

Eugene Middle Housing Code

DRAFT Version 1.0 – March 2, 2022

User's Guide:

Oregon House Bill 2001 (2019) (HB 2001) requires that “Large Cities” (defined as cities with a population of 25,000) must allow: (1) all middle housing types in areas zoned for residential use that allow for the development of detached, single-family dwellings; and (2) a duplex on each lot or parcel zoned for residential use that allows for the development of detached, single-family dwellings. Middle housing, which HB 2001 defines as duplexes, triplexes, quadplexes, cottage clusters, and townhouses, provides an opportunity to increase housing supply in developed neighborhoods that is designed to blend in well with detached, single-family dwellings.

HB 2001 and the “Middle Housing” Oregon Administrative Rules (OAR) that the Department of Land Use and Conservation (DLCD) has created allow local governments, such as Eugene, to regulate siting and design of middle housing, provided that the regulations do not, individually or cumulatively, discourage middle housing development through unreasonable costs or delay.

Large Cities, including Eugene, may develop their own standards in compliance with the requirements of HB 2001. The code below is based closely on the “model code” created by DLCD. As with the DLCD model code, this version of the code is intended to be straightforward and implementable by Eugene officials and staff, and this version of the code is consistent with the requirements and intent of HB 2001.

To the extent they are applicable, the Administrative Rules contained in Chapter 660, Division 46 apply to and may be used to interpret this model code.

Chapter 1. Combined Standards for All Middle Housing

Sections:

- A. Purpose
- B. Definitions
- C. Applicability
- D. Uses
- E. Relationship to Other Regulations
- F. Duplex, Triplex, and Quadplex Examples

A. Purpose

The purpose of this Eugene Version of the DLCD middle housing model code (“Middle Housing Code”) is to implement HB 2001, codified in ORS 197.758 *et seq*, by providing siting and design standards for middle housing developed in areas zoned for residential use that allow for the development of detached, single-family dwellings.

B. Definitions

The following definitions shall apply for the purposes of this code, notwithstanding other definitions in the Eugene Land Use Code (Chapter 9):

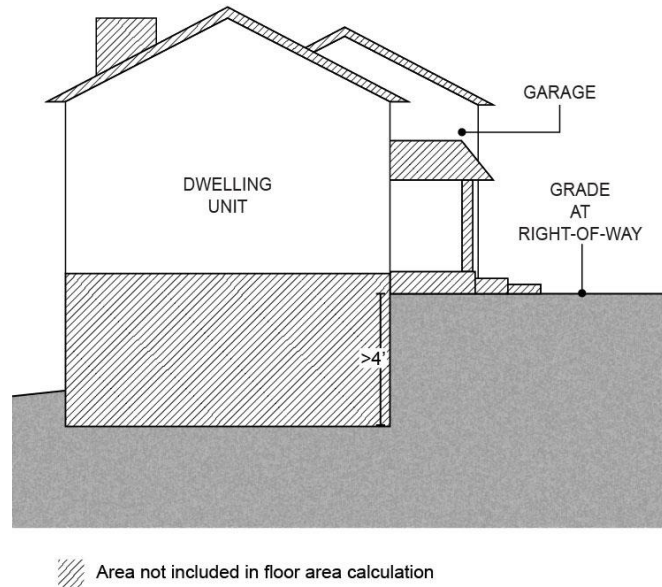
1. “Building footprint” means the horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.
2. “Building height” is measured in accordance with the development code applicable to detached, single-family dwellings in the same zone.
3. “Common courtyard” means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.
4. “Common wall” means a wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.
5. “Cottage” means an individual dwelling unit that is part of a cottage cluster.
6. “Cottage cluster” means a grouping of no fewer than four detached dwellings and no more than eight detached dwellings, each dwelling with a footprint of less than 900 square feet, and with all dwellings in a single cottage cluster located on a single lot or parcel that includes a common

courtyard.

[The criteria of “dwellings per acre, which is in HB 2001” belongs under the “Minimum Density” development standards. To fully define a “cluster,” there must be a minimum number of dwellings, and minimum density doesn’t provide that criterion.]

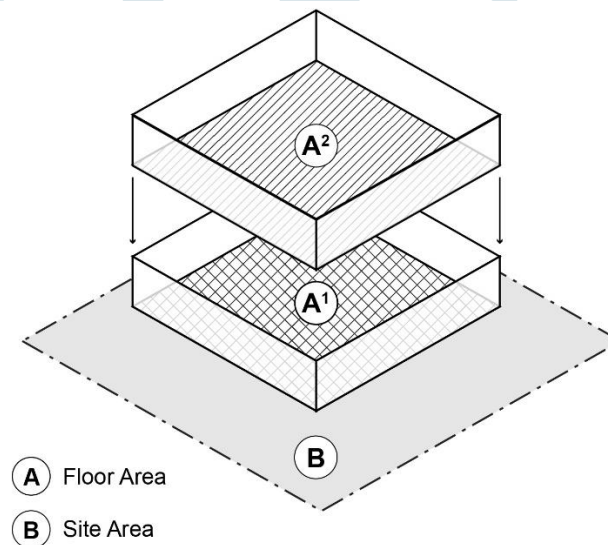
7. “Cottage cluster project” means a contiguous development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard and be entirely on a single lot or parcel.
8. “Detached, single-family dwelling” means a detached structure on a lot or parcel that is comprised of a single dwelling unit and optionally a single interior or attached ADU, and that is/are either the only dwelling on the lot or is a primary dwelling with which one ADU is associated.
Detached, single-family dwellings may be constructed off-site, e.g., manufactured dwellings or modular homes.
9. “Door area” is the area of the portion of a door other than a garage door that moves and does not include the frame.
10. “Driveway approach” means the edge of a driveway where it abuts a public right-of-way.
11. “Duplex” means exactly two dwelling units in a single, detached structure on a lot or parcel.
[This Eugene version has the same meaning as the definition in OAR 660-046-0020 Definitions (6). “‘Duplex’ means two attached dwelling units on a Lot or Parcel.”
The Eugene version also makes clear that two attached dwellings cannot be part of a structure with more than two dwellings.]
In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU. See Figure 3 through Figure 5 in Section F for examples of possible duplex configurations.
12. “Floor area” means the total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. Floor area does not include the following (see Figure 1):
 - Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way;
 - Roof area, including roof top parking;
 - Roof top mechanical equipment; and
 - Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height for 50 percent or more of their perimeter.

Figure 1. Areas Excluded from Floor Area Calculation



13. “Floor area ratio (FAR)” means the amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of all buildings on a site by the total site area (See Figure 2).

Figure 2. Floor Area Ratio (FAR) Calculation



$$FAR = \frac{A^1 + A^2}{B}$$

14. “Frontage” means the portion of a lot or parcel that abuts a street.

15. “Goal Protected Lands” means lands protected or designated pursuant to any one of the following statewide planning goals:
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces;
 - Goal 6 Air, Water, and Land Resource Quality
 - Goal 7 Areas Subject to Natural Hazards;
 - Goal 9 Economic Development;
 - Goal 15 Willamette River Greenway;
 - Goal 16 Estuarine Resources;
 - Goal 17 Coastal Shorelands; or
 - Goal 18 Beaches and Dunes.
16. “Lot or parcel” means any legally created unit of land.
17. “Middle housing” means duplexes, triplexes, quadplexes, cottage clusters, and townhouses, as defined herein.
18. “Middle Housing Standards” means the standards found in this section 9.XXXX of the Eugene land Use Code.
19. “Quadplex” means 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.
20. “Site area” means the total area of a development site calculated after subtracting any required or planned dedication of public rights-of-way and/or designation of private rights-of-way.
21. “Story” means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:
- A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is five (5) feet or less for at least 50 percent of the perimeter and does not exceed ten (10) feet above grade at any point;
[\[This Eugene version is based on a nominal 10 feet for one story.\]](#)
 - An attic or similar habitable space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two (2) feet above the floor of such space shall be considered a “half-story.”
22. “Sufficient Infrastructure” means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:
- Connection to a public sewer system, where both the connection and the public sewer system are capable of meeting established service levels.

- Connection to a public water system, where both the connection and the public sewer system are capable of meeting established service levels.
 - Access via public or private streets meeting adopted emergency vehicle access standards to a public street in the city's public street system that meets the City's adopted street standards.
 - Storm drainage and management facilities capable of meeting established service levels for storm drainage.
23. "Townhouse" means a dwelling unit constructed in a row of at least two and no more than eight attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
24. "Townhouse project" means one or more separate townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.
25. "Triplex" means exactly three dwelling units in a single, detached structure on a lot or parcel.
[\[This Eugene version has the same meaning as the definition in OAR 660-046-0020 Definitions 19. "'Triplex' means three attached dwelling units on a Lot or Parcel." The edited version makes clear that three attached dwellings can't be part of a structure with more than three dwellings.\]](#)
 See Figures 6 and 7 in Section F for examples of possible triplex configurations.
26. "Window area" means the aggregate area of the glass within each window, including any interior grids, mullions, or transoms.
27. "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. This excludes lands zoned primarily for commercial, industrial, agricultural, public, or mixed uses, even if those zones allow for the development of detached, single-family dwellings.

