



AGENDA

Phone: 541-682-5377
www.eugene-or.gov/pc

Meeting Location:
Virtual Meeting (Via Zoom)

The Eugene Planning Commission welcomes your interest in these agenda items. Eugene Planning Commission public hearings are currently held remotely using virtual meeting technology. Information about how to access and participate in this meeting is available on the last page of this agenda.

For the hearing impaired, assistive-listening devices or an interpreter can be provided with 72-hour notice prior to the meeting. Spanish-language interpretation may also be provided with 72-hour notice. These services may not be available during the Planning Commission meeting based on service availability but may occur as a follow-up service. To arrange for these services, contact the Planning Division at 541-682-5699.

Tuesday, June 23, 2026 – Public Hearing (5:30 pm)

Eugene Planning Commissioners: Ken Beeson; Diane Behling (Vice Chair); Tiffany Edwards; Dan Isaacson; Jason Lear (Chair), Chris Ramey; Kathleen Yang.

The Commission will begin the meeting with the City's Land Acknowledgement statement:

Since time immemorial the Kalapuya people have been the Indigenous stewards to our region, building dynamic communities, maintaining balance with wildlife, and enacting sustainable land practices. This land acknowledgement is a way of resisting the erasure of Indigenous histories and to honor Native communities by inviting truth and reconciliation. Following treaties between 1851 and 1855, Kalapuya people were dispossessed of their Indigenous homeland by the United States government and forcibly removed to the Coast Reservation in Western Oregon. As we consider the impacts of colonization, we also acknowledge the strength and resiliency of displaced Indigenous people. The City of Eugene is built within the traditional homelands known as Kalapuya Ilihi. Kalapuya descendants are citizens of the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of the Siletz Indians of Oregon, they continue to make contributions in our communities here and across the lands. We express our respect for the inherent political sovereignty of all federally recognized Tribal Nations and Indigenous people who live in the State of Oregon and across the nation. Therefore, the Planning Commission recognizes that what we do today will affect the many generations who will come after us.

I. Public Hearing: Urban Growth Strategies Adoption Package 1 (City Files: CA 26-01/CA 26-02/CA 26-03/CA 26-04/CA 26-05)

The City of Eugene is considering a set of land use regulations that are required by state law and/or will remove barriers to the development of housing and jobs.

City Staff: Rebecca Gershow, 541-682-5635, RGershow@eugene-or.gov

Public Hearing Format:

Following the informational overview from staff, the Planning Commission will open the public hearing for public comment. Testimony will be limited to three minutes per person. At the end of the hearing, the Planning Commission Chair will announce whether the record is closed, the record will be held open, or the public hearing will be continued.

HOW TO ACCESS THE MEETING

To watch a webcast of the meeting live:

Visit: <https://www.eugene-or.gov/2109/Planning-Commission-Webcasts>

To be able to participate in the Public Hearing join using one of the following two options:

1. Join on your computer, tablet or smartphone

Visit: <https://eugene-or-gov.zoom.us/j/86525188211>

When prompted, sign up to speak by clicking once on the “raise hand” icon

2. Join on your phone

Dial one of the below numbers and enter the Webinar ID: 865 2518 8211

+1 833-548-0276 (Toll Free); or

+1 833-548-0282 (Toll Free); or

+1 877-853-5257 (Toll Free); or

+1 888-475-4499 (Toll Free);

For higher quality, dial a number based on your current location. International numbers available:

<https://eugene-or-gov.zoom.us/j/86525188211>

When prompted, sign up to speak by dialing *9 (Star-9)

AGENDA ITEM SUMMARY
June 23, 2026

To: Eugene Planning Commission

From: Rebecca Gershow, Principal Planner
Heather O'Donnell, Senior Planner
Leah Rausch, Senior Planner

Subject: Public Hearing: Urban Growth Strategies Adoption Package #1
Files: CA 26-1, CA 26-2, CA 26-3, CA 26-4, CA 26-5

ISSUE STATEMENT

The City of Eugene has been working on the Urban Growth Strategies project since 2024. After thorough research, analysis, documentation and legal review, an adoption package (adoption package #1) has been assembled and is ready for the public hearing process. The Eugene Planning Commission held a work session on adoption package #1 on May 26, 2026.

At this meeting, the Eugene Planning Commission will hold a public hearing to consider amendments to the Eugene Land Use Code that are intended to remove barriers and increase housing choice and jobs development; to align the Eugene Code with state law; and to meet state-mandated end-of-year deadlines.

