings include condominium and apartment units without regard to ownership status. Cottage clusters are not multiple-unit dwellings.

# Staff proposed code amendments (2)

Table 9.2760 Residential Zone Lot Standards					
(See EC <u>9.2761</u> Special Standards for Table 9.2760.)					
	R-1	<del>R-1.5</del>	R-2	R-3	R-4
Triplex Lots <u>(3)</u> <del>(In R-1, lots shall be indicated on the final subdivision plat as developable as a triplex. Such lots may not be created by a partition)</del>	<del>12,000</del> <u>3,500</u> 0 square feet	-	<del>3,500</del> <u>3,500</u> square feet	<del>3,500</del> <u>3,500</u> square feet	<del>3,500</del> <u>3,500</u> square feet
Fourplex Lots <u>(3)</u> <del>(In R-1, lots shall be indicated on the final plat and shall be developed as a fourplex.)</del>	<del>16,000</del> <u>4,500</u> 0 square feet	-	<del>4,500</del> <u>4,500</u> square feet	<del>4,500</del> <u>4,500</u> square feet	<del>4,500</del> <u>4,500</u> square feet

# Alternative “Middle Housing Standards” (1)

19. **Quadplex.** Exactly four dwelling units in a single, detached structure on a lot or parcel. See [Figure 8](#) in Section F for an example of a possible quadplex configuration.
  
25. **Triplex.** Exactly three dwelling units in a single, detached structure on a lot or parcel. See Figures 6 and 7 in Section F for examples of possible triplex configurations.

# Alternative “Middle Housing Standards” (2)

## 4. Minimum Lot Size.

- a. The minimum Lot or Parcel size for a Triplex is 5,000 s.f. or the minimum lot size for a detached, single-family dwelling unit in the same zone, whichever is greater.
- b. The minimum Lot or Parcel size for a Quadplex is 7,000 s.f. or the minimum lot size for a detached, single-family dwelling unit in the same zone, whichever is greater.



# DLCD “Middle Housing” Model Code” (1)

**17. “Quadplex”** means four dwelling units on a lot or parcel in any configuration. See Figure 11 and Figure 12 in Section E for examples of possible quadplex configurations.

**23. “Triplex”** means three dwelling units on a lot or parcel in any configuration. See Figure 9 and Figure 10 in Section E for examples of possible triplex configurations.

# DLCD “Middle Housing” Model Code” (2)

## 1. **Applicability.**

a. Triplexes and quadplexes shall meet:

- The standards in subsections (2) through (7) of this section (B).
- All other clear and objective development standards that apply to detached single family dwellings in the same zone (including, but not limited to, lot size and dimensions, minimum and maximum setbacks, and building height), unless those standards conflict with this code and except as specified in subsections (1)(b) and (2) through (7) of this section (B).

# Basics

- Conforms to HB 2001 requirements
- Definitions of “Middle Housing”
- Minimum Lot Sizes
- Maximum Lot Coverage
- Division of lots with middle housing
- Maximum Density
- Maximum Building Height
- Parking requirements
- Solar protections
- Willamette River Greenway protections
- Prohibit/Allow Short-Term Rentals (“Airbnbs”)
- Requirements for “sufficient infrastructure”
- Changes to Special Area Zone Development Standards
- Exempts middle housing from refinement plan policies

# **Conforms to HB 2001 Requirements**

**Middle Housing Standards**

**YES**

**City Planning Staff Proposal**

**YES**

# Definitions of “Middle Housing”

## Middle Housing Standards

- **Single structure (attached)**
  - Duplex
  - Triplex
  - Quadplex
- **Townhouses: A row of 2 to 4 attached dwellings each on its own lot.** 📍
- **Cottage Clusters: 4 to 8 detached dwellings with maximum footprint 899 sq. ft. (Cannot be adjusted)**