C. Applicability

1. Applicability of Code Sections.
 - a. Code sections applicable to all middle housing types are: Chapter 1, Sections A (Purpose), B (Definitions), C (Applicability), D (Permissible Uses), and E (Relationship to Other Regulations).
 - b. Code standards applicable to specific housing types are listed below:
 - Duplexes: Chapter 2.
 - Triplexes: Chapter 3.
 - Quadplexes: Chapter 3.

- Townhouses: Chapter 4.
- Cottage clusters: Chapter 5.

2. Applicability by Development Type and Location.

- a. Except as specified in subsection (b) of this section (C)(2), the standards in this code allow for the following development on lots or parcels zoned for residential use that allow for the development of detached, single-family dwellings:
 - New duplexes and those created through conversion of existing detached, single-family dwellings that do not already have an associated ADU.
 - New triplexes, quadplexes, cottage clusters, and townhouses, and those created through conversion of existing detached, single-family dwellings with no associated ADU, on lots or parcels with Sufficient Infrastructure.
[\[OAR 660-046-0205 Applicability of Middle Housing in Large Cities 2. requires allowing conversions *only* for DSFD. The edited standard complies.\]](#)
- b. Exceptions. The standards in this code do not allow the following, unless otherwise permitted by the development code through clear and objective standards, criteria, and procedures:
 - On Goal Protected Lands, 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.
 - On lands that are not zoned for residential use, the creation of middle housing.

D. **Permissible uses**

All residential uses allowed in the same zone are allowed for development under these Middle Housing Standards, except for the following:

- a. Short-Term Rentals.

E. **Relationship to Other Regulations**

1. Other residential development standards. The Middle Housing Standards apply to applications for residential development for which the applicant has explicitly stated that the application should be processed under the Middle Housing Standards. Alternatively, an applicant may elect to have an application processed under other adopted residential standards, for example, as a Planned Unit Development (PUD) in the applicable zone; in such cases, none of these Middle Housing Standards apply.
2. Conflicts. In the event of a conflict between this code and other provisions in the Eugene Land Use Code that would be applicable to a middle housing development applied for under these Middle Housing Standards, the standards of this code control.

3. Public Works Standards. Clear and objective exceptions to public works standards granted to single family dwellings shall also be granted to duplexes.
4. Protective Measures. Middle housing shall comply with protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).

F. Duplex, Triplex, and Quadplex Examples

The following figures illustrate examples of possible configurations for duplexes, triplexes, and quadplexes. Other configurations may also be acceptable, provided the development meets the definition of duplex, triplex, or quadplex, pursuant to Section B.

Figure 3. Stacked Duplex

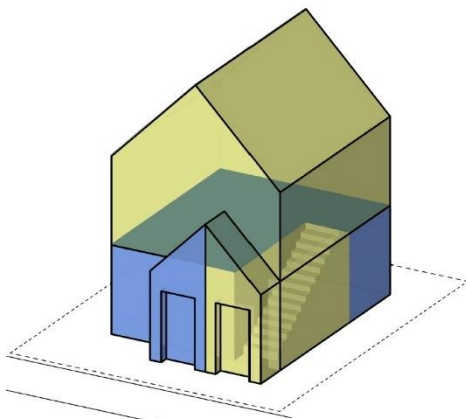


Figure 4. Side-by-Side Duplex

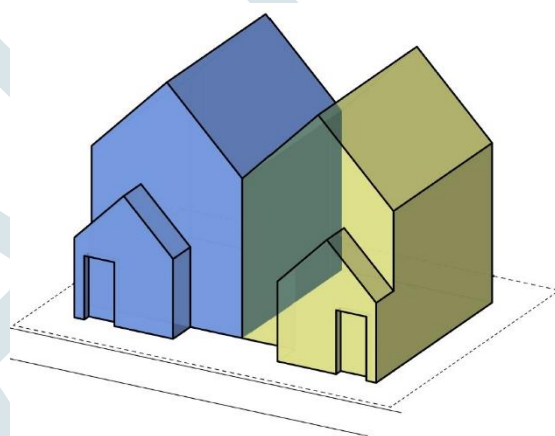


Figure 5. Duplex Attached by Garage Wall

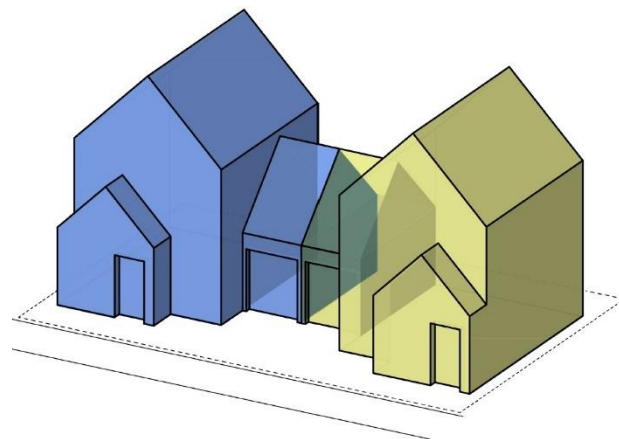


Figure 6. Attached Triplex Front and Back

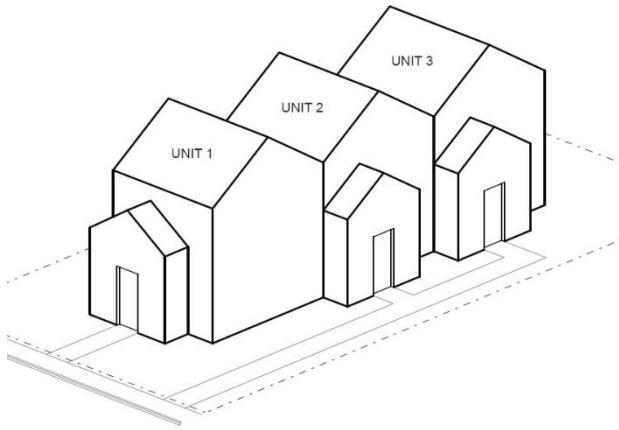


Figure 7. Attached Triplex Side-by-Side

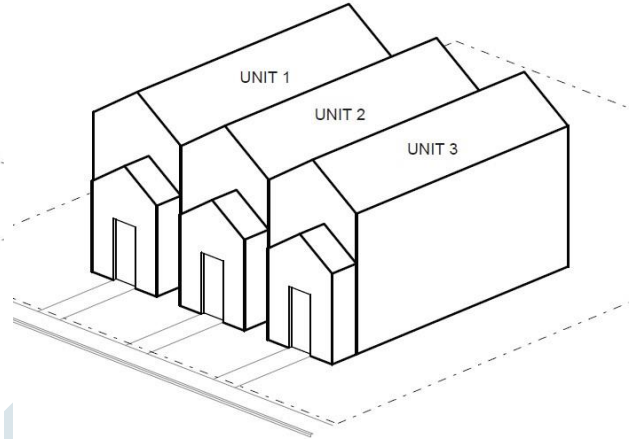
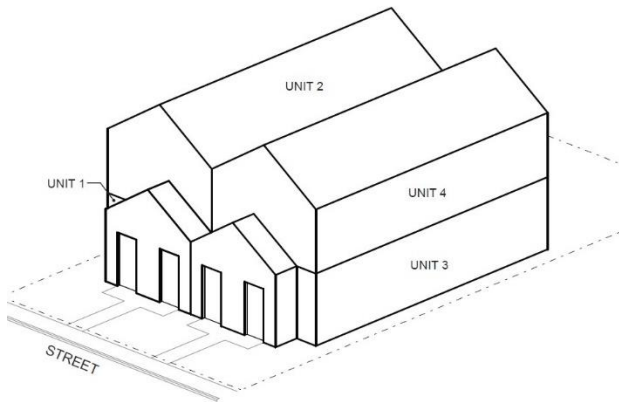


Figure 8. Stacked Quadplex



[NOTE: Here are some overarching requirements that were met in the following standards:

OAR 660-046-0210 Provisions Applicable to Middle Housing in Large Cities

3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:

a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);

b. Permitted uses and approval processes provided in OAR 660-046-0215;

c. Siting standards provided in OAR 660-046-0220;

d. Design standards in Large Cities provided in OAR 660-046-0225;

e. Middle Housing Conversions provided in OAR 660-046-0230;

f. Alternative siting or design standards provided in OAR 660-046-0235; and

g. Any siting and design standards contained in the Model Code referenced in section OAR 660-046-0010(4).

660-046-0225 Middle Housing Design Standards in Large Cities

1. Eugene may apply only the following design standards:
 - c. The same clear and objective design standards that Eugene applies to detached, single-family structures in the same zone. 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. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale.

Chapter 2. Duplexes

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards
- D. Duplex Conversions

A. Permitted Uses and Approval Process

Under these “Middle Housing Standards, one duplex and no additional dwelling is permitted outright on a lot or parcel zoned for residential use that allows for the development of one or more detached, single-family dwellings.

Duplexes under these provisions are subject to the same approval process as that for detached, single-family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures, unless discretionary standards and criteria have been adopted in accordance with ORS 197.307(5). Alternatively, an applicant may choose to submit an application for a duplex subject to standards and criteria available through alternative provisions in the Eugene Land Use Code, for example, by right, as allowed by the applicable standards of the R-1 Low-Density Residential Zone for a lot or parcel in the R-1 District, or as part of a Planned Unit Development application.