BACKGROUND

Eugene is undertaking a multi-year urban growth boundary analysis and collaborative effort that integrates state-required urban growth planning, equitable community engagement, and Council-directed policy work, and which has been given the umbrella project name of [Urban Growth Strategies](#). Urban Growth Strategies builds off the [Envision Eugene Community Vision](#) to identify the tools, actions, policies, and land needed for housing, jobs, and other urban uses in Eugene for the next twenty years. The Eugene Planning Commission received updates on Urban Growth Strategies work at six meetings in 2024; six meetings in 2025, on [February 11](#), [June 17](#), [July 8](#), [August 12](#), [October 28](#), and [December 9](#); and at four meetings in 2026, on [January 27](#), [February 24](#), [March 10](#) and [May 26](#).

According to the 2026 Oregon Housing Needs Analysis, Eugene needs nearly 26,000 new homes over the next 20 years. Through Urban Growth Strategies, the Eugene Planning Commission and City Council will consider a series of housing, compact development, and jobs actions through 2030 to work towards meeting this need.

Urban Growth Strategies includes several components:

1. **Community Engagement:** Identify the needs and priorities of community members for housing, jobs, and access to community assets in Eugene.
2. **Policy Development:** Integrate the results of community engagement and technical analysis to create and update the policies in the Envision Eugene Comprehensive Plan, guiding land use planning in Eugene.

3. **Housing and Jobs Needs and Actions:** Take actions to address identified needs, especially related to housing production, affordability, and choice.
4. **Land Supply Studies:** Complete a technical analysis of land needed for jobs, housing, and other urban uses (such as parks, schools, and infrastructure).

The focus of this public hearing is a set of land use code amendments to implement housing and jobs actions, which are a necessary step in urban growth boundary (UGB) planning. The state requires that cities demonstrate how they will accommodate 20 years of growth within the UGB through a sequential process, first by estimating the development capacity within the current UGB, then by projecting the new capacity within the UGB that will be created by new housing and jobs actions, and finally, as needed, through UGB expansion. In 2027, Eugene will adopt new land supply studies outlining how 20 years of growth will be accommodated.

This AIS includes updates on the proposed land use code amendments included in the **2026 adoption package #1**, which primarily contains actions that are mandated by changes in state law and that must take effect by the end of 2026. The legislative land use code amendments in adoption package #1 are time-sensitive and are proposed as actions to address some of the City's housing and employment needs, as well as required responses to recent state legislation.

The proposed code amendments in adoption package #1 are summarized below and included in their entirety in Attachments A-E. Summaries of the proposed code amendments were presented to the City Council on [May 18, 2026](#) and to the Planning Commission on [May 26, 2026](#).

A. Establishing new development standards for micro village housing and Single Room Occupancies (SRO).

These proposed code amendments would permit micro village housing and single-room occupancy (SRO) developments in all residential, commercial, and special area zones that allow housing. The proposed SRO standards respond to recent changes in state law regulating SROs, whereas micro village housing is proposed as a new housing type in response to input from shelter providers and housing developers. Both housing types provide flexibility to respond to local needs. Creating micro village as a new housing type would allow this model to be used as rental or homeownership housing, rather than only as temporary shelter.

The development of either housing type would result in very small housing units established on a shared lot, with shared facilities and amenities. Both housing types permit small-scale, community-oriented housing, offering more affordable and flexible rental and homeownership options. Micro village housing would be limited to 400 square feet per dwelling, with a size bonus of up to 600 square feet for accessible units and units affordable to households earning less than 80% of the area median income. SROs do not include a size limitation, other than the minimum habitability standards established in the state building code.

As required by state law, 4-6 attached or detached SRO units would be allowed anywhere that single-unit detached housing is allowed. Where multi-unit housing is allowed, SROs are allowed at a 4:1 density ratio, as is already established in Eugene's code (i.e., 12 SRO units equal 3 dwellings, for the purposes of calculating density). Micro village housing developments must include at least 8 dwellings and one common building. The proposed standards also utilize the

4:1 density ratio to calculate maximum density. Distinct from SROs, micro village housing would allow some neighborhood commercial uses to support on-site services and workforce development opportunities. See the proposed code amendments establishing new development standards for micro village housing and SROs in **Attachment A**.

B. Updating middle housing development and land division standards.

These proposed code amendments include changes to reduce the cost and complexity of developing middle housing, changes to improve clarity and resolve issues during building permit plan review, and changes required to comply with and implement recent state law and to align with the state’s adopted Model Housing Code for Large Cities. For example, as required by state law, the proposed code amendments would allow additional “bonus” middle housing units, which are additional dwellings in a middle housing development that are allowed if the middle housing development includes either one or more accessible units or units available to purchase by households earning less than 120% of the area median income.