## City Planning Staff Proposal


- **Multiple structures (detached or attached)**
  - Duplex
  - Triplex
  - Quadplex
- **Townhouses: A row of 2 to 10 attached dwellings each on its own lot.** 📍
- **Cottage Clusters: 4 to 8 detached dwellings with maximum footprint 899 sq. ft. (Can be adjusted to max of 12)**

# Minimum Lot Sizes

## Middle Housing Standards

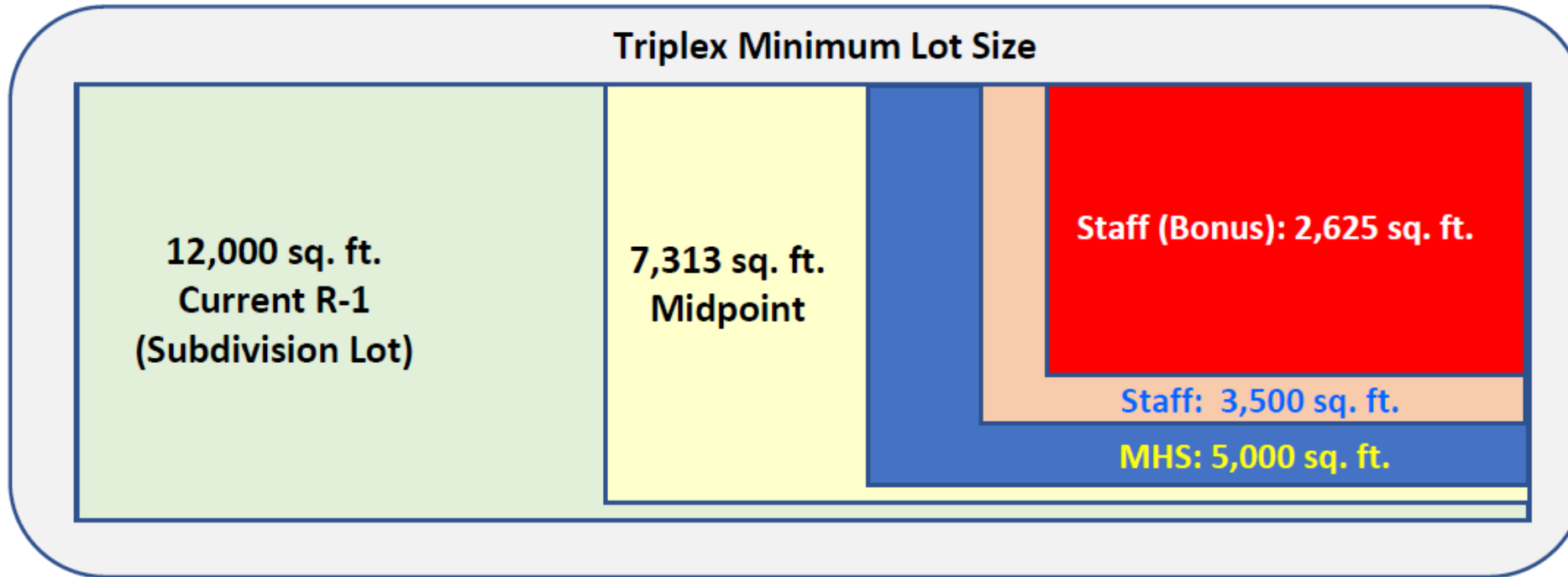
- Duplex: 4,500 sq. ft.
- Triplex: 5,000 sq. ft.
- Quadplex: 7,000 sq. ft.
- Townhouses:
  - 1,000 sq. ft. minimum
  - 1,500 sq. ft. average
- Cottage Clusters: 7,000 sq. ft.

## City Planning Staff Proposal

- Duplex: 2,250 / **1,668** sq. ft.
- Triplex: 3,500 / **2,625** sq. ft.
- Quadplex: 4,500 / **3,375** sq. ft.
- Townhouses: 1,743 / **1,452**   
Based on Maximum Density of 25 / **30**
- Cottage Clusters:  
4,500 / **3,375** sq. ft.