B. Development Standards

Except as specified below, duplexes shall meet all clear and objective development standards that apply to detached, single-family dwellings in the same zone (including, but not limited to, minimum and maximum lot size, minimum and maximum setbacks, and building height), unless those standards conflict with this code.

The following development standards are invalid and do not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached, single-family dwelling:

1. Maximum Density. There is no maximum density for Duplexes proposed under these Middle Housing provisions.
[OAR 660-046-0120 2.]
[Note that the Minimum Lot Size is the same as for a DSFD. OAR 660-046-0120 1.]

2. **Minimum Lot Size.** The minimum Lot or Parcel size for duplexes is the same as for detached, single-family dwellings in the same zone. The development of a Duplex is allowed on any property zoned to allow detached single-family dwellings, which was legally created prior to [date to be determined] adoption of the current lot size minimum for detached, single-family dwellings in the same zone.

[Minimum setbacks are the same as for a DSFD. OAR 660-046-0120 3.]

[Maximum building height is the same as for a DSFD. OAR 660-046-0120 4.]

[Maximum lot coverage is the same as for a DSFD. OAR 660-046-0120 6.]

3. **Off-Street Parking.** The minimum number of required off-street parking spaces is:

- i. For Lots or Parcels of less than 3,000 square feet: one space in total;

- ii. For Lots or Parcels greater than or equal to 3,000 square feet: two spaces in total.

[These are the same lot size categories as for triplexes and quadplexes, but limited to a requirement for two spaces.]

A credit for on-street parking shall be granted for up to one space of the required off-street parking as provided in subsection (b). No additional parking spaces shall be required for conversion of a detached, single-family dwelling to a duplex.

- b. **On-Street Credit.** If an on-street parking space meets all the standards in subsections (i)-(iv) below, it shall be counted toward the minimum off-street parking requirement.

- i. The entire space must be abutting the subject site;

- ii. The space must be in a location where on-street parking is permanently allowed by the jurisdiction and not subject to a parking fee or a parking permit program;

[Need to define how this will be prevented from being changed to "No Parking."]

- iii. The space must be a minimum of 22 feet long; and

- iv. No portion of a parked vehicle in the space would obstruct a required sight distance area.

C. Design Standards

New duplexes shall meet all clear and objective design standards (e.g., entry orientation, window coverage, articulation, etc.) that apply to detached, single-family dwellings in the same zone, unless those standards conflict with this code.

Any design standards that would apply only to duplexes proposed under these Middle Housing Standards are invalid.

D. Duplex Conversions

Conversion of an existing detached, single-family structure without an associated ADU to a duplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards.

Chapter 3. Triplexes and Quadplexes

Sections:

- A. Permitted Uses and Approval Process**
- B. Development Standards**
- C. Design Standards**
- D. Triplex and Quadplex Conversions**

A. Permitted Uses and Approval Process

1. Permitted Use. Under these Middle Housing Standards, one triplex or one quadplex and no additional dwelling is permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Triplexes and quadplexes are subject to the same approval process as that for detached, single-family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a triplex or quadplex subject to standards and criteria available through alternative provisions in the Eugene Land Use Code, for example, as Multiple-Unit development or as part of a Planned Unit Development application.
3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a triplex or quadplex development application.

B. Development Standards

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).

b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:

- Minimum landscape area or minimum open space standards.
[\[660-046-0220 2.f. Maximum lot coverage is the same as for a DSFD.\]](#)
- The jurisdiction's development standards other than those in subsections (2) through (7) of this section (B) that would apply only to triplexes, quadplexes, or multi-unit development proposed under these Middle Housing Standards.

2. Number of Units. Under these Middle Housing Standards, no more than three dwelling units are allowed on a lot or parcel unless the lot is 7,000 square feet or larger, in which case four (4) dwelling units are allowed.

3. Maximum Density. There is no maximum density for triplexes and quadplexes proposed under these provisions.

[\[660-046-0220 2.a.A.i Minimum lot size for a triplex is the same as for a DSFD.\]](#)

[660-046-0220 2.a.B.i Minimum lot size for a triplex is 7,000 square feet.\]](#)

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.

5. Maximum Lot Coverage. The maximum lot coverages is the same as for a detached, single-family dwelling in the same zone.

[\[660-046-0220 2.c Minimum setbacks are the same as for a DSFD.\]](#)

6. Building Height. The maximum height is the same as for a detached, single-family dwelling in the same zone or 25 feet, whichever is greater.

[\[OAR 660-046-0220 2.d.\]](#)

[\[The FAR standards need further consideration. \(Note that the DLCD Model Code treats FAR as a "siting" standard, but it's actually a "design" standard for "floor area," based on the size of the site.\) Here are some initial reference points based on the minimum R-1 lot size with the plex minimum lot size times 50% lot coverage. With the DLCD Model Code"](#)

[4,500 s.f. Triplex lot, FAR = 1.1 : Max floor area 4,950 with 2-1/2 stories on 2,250 s.f. footprint](#)

[Per unit max floor area: 1,650 s.f.](#)

[7,000 s.f. Quadplex lot, FAR = 1.1 : Max floor area 7,700 with 2-1/2 stories on 3,500 s.f. footprint](#)

[Per unit max floor area: 1,925 s.f.](#)

[This required height to max out floor area on the max lot coverage seems to map to the R-1 Max Height scale of 2 to 2-1/2 stories, which is the lowest Max Building Height the OAR would allow in R-1. Note that the 1.1 Max FAR would allow *very large* individual units.](#)

With the Eugene Model Code

4,500 s.f. Triplex lot, FAR = 0.8 : Max floor area 3,600 with 2 stories on 1,800 s.f. footprint

Per unit max floor area: 1,200 s.f. | Required lot coverage: 40%

7,000 s.f. Quadplex lot, FAR = 0.7 : Max floor area 5,600 with stories on 2,800 s.f. footprint

Per unit max floor area: 1,400 s.f. | Required lot coverage: 40%

Thus, 0.8 seems like the appropriate Max FAR for “Middle Housing” scale development.

7. Maximum Floor Area Ratio (FAR). The maximum floor area ratio for all buildings onsite, cumulatively, is based on the minimum lot size for a detached, single-family dwelling in the same zone, as provided below:

Minimum Lot Size for Detached, Single-Family Dwellings	Maximum FAR
5,000 sf or less	0.8 to 1
More than 5,000 sf, up to and including 10,000 sf	0.7 to 1
More than 10,000 sf but less than 20,000 sf	0.6 to 1
20,000 sf or more	0.4 to 1

8. Off-Street Parking.

- a. Required Off-Street Parking. The minimum number of required off-street parking spaces is:

- i. For Triplexes, a Large City may require up to the following off-street parking spaces:

1. For Lots or Parcels of less than 3,000 square feet: one space in total;
2. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
3. For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.

- ii. For Quadplexes, a Large City may require up to the following off-street parking spaces:

1. For Lots or Parcels of less than 3,000 square feet: one space in total;
2. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
3. For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
4. For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.

[This Eugene version is *verbatim* the requirement of OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 2.e. Parking]

A credit for on-street parking shall be granted for up to two spaces of the required off-street parking as provided in subsection (b). No additional parking spaces shall be required for conversion of a detached, single-family dwelling to a triplex or quadplex.

- b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, up to two spaces shall be counted toward the minimum off-street parking requirement.
 - i. The entire space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is permanently allowed by the jurisdiction and not subject to a parking fee or a parking permit program;
[Need to define how this will be prevented from being changed to “No Parking.”]
 - iii. The space must be a minimum of 22 feet long; and
 - iv. No portion of a parked vehicle in the space would obstruct a required sight distance area.

C. Design Standards

1. Applicability.

- a. New triplexes and quadplexes, including those created by adding building square footage on a site occupied by an existing dwelling, shall meet:
 - The design standards in subsections (2) through (5) of this section (C); and
 - All other clear and objective design standards that apply to detached, single-family dwellings in the same zone, unless those standards conflict with this code and except as specified in subsection (1)(b) of this section (C).
- b. The following standards are invalid and do not apply to triplexes or quadplexes allowed by this code:
 - Mandates for construction of a garage or carport.
 - The jurisdiction’s design standards other than those in subsections (2) through (5) of this section (C) that apply only to triplexes, quadplexes, or multifamily development.

[The following design standards would need to be worked through.]

- 2. Entry Orientation. At least one main entrance for each triplex or quadplex structure must meet the standards in subsections (a) and (b) below. Any detached structure for which more than 50 percent of its street-facing facade is separated from the street property line by a dwelling is exempt from meeting these standards.
 - a. The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit; and
 - b. The entrance must either:

- i. Face the street (see Figure 5);
- ii. Be at an angle of up to 45 degrees from the street (see Figure 6);
- iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides (see Figure 7); or
- iv. Open onto a porch (see Figure 8). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.

Figure 5. Main Entrance Facing the Street

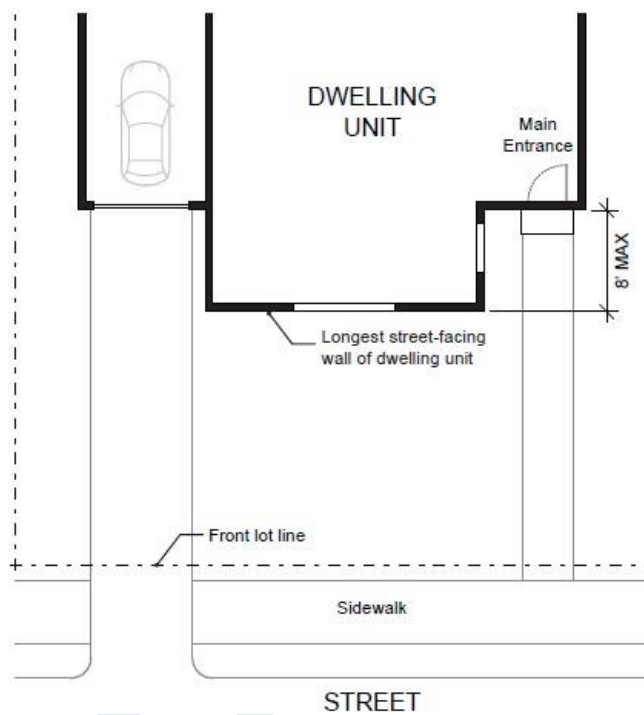


Figure 6. Main Entrance at 45° Angle from the Street

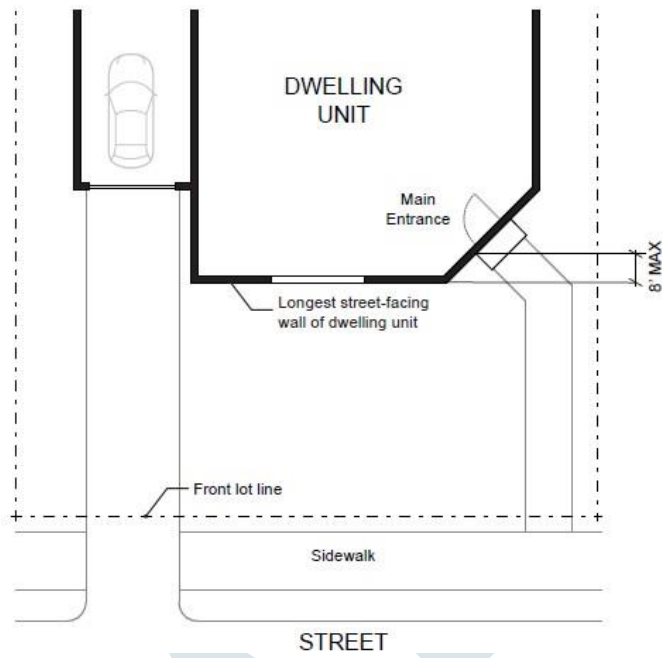


Figure 7. Main Entrance Facing Common Open Space

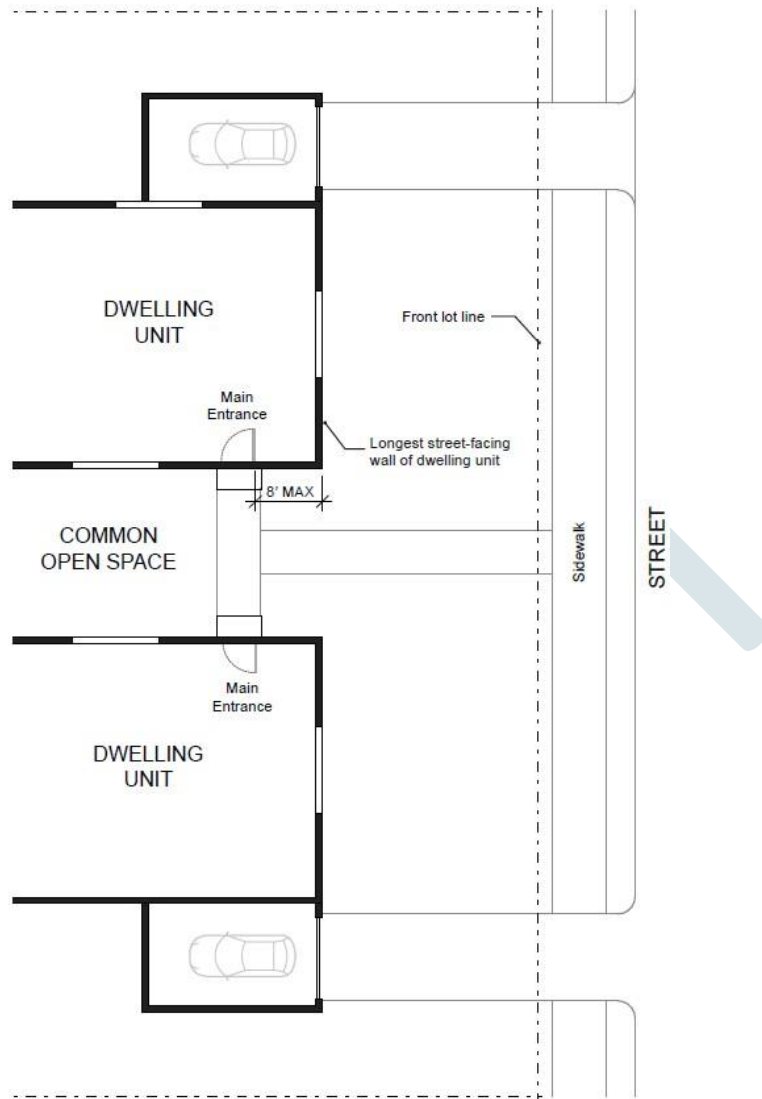
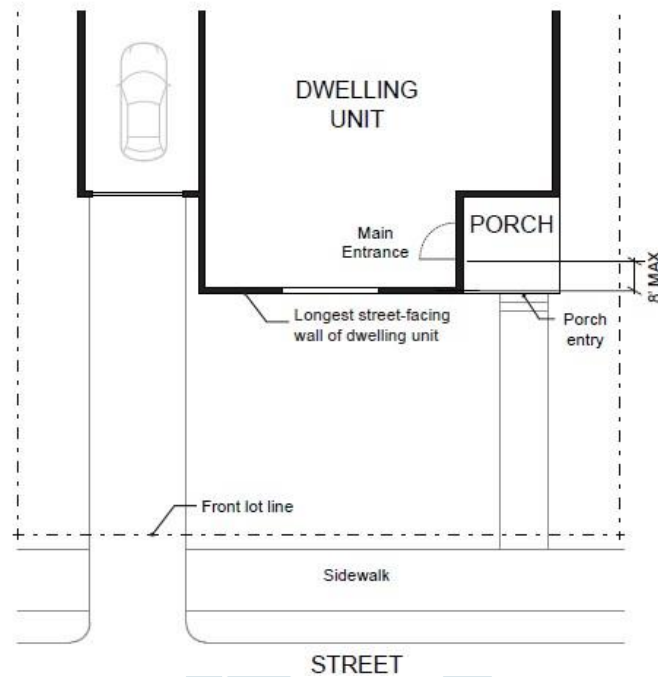
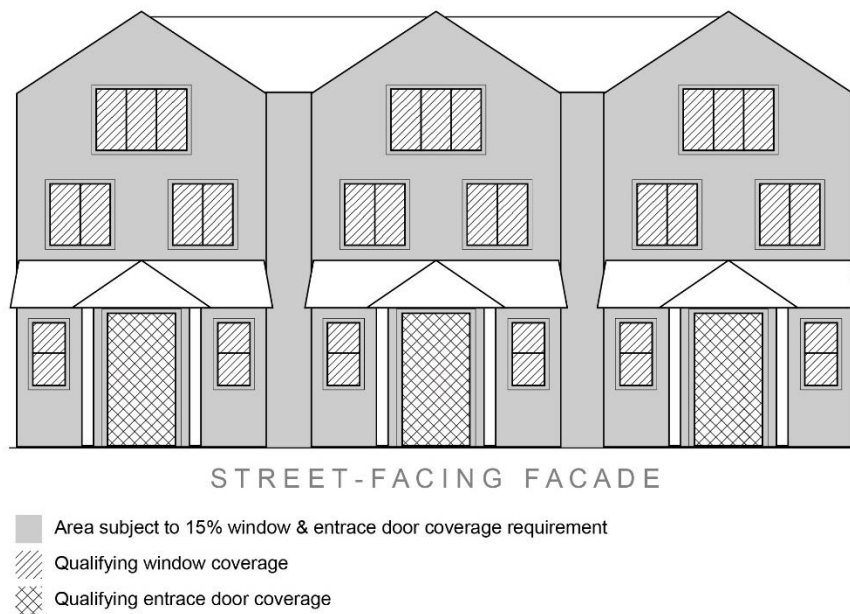