**(\*) 25% reduction when dwellings average size is 900 s.f. or less, or 50% (rounded down) rent for  $\leq$  80% of AMI**

# Triplex Minimum Lot Size Comparison



# Maximum lot coverage

Middle Housing Standards

50%

City Planning Staff Proposal

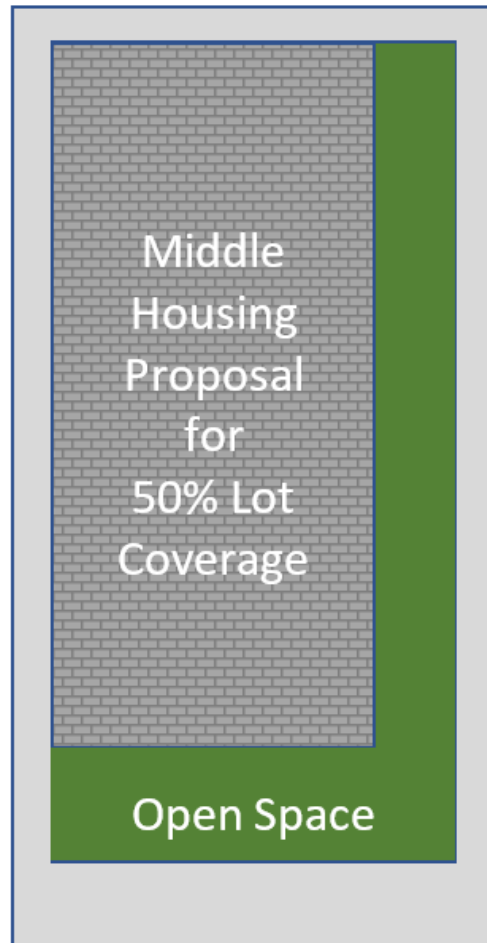
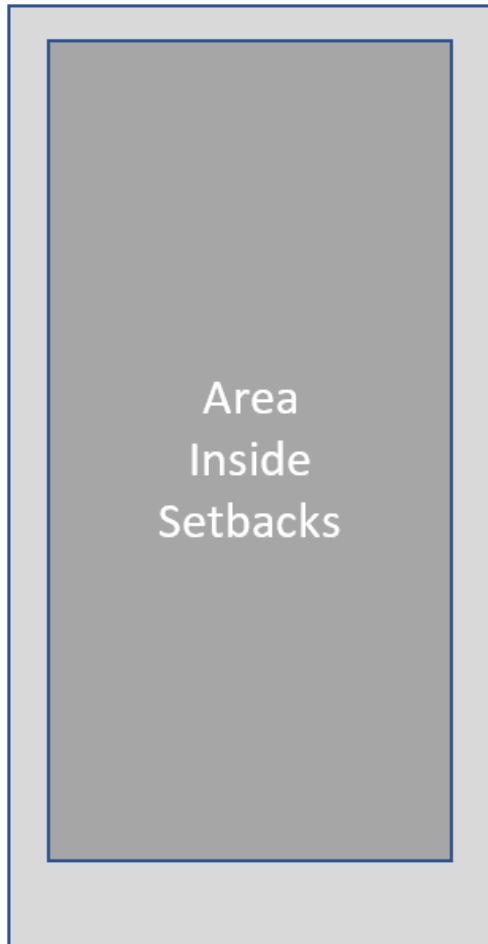
75%

No value is specified for  
Cottage Clusters. 