Figure 8. Main Entrance Opening onto a Porch



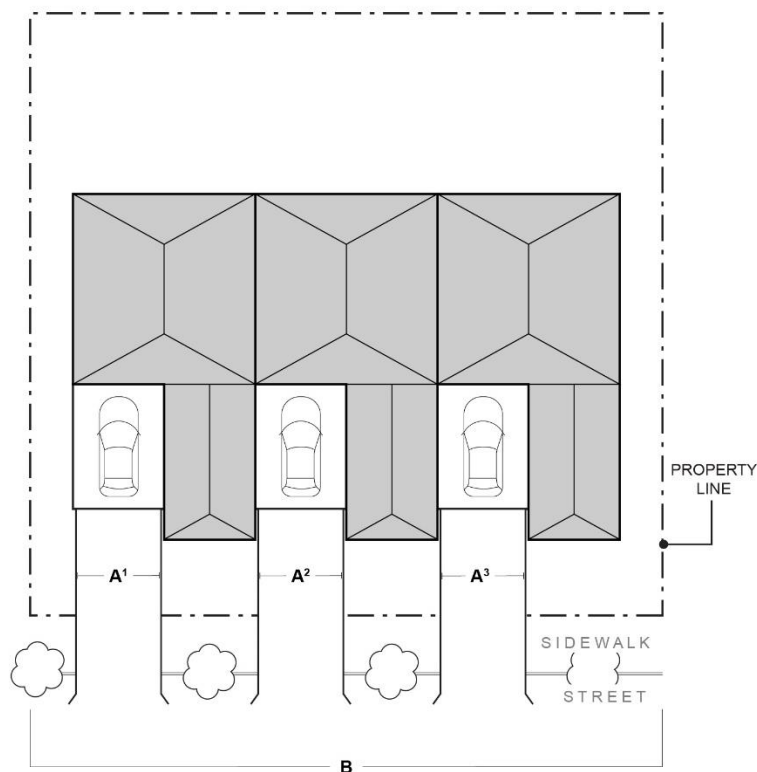
3. Windows. A minimum of 15 percent of the area of all street-facing facades must include windows or entrance doors. Facades separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 9.

Figure 9. Window Coverage



4. Garages and Off-Street Parking Areas. Garages and off-street parking areas shall not be located between a building and a public street (other than an alley), except in compliance with the standards in subsections (a) and (b) of this subsection (C)(4).
 - a. The garage or off-street parking area is separated from the street property line by a dwelling; or
 - b. The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (see Figure 10).

Figure 10. Width of Garages and Parking Areas



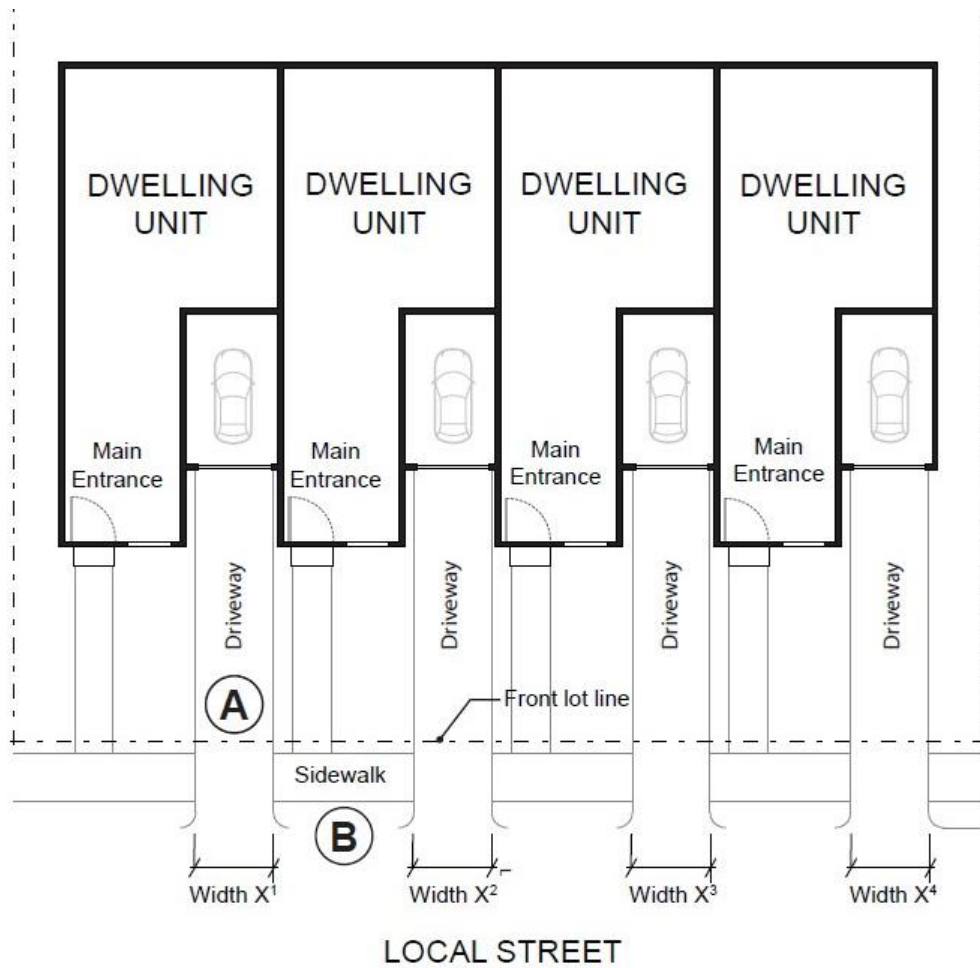
- Ⓐ Garage and on-site parking and maneuvering areas
 Ⓑ Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

5. Driveway Approach. Driveway approaches must comply with the following:
 - a. The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line (see Figure 11). For lots or parcels with more than one frontage, see subsection (5)(c) of this subsection (C).

- b. Driveway approaches may be separated when located on a local street (see Figure 11). If approaches are separated, they must meet the jurisdiction's driveway spacing standards applicable to local streets.
- c. In addition, lots or parcels with more than one frontage must comply with the following:
- i. Lots or parcels must access the street with the lowest transportation classification for vehicle traffic. For lots or parcels abutting an improved alley (defined as an alley that meets the jurisdiction's standards for width and pavement), access must be taken from the alley (see Figure 12).
 - ii. Lots or parcels with frontages only on collectors and/or arterial streets must meet the jurisdiction's access standards applicable to collectors and/or arterials.
 - iii. Triplexes and quadplexes on lots or parcels with frontages only on local streets may have either:
 - Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - One maximum 16-foot-wide driveway approach per frontage (see Figure 13).

Figure 11. Driveway Approach Width and Separation on Local Street



A $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

B Driveway approaches may be separated when located on a local street

Figure 12. Alley Access

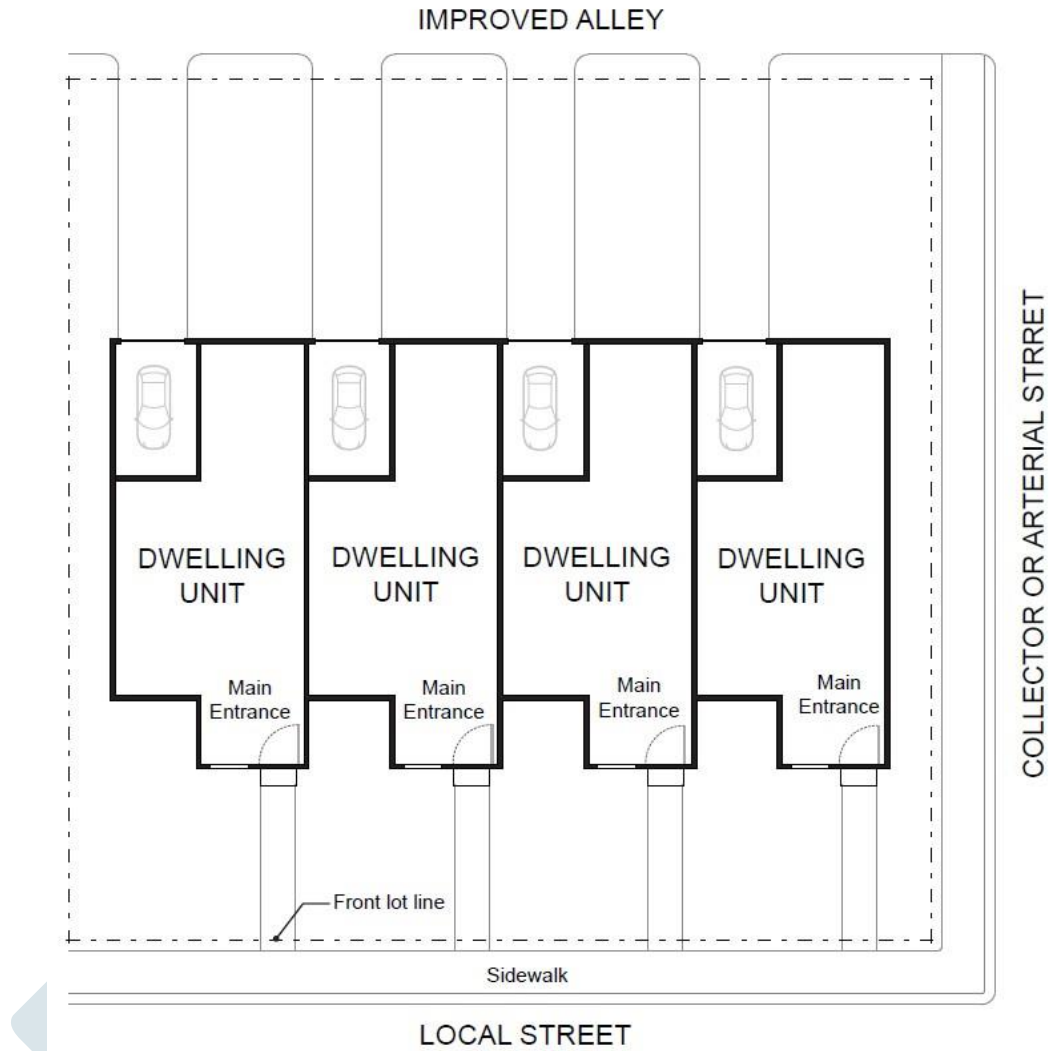
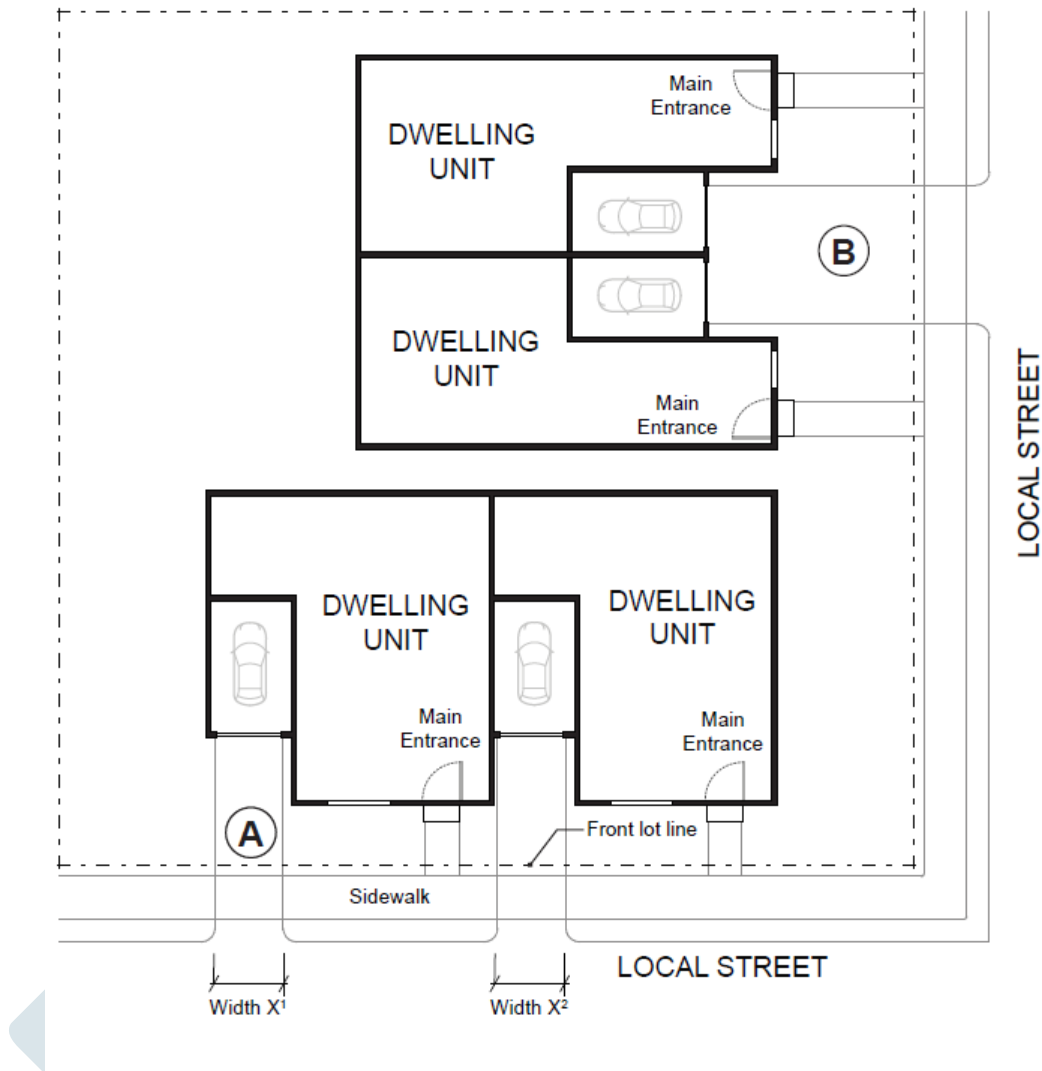


Figure 13. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

- A** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X_1 + X_2$); or
- B** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

D. Conversions to Triplex and Quadplex

Internal conversion of an existing detached, single-family structure to a triplex or quadplex is allowed, pursuant to Chapter 1, Section C (Applicability), provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the development code.

Chapter 4. Townhouses

Sections

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

A. Permitted Uses and Approval Process

1. Permitted Use. Townhouses are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
2. Approval Process. Townhouse structures are subject to the same approval process as that for detached single family dwellings in the same zone. Townhouse projects are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a townhouse project subject to standards and criteria available through alternative provisions in the Eugene Land Use Code, for example, as part of a Planned Unit Development application.
3. New Lots or Parcels. Creation of new lots or parcels as part of a townhouse project is subject to the applicable land division approval process.
4. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a townhouse development application.

B. Development Standards

1. Applicability.
 - a. Townhouses shall meet the standards in subsections (3), (4), and (5) of this section (B).
 - b. Townhouse projects shall meet:
 - The standards in subsections (2), (5), and (6) of this section (B).
 - Any applicable clear and objective platting standards, unless those standards conflict with this code.
 - c. The following standards are invalid and do not apply to townhouses or townhouse projects allowed by this code, except as specified in this section (B):

[The following three do not seem to be based on the actual OAR constraints.]

 - The jurisdiction's other development standards that apply only to townhouses and that conflict with provisions of this code.
2. Minimum Lot Size. The minimum Lot or Parcel size for each Townhouse lot is 1,000 square feet. The average Lot or Parcel size for Lot or Parcels in a Townhouse Project is 1,500 square feet.

[This is exactly what is allowed by OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 3.a. ... Townhouse Projects Minimum Lot or Parcel Size.]

3. **Minimum Street Frontage.** 20 feet on on a public or private street.
[This is exactly what is allowed by OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 3.b. ... Townhouse Projects Minimum Street Frontage. Note “frontage” must be on a street, not an alley.]
4. **Maximum Lot Coverage.** The same as for detached, single-family dwellings in the same zone.
[This is exactly what is allowed by OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 3.g. ... Townhouse Projects Bulk and Scale.]
5. **Maximum Density.** The maximum density for a townhouse project is twenty-five (25) dwelling units per net acre.
[25 du/na is exactly the requirement of OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 3.c. ... siting standards related to Townhouses Density.]
6. **Setbacks.** Townhouses shall meet the minimum and maximum setback standards that apply to detached, single-family dwellings in the same zone, except as noted below:
 - **Front and Street Side:** Minimum front and street side yard setbacks are the same as for detached, single-family dwellings in the same zone.
 - **Rear:** Minimum rear setbacks are the same as for detached, single-family dwellings in the same zone; except there is no minimum rear setback for lots with rear alley access.
 - **Non-street Side:**
 - The minimum setback for a common wall lot line where units are attached is zero (0) feet.
 - The minimum side setback for an exterior wall at the end of a townhouse structure is the same as for detached, single-family dwellings in the same zone.
7. **Building Height.** Townhouses shall meet the maximum building height standards that apply to detached, single-family dwellings in the same zone or two (2) stories, whichever is greater..
[This is exactly what is allowed by OAR 660-046-0220 Middle Housing Siting Standards in Large Cities 3.2. ... Townhouse Height.]
8. **Off-Street Parking.**
 - a. **Required Off-Street Parking.** The minimum number of required off-street parking spaces for a townhouse project is one (1) space per unit. Spaces may be provided on individual lots or in a shared parking area on a common tract. A credit for on-street parking shall be granted for no more than 50% of the required parking of the required off-street parking as provided in subsection (b).

- b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The entire space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is permanently allowed by the jurisdiction and not subject to a parking fee or a parking permit program;
[Need to define how this will be prevented from being changed to “No Parking.”]
 - iii. The space must be a minimum of 22 feet long; and
 - iv. No portion of a parked vehicle in the space would obstruct a required sight distance area.
- 9. Areas Owned in Common. Common areas must be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the jurisdiction prior to issuance of a building permit.

[These design standards need to be reviewed in more detail.]