# Quadplex Lot Coverage Comparison

## Middle Housing Standards (7,500 sq. ft. lot)



**Minimum lot Size for Quadplex:  
7,000 sq. ft.**

**Lot Dimensions:  
60' Wide x 116'-8" Deep**

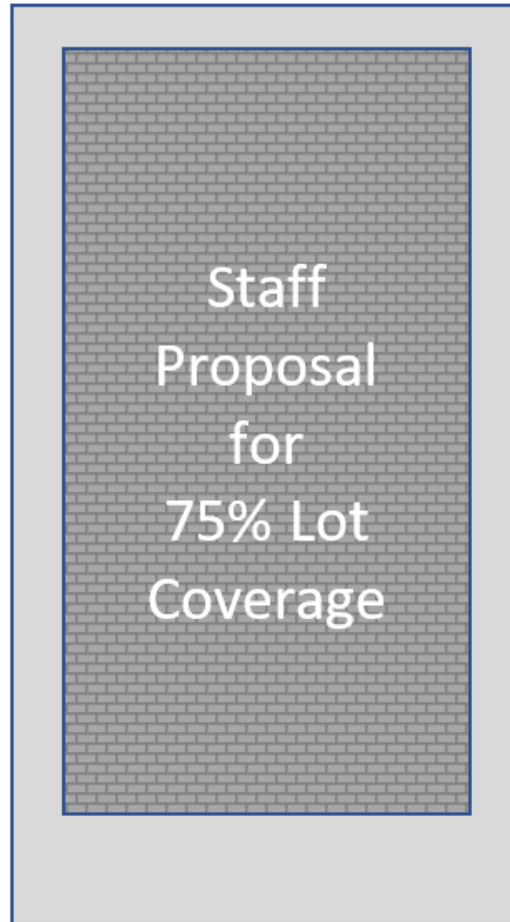
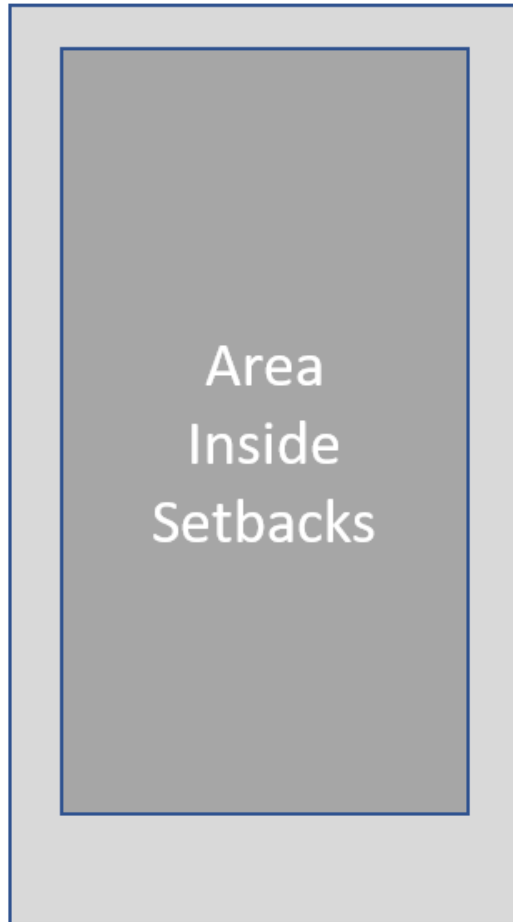
**Buildable Area inside Setbacks:  
5,083 sq. ft. (50' W x 101'-8" D)**

**50% of Lot Area: 3,500 sq. ft.**

**Buildable Area Inside Setbacks that is  
covered by Quadplex: 68%**

# Quadlex Lot Coverage Comparison

## City Planning Staff Proposal (4,500 sq. ft. lot)



**Minimum Lot Size for Fourplex:  
4,500 sq. ft.**

**Lot Dimensions:  
50' Wide x 90' Deep**

**Buildable Area inside Setbacks:  
3,000 sq. ft. (40' Wide x 75' Deep)**

**75% of Lot Area: 3,375 sq. ft.**

**Buildable Area Inside Setbacks that is  
Covered by Fourplex: 100%**

# Maximum Building Height

## Middle Housing Standards

- To highest point: Yes
- Basic maximum: 30 feet  
2½ stories
- Bonus: + 7 feet

The bonus allowance is for any roof portion that has at least a 6:12 slope (6 inches vertical rise for every 12 inches horizontal).

That's about a 26.5 degree slope.

Cottage Cluster: 25 feet (no bonus) 

## City Planning Staff Proposal

- To highest point: Yes
- Basic maximum: 35 feet  
3 full stories
- Bonus: + 7 feet

The bonus allowance is for any roof portion that has at least a 6:12 slope (6 inches vertical rise for every 12 inches horizontal).

That's about a 26.5 degree slope.

Cottage Cluster: 25 feet (no bonus) 

# Division of lots with middle housing

## Middle Housing Standards

- Duplex: Yes, zero lot line
- Triplex: Yes, zero lot line
- Quadplex: Yes, zero lot line
- Townhouses: n/a
- Cottage Clusters: Yes  
Detached dwellings

Likely plex division would be condominiums.

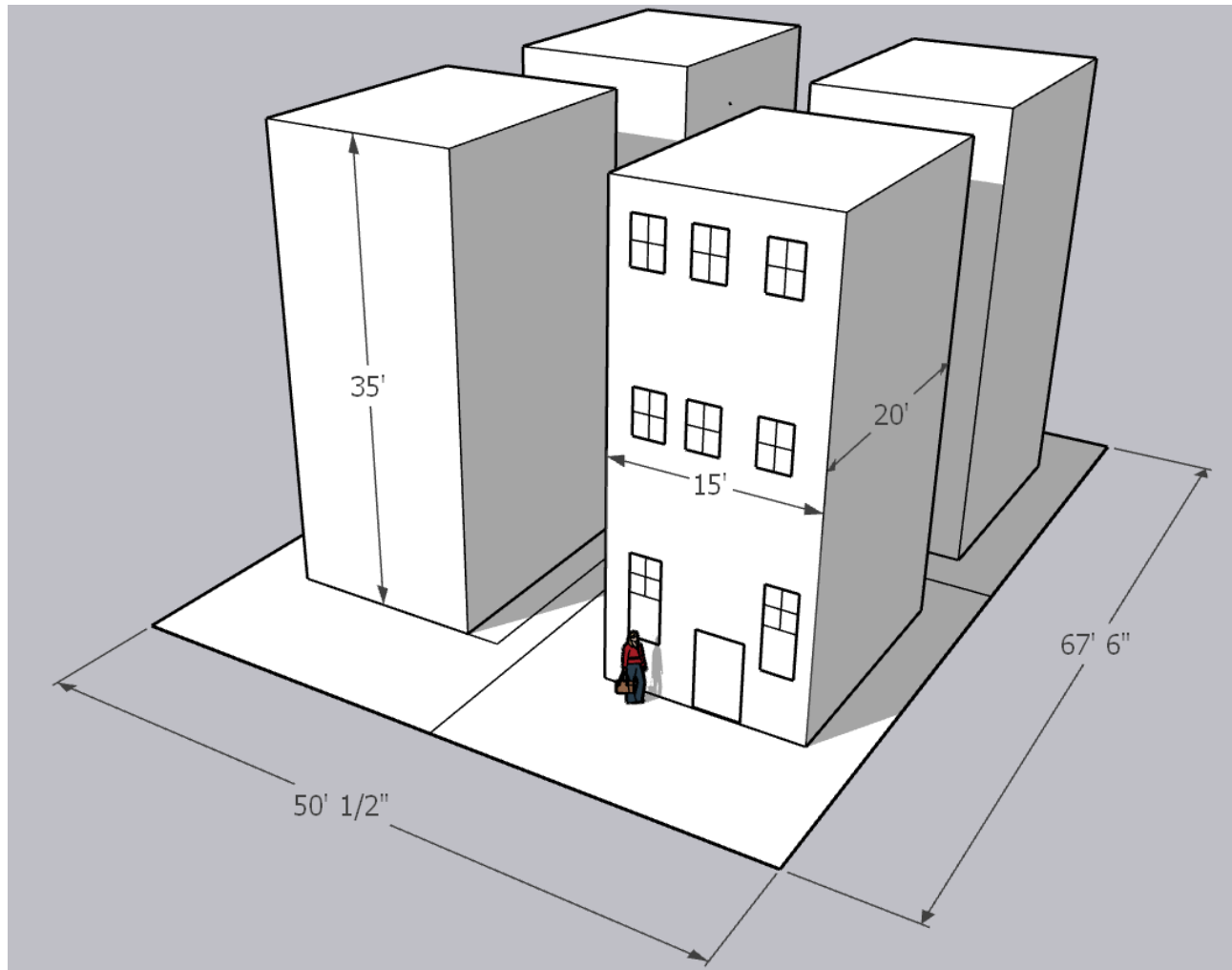
## City Planning Staff Proposal

- Duplex: Yes, detached dwellings
- Triplex: : Yes, detached dwellings
- Quadplex: : Yes,  
detached dwellings
- Townhouses: n/a
- Cottage Clusters: : Yes  
Detached dwellings

Potentially sold or rented as detached, single-family houses

# Allowable Quadplex / Four Separate Lots

## City Planning Staff Proposal (4,500 sq. ft. lot)



**Lot size: 3,375 sq. ft.**

**Number of dwellings: 4**

**Each dwelling total floor area:  
900 sq. ft.**

**Building area per floor: 300 sq. ft.**

**Building stories: 3**

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**Lots do not have to have street  
frontage or vehicle access.**

# Maximum cottage size

## Middle Housing Standards

Average of all units:  
900 sq. ft.