C. Design Standards

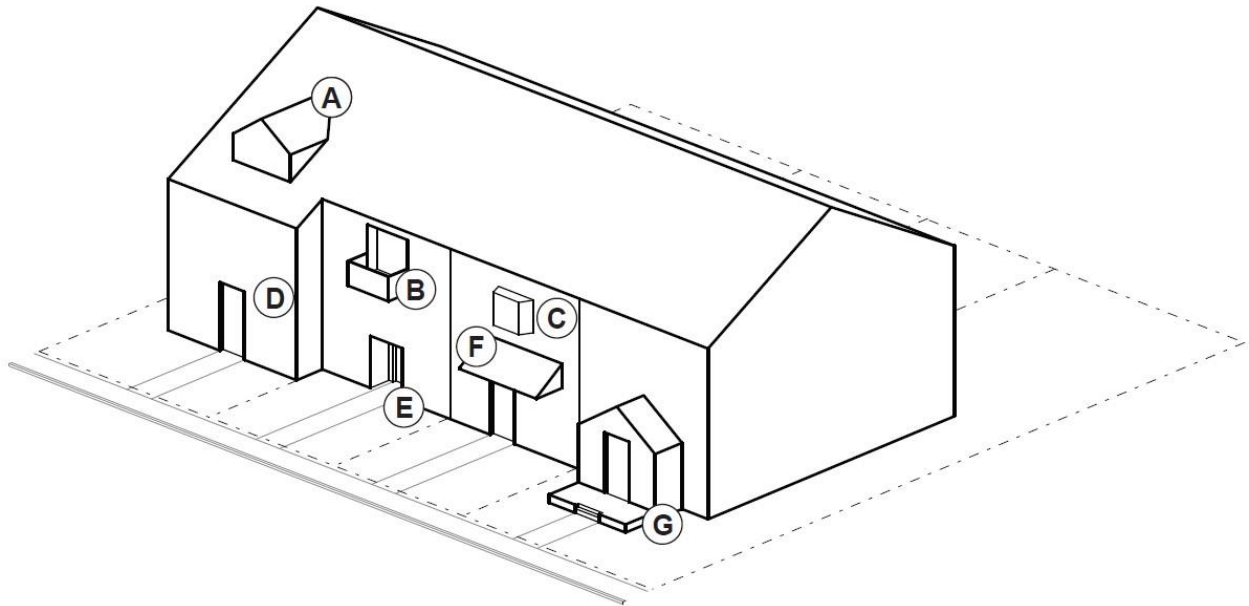
New townhouses shall meet the design standards in subsections (1) through (4) of this section (C). Mandates for construction of a garage or carport and any other design standards are invalid.

- 1. Entry Orientation. The main entrance of each townhouse must:
 - a. Be within 8 feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - b. Either:
 - i. Face the street (see Figure 5);
 - ii. Be at an angle of up to 45 degrees from the street (see Figure 6);
 - iii. Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - iv. Open onto a porch (see Figure 8). The porch must:
 - (A) Be at least 25 square feet in area; and
 - (B) Have at least one entrance facing the street or have a roof.
- 2. Unit definition. Each townhouse must include at least one of the following on at least one street-facing façade (see Figure 14):
 - a. A roof dormer a minimum of 4 feet in width, or

- b. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or
- c. A bay window that extends from the facade a minimum of 2 feet, or
- d. An offset of the facade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or
- e. An entryway that is recessed a minimum of 3 feet, or
- f. A covered entryway with a minimum depth of 4 feet, or
- g. A porch meeting the standards of subsection (1)(b)(iv) of this section (C).

Balconies and bay windows may encroach into a required setback area.

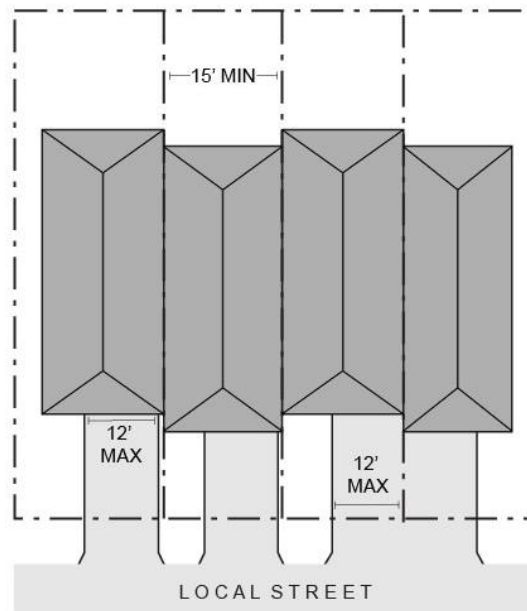
Figure 14. Townhouse Unit Definition



- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum of 4 feet deep
- (G) Porch, meets standards of subsection (1)(b)(iv) of section (C)

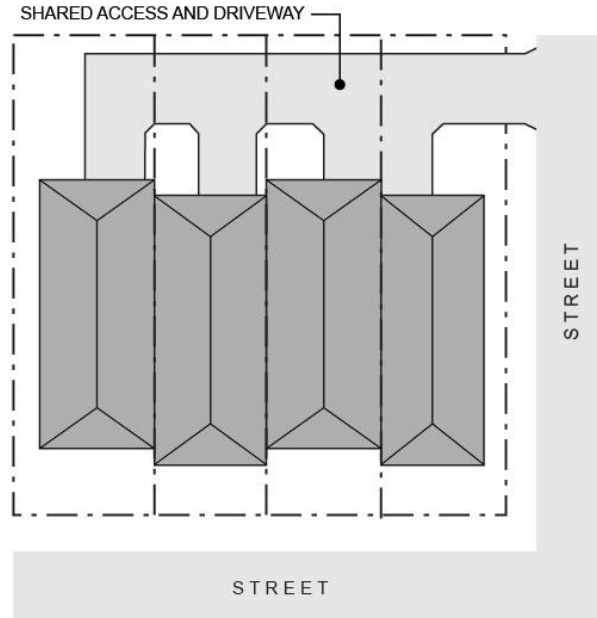
3. Windows. A minimum of 15 percent of the area of all street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 9.
4. Driveway Access and Parking. Townhouses with frontage on a public street shall meet the following standards:
 - a. Garages on the front facade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 15).
 - i. Each townhouse lot has a street frontage of at least 15 feet on a local street.
 - ii. A maximum of one (1) driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
 - iii. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
 - iv. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 15. Townhouses with Parking in Front Yard



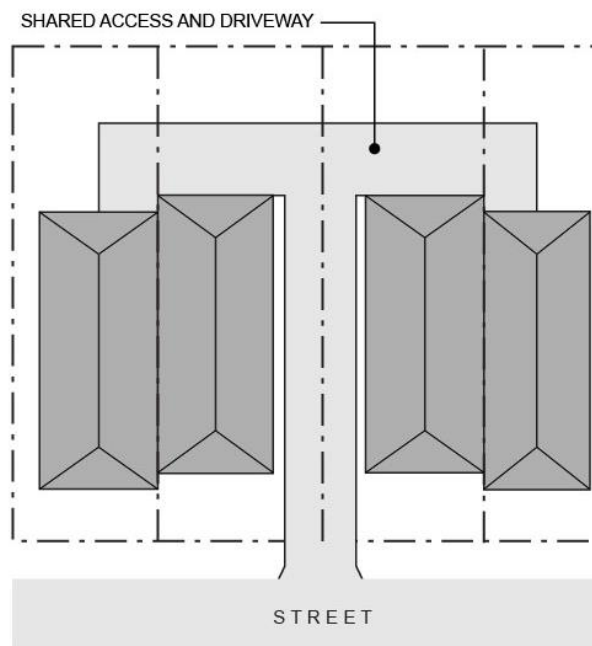
- b. The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).
 - i. Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.
 - ii. A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. See Figure 16.

Figure 16. Townhouses on Corner Lot with Shared Access



- iii. Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 17.

Figure 17. Townhouses with Consolidated Access



- iv. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.
- c. Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b).

Chapter 5. Cottage Clusters

Sections:

- A. Permitted Uses and Approval Process
- B. Development Standards
- C. Design Standards

A. Permitted Uses and Approval Process

- 1. Permitted Use. Cottage cluster projects are permitted outright wherever they are allowed as provided in Chapter 1, Section C (Applicability).
- 2. Approval Process. Cottage cluster projects are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a cottage cluster project subject to standards and criteria available through alternative provisions in the Eugene Land Use Code, for example, as part of a Planned Unit Development application.
- 3. Sufficient Infrastructure. Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon submittal of a cottage cluster development application.

B. Development Standards

- 1. Applicability.
 - a. Cottage clusters shall meet the standards in subsections (2) through (7) of this section (B).
 - b. The following standards are invalid and do not apply to cottage clusters allowed by this code, except as specified in this section (B):

[The following three do not seem to be based on the actual OAR constraints.]

- The jurisdiction's other development standards that apply only to cottage clusters and that conflict with provisions of this code.
- 2. Minimum Lot Size and Dimensions. A Lot or Parcel for a Cottage cluster shall be at least 7,000 square feet or the minimum lot size for a detached, single-family dwelling unit in the same zone, whichever is greater and shall meet the minimum lot width, and depth standards that apply to detached, single-family dwellings in the same zone.

3. Minimum Density. Four (4) dwelling units per net acre.
4. Maximum Density. There is no maximum density requirement.
[8 dwellings on a 7,000 square foot lot would be approximately 50 dwelling units pre net acre.]
5. Setbacks and Building Separation.
 - a. Setbacks. Cottage clusters shall meet the minimum and maximum setback standards that apply to detached single family dwellings in the same zone or 10 feet, whichever is less.
 - b. Building Separation. Cottages shall be separated by a minimum distance of ten (10) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.
6. Dwelling Unit Size. Cottages must have a minimum floor area of 400 square feet and a maximum floor area of 1,200 square feet. The maximum average floor area for a cottage cluster is 900 square feet per dwelling unit.
7. Building Height. The maximum building height for all structures is 25 feet or two (2) stories, whichever is greater.
[This can't be lower because of OAR constraints on design standards.]
8. Off-Street Parking.
 - a. Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is one (1) space per unit. A credit for on-street parking shall be granted for up to 50% of the required off-street parking as provided in subsection (b).
 - b. On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.
 - i. The entire space must be abutting the subject site;
 - ii. The space must be in a location where on-street parking is permanently allowed by the jurisdiction and not subject to a parking fee or a parking permit program;
 - iii. The space must be a minimum of 22 feet long; and
 - iv. No portion of a parked vehicle in the space would obstruct a required sight distance area.