Maximum for a cottage:  
1,200 sq. ft.

## City Planning Staff Proposal

Average of all units AND  
community buildings:  
1,400 sq. ft.

Example:

6 × 1,600 sq. ft. cottages  
+ a 200 sq. ft. building

Avg. 1,400 = 9,800 ÷ 7

# Maximum Density – Explicit

## Middle Housing Standards

- Duplex: None
- Triplex: None
- Quadplex: None
- Townhouses: 25
- Cottage Clusters: None

## City Planning Staff Proposal

- Duplex: None
- Triplex: None
- Quadplex: None
- Townhouses: 25 / **30**
- Cottage Clusters: None

**(\*) Increase to 30 when dwellings average size is 900 s.f. or less, or 50% (rounded down) rent for  $\leq$  80% of AMI**

Proposed code appears to err in stating max density for “Townhouses” (i.e., each lot), instead of “Townhouse Projects.” 

# Maximum Density – Based on min lot size

## Middle Housing Standards

- Duplex: 19.4 dwellings / acre
- Triplex: : 26.1 dwellings / acre
- Quadplex: : 24.9 dwellings / acre
- Townhouses: : 29 dwellings / acre
- Cottage Clusters: None

## City Planning Staff Proposal

- Duplex: 37+ / **51+**
- Triplex: : 37+ / **51+**
- Quadplex: : 37+ / **51+**
- Townhouses: 25 / **30**
- Cottage Clusters: None

**(\*) Increased in density because of smaller minimum lot size when dwellings average size is 900 s.f. or less, or 50% (rounded down) rent for  $\leq$  80% of AMI.** (Staff's code appears to err in stating explicit density for "Townhouses" (*i.e.*, each lot), instead of "Townhouse Projects.") 📍



# Maximum Density – Based on min lot size

**Effective Density for Triplexes**  
Midpoint (24.1 dwellings per net acre)



# Parking Requirements

## Middle Housing Standards

- **Duplex:**
  - 1 for a lot less than 3,000 sq. ft.
  - 2 otherwise
- **Triplex:**
  - 1 for a lot than 3,000 sq. ft.
  - 2 for lot 3,000 to 4,999 sq. ft
  - 3 otherwise
- **Quadplex:**
  - 1 for a lot than 3,000 sq. ft.
  - 2 for lot 3,000 to 4,999 sq. ft.
  - 3 for lot 3,000 to 4,999 sq. ft.
  - 4 otherwise
- **Townhouses: 1 per unit**
- **Cottage Clusters: 1 per unit**

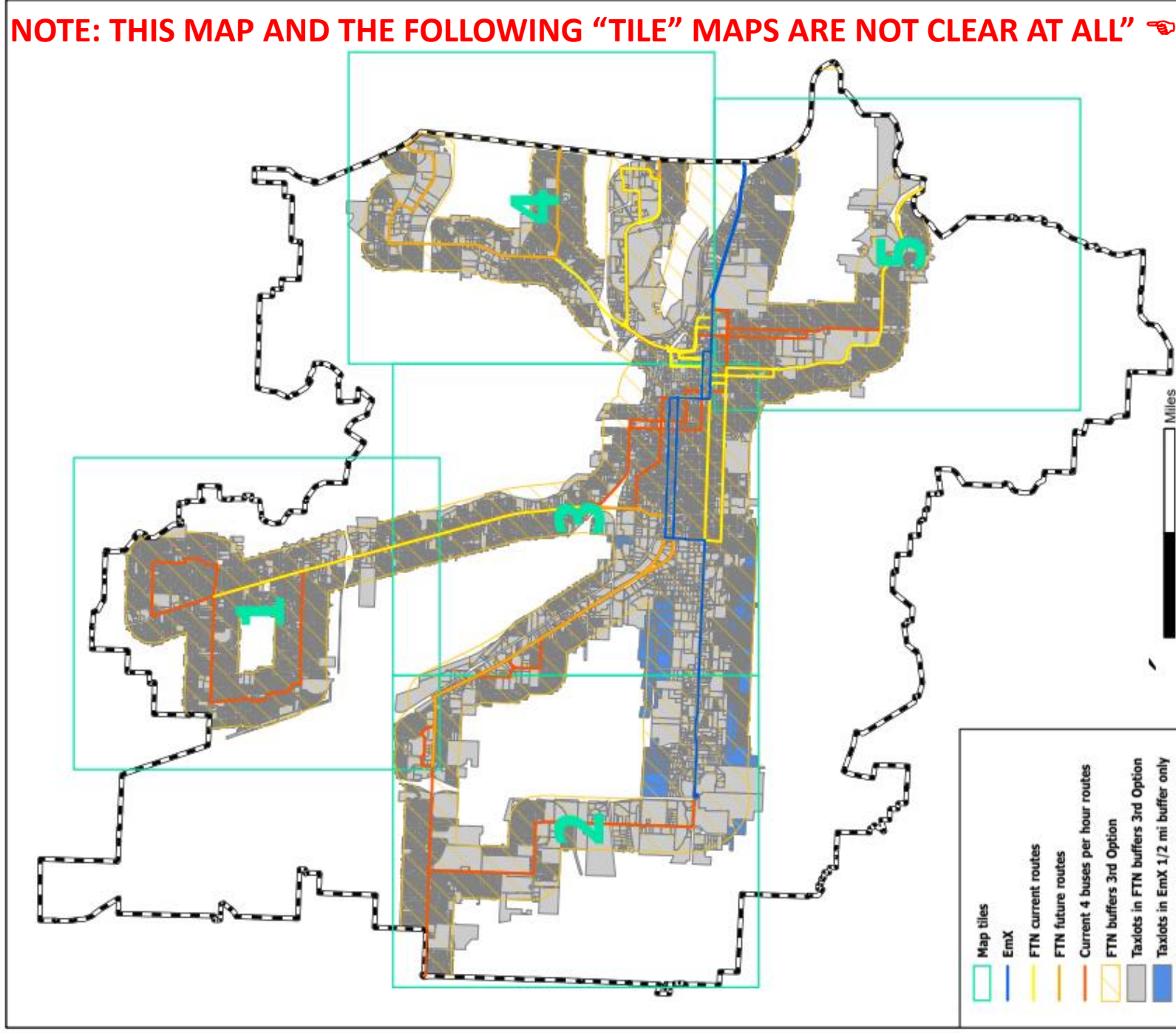
## City Planning Staff Proposal

- **NONE** for lots within a frequent transit route or dwellings less than 900 sq. ft.
- **Duplex: 1 per unit**
  - 1 for a lot less than 3,000 sq. ft.
  - 2 otherwise
- **Triplex:**
  - 1 for a lot than 3,000 sq. ft.
  - 2 for lot 3,000 to 4,999 sq. ft
  - 3 otherwise
- **Quadplex:**
  - Not stated for a lot than 3,000 sq. ft.
  - 2 for lot 3,000 to 4,999 sq. ft.
  - 3 for lot 3,000 to 4,999 sq. ft.
  - 4 otherwise
- **Townhouses: 1 per unit**
- **Cottage Clusters: 1 per unit**

Figure 9.0500

# Frequent Transit Routes

Overview Map



# Maximum On-Street Parking Space Credit

## Middle Housing Standards

- Duplex: 1
- Triplex: 2
- Quadplex: 2
- Townhouses: Up to 50%
- Cottage Clusters: Up to 50%

## City Planning Staff Proposal


- No Maximum
- There is also a reduction for small and/or “income-qualified” dwellings, but the calculations are not clear. 🙅

# Tree protections (Eugene Code 9.6885)

## Middle Housing Standards

- Duplex: Exempt
- Triplex: Apply
- Quadplex: Apply
- Townhouses: Apply to 3 or more
- Cottage Clusters: Apply

## City Planning Staff Proposal

- Duplex: Exempt
- Triplex: Exempt
- Quadplex: Exempt
- Townhouses: Exempt for 3 or 4
- Cottage Clusters: Exempt 

# Solar protections (Eugene Code 9.2780)

Code: “Solar lot standards apply to the creation of lots within subdivisions in R-1 and R-2 zones.”