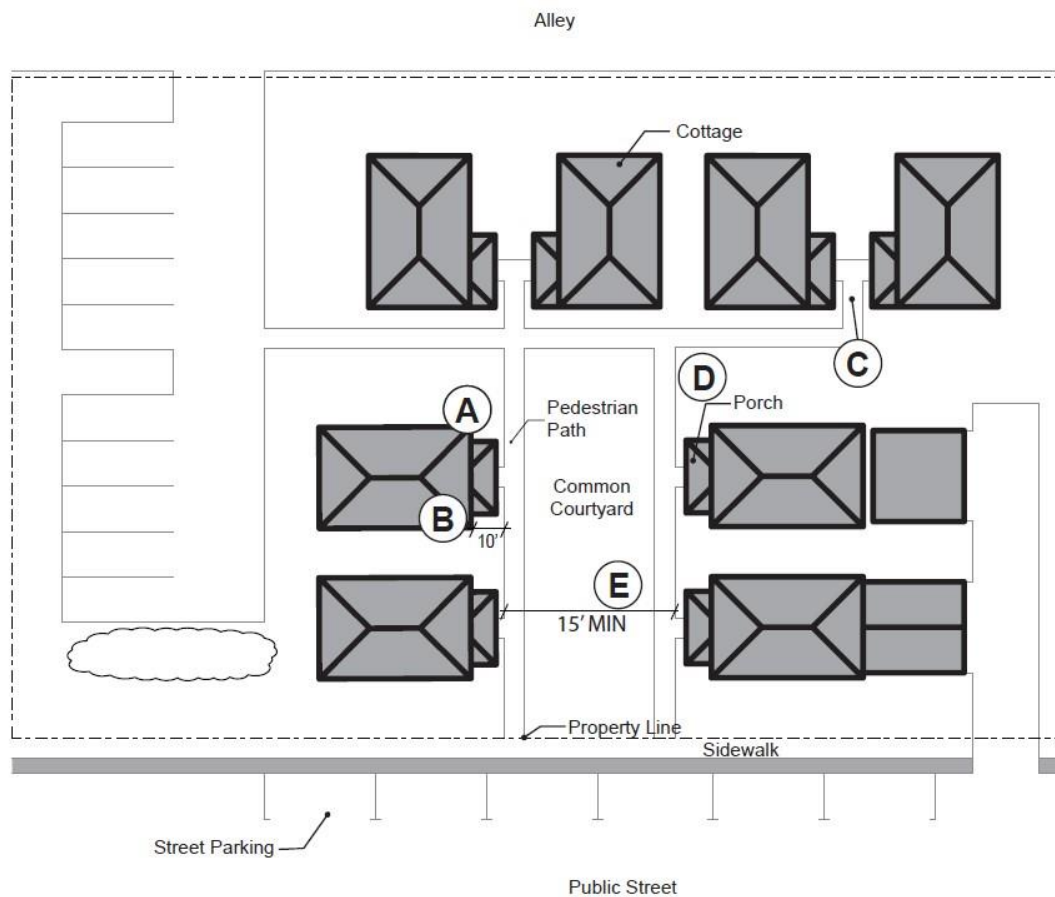
[These design standards need to be reviewed in more detail.]

C. Design Standards

Cottage clusters shall meet the design standards in subsections (1) through (8) of this section (C). No other design standards shall apply to cottage clusters unless noted in this section.

1. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 18):
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages within 20 feet of a street property line may have their entrances facing the street.
 - d. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards (see Figure 18):
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection (1) of this section (C)).
 - d. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - e. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 - f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

Figure 18. Cottage Cluster Orientation and Common Courtyard Standards



- A** A minimum of 50% of cottages must be oriented to the common courtyard.
- B** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- C** Cottages must be connected to the common courtyard by a pedestrian path.
- D** Cottages must abut the courtyard on at least two sides of the courtyard.
- E** The common courtyard must be at least 15 feet wide at its narrowest width.

3. **Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:

- a. Each cottage cluster is permitted one community building.
- b. A community building that meets the development code's definition of a dwelling unit must meet all standards that apply to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian Access.

- a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard;
 - ii. Shared parking areas;
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

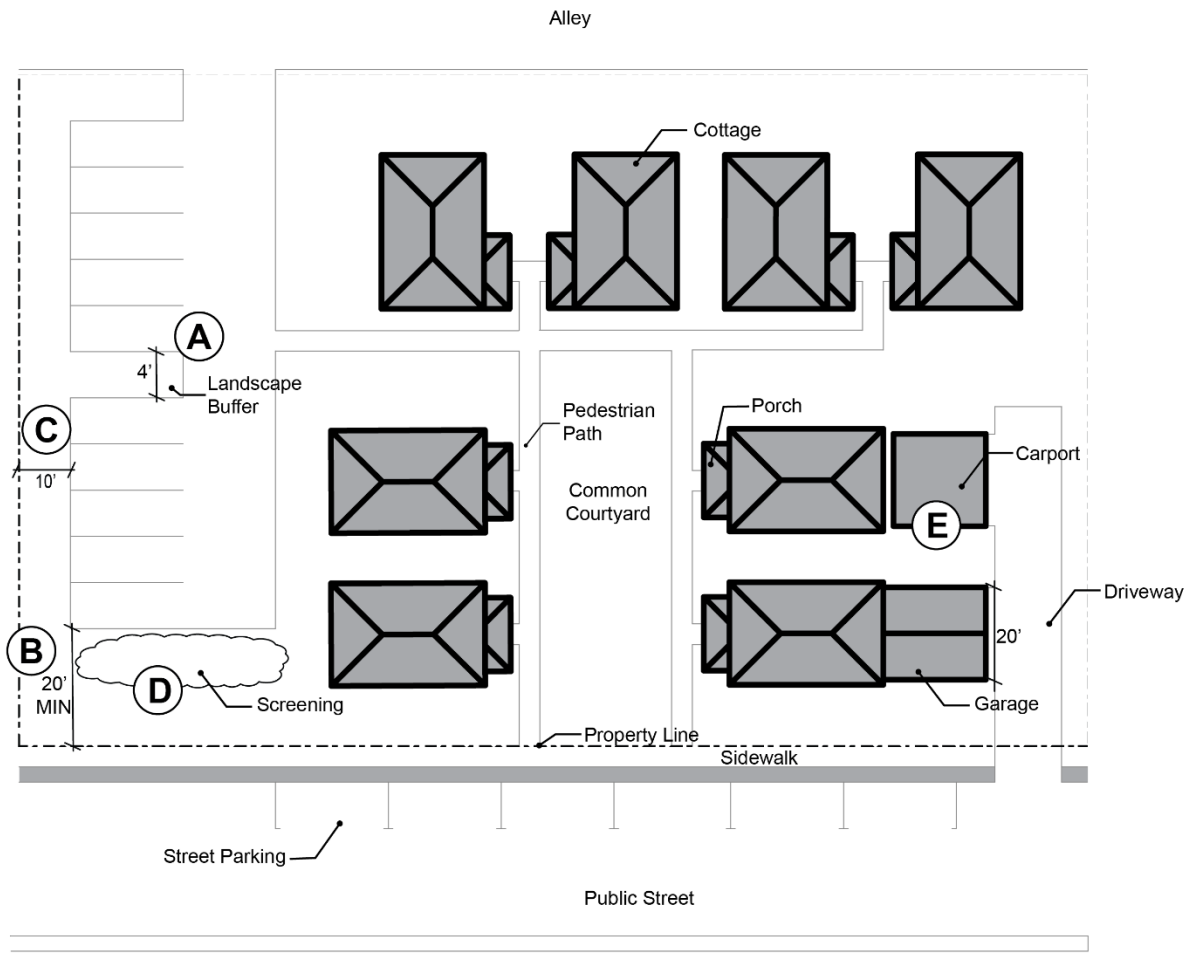
5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached, single family dwellings in the same zone.

6. Parking Design (see Figure 19).

- a. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
 - ii. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
 - iii. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.
- b. Parking location and access.
 - i. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - Within of 20 feet from any street property line, except alley property lines;
 - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

- ii. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- c. Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- d. Garages and carports.
 - i. Garages and carports (whether shared or individual) must not abut common courtyards.
 - ii. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 - iii. Individual detached garages must not exceed 400 square feet in floor area.
 - iii. Garage doors for attached and detached, individual garages must not exceed 20 feet in width.
- 7. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
- 8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
 - b. The existing dwelling may be expanded up to the maximum height in subsection (B)(4) or the maximum building footprint in Chapter 1, subsection (B)(1); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
 - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
 - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection (1)(a) of this section (C).

Figure 19. Cottage Cluster Parking Design Standards



- A** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- B** No parking or vehicle area within 20 feet from street property line (except alley).
- C** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- D** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- E** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.