## Middle Housing Standards

Applies as currently and with no change to maximum building height.

## City Planning Staff Proposal

It’s unclear whether or not this would apply to the division of a triplex, fourplex, or cottage cluster development.

The higher building heights would create 17% longer shade paths.

# Willamette River Greenway Protections

## Middle Housing Standards

“On Goal Protected Lands [which include the Willamette River Greenway], the creation of triplexes, quadplexes, cottage clusters, or townhouses, or the creation of more than two dwelling units on a single lot or parcel, including accessory dwelling units.” (Same as in DLCD code)

## City Planning Staff Proposal

- No general protection of “Goal Protected Lands.”
- A separate set of code amendments to the Willamette River Greenway would allow all middle housing development under the same standards as above in much of the current Willamette River Greenway.

# Prohibit Short-Term Rental of Middle Housing

**Middle Housing Standards**

**City Planning Staff Proposal**

**YES**


**NO**



# Require Sufficient Infrastructure for Middle Housing

## Middle Housing Standards

### Explicitly required:

**“Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of [middle housing] development application.”** (Same as DLCD Model Code) 

## City Planning Staff Proposal

- **No explicit requirement**
- **No Analysis of capacity under the *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan*.**

# Revises Special Area Zone Development Standards Only as Required by HB 2001

**Middle Housing Standards**

**City Planning Staff Proposal**

**YES**

**NO**

# Exempts middle housing from many neighborhood refinement plan policies

**Middle Housing Standards**

**NO**

**City Planning Staff Proposal**

**YES**

**By amendment to the  
*Eugene-Springfield  
Metro Plan***

**THANK YOU!**

**Paul Conte**  
**Housing-Facts.org**