The proposed code amendments would also, among other changes, provide relief from or reductions in certain development standards for projects with bonus units (i.e., allow larger buildings and a larger development area), prohibit trash and recycling collection in setback areas, remove architectural feature requirements for townhouses, allow certain existing dwellings that are being retained on a site with middle housing to be included in a middle housing land division and located on their own small lot, and streamline middle housing and expedited land division procedures.

Increasing the maximum allowed building height in the R-1 Low-Density Residential Zone from 30 feet to 35 feet.

The proposed code amendments would increase the maximum allowed building height for all housing types except cottage clusters and accessory dwellings to 35 feet in the R-1 Low-Density Residential Zone. This proposed change is consistent with the State’s adopted Model Housing Code for Large Cities and height standards adopted by other Oregon cities, such as Springfield, Salem, and Bend.

There are several things to consider when reviewing a potential height increase in the R-1 zone, including but not limited to the additional height already allowed for 6:12 pitched roofs; that proposed code amendments include an additional 10’ height above the maximum height for middle housing bonus units (as described above); and that House Bill 1537 requires cities to allow a 20 percent or one-story (whichever is greater) increase in height above the base maximum height for certain residential projects (until the bill sunsets in 2032).

See proposed code amendments for updates to middle housing development and land division standards, as well as increasing the maximum allowed building height in the R-1 Low-Density Residential Zone from 30 feet to 35 feet in **Attachment B**.

C. Allowing adult and child day care centers and day care homes as permitted uses (outright or with certain restrictions) in more zones.

These proposed code amendments include family child care and adult day care homes in residential, commercial, and certain special area zones; child care and adult day care centers in residential zones that allow the construction of multi-unit housing, commercial zones, and industrial zones (except heavy industrial); and child care centers co-located with a public-type institution in all residential and commercial zones, the public land zone, certain special area zones, and as a conditional use in employment and industrial zones. The proposed amendments related to child day care respond to recent changes in state law to reduce barriers to childcare.

Allowing residential treatment facilities, residential treatment homes, and similar uses, as permitted uses in more zones.

The proposed amendments would align Eugene's code with recent changes in state law to reduce barriers to residential-care type housing by treating smaller residential care-type homes the same as single-unit housing and by treating larger residential care-type facilities the same as multi-unit housing, thereby allowing the residential-care uses outright in the same zones as these residential uses. Although the law allows for some nuance between where some of the residential-care type uses must be allowed, the proposed approach is to treat uses providing similar services similarly, by allowing them in the same zones.

See proposed code amendments allowing adult and child day care centers and day care homes as permitted uses (outright or with certain restrictions) in more zones, and allowing residential treatment facilities, residential treatment homes, and similar uses as permitted uses in more zones in **Attachment C**.

D. Streamlining some residential land use application processes.

To comply with state law requirements, these proposed code amendments add a new expedited process for the following applications in residential or mixed-use zones: zone changes that result in a higher residential density, residential planned unit developments, and variances from a residential standard. A new process is necessary because state law limits the public notice that the City can provide for these applications and prohibits the City from holding a public hearing prior to the initial local decision on the application. The new expedited process is similar to the Type II land use application procedures. See proposed code amendments for streamlining some residential land use application processes in **Attachment D**.

E. Allowing three-year extensions of the expiration date for certain land use approvals.

The proposed package includes an ordinance extending the expiration dates of the following types of land use applications for three years: Type II and Type III land use approvals, such as subdivisions and zone changes; and Expedited Land Division and Middle Housing Land Division approvals. The three-year extension is proposed in response to the housing crisis and to remove barriers to housing and job development. City Council previously adopted similar three-year extensions to comparable land use approvals in 2020 as an economic recovery tool in response to the impacts from the COVID-19 pandemic, and in 2009 in response to the economic

challenges brought on by the Great Recession. A draft ordinance for allowing three-year extensions of the expiration date for certain land use approvals is included as **Attachment E**.

Community Engagement

An important component of Urban Growth Strategies is the focus on equity in community engagement. Focused engagement activities have centered the voices and lived experiences of members of underserved community groups to understand the needs and priorities of people who could be most impacted by project outcomes. The project's [Community Engagement Plan](#) outlines the engagement goals, process, and priorities. The Community Engagement Plan is consistent with the City's acknowledged procedures for adoption of legislative land use decisions, located in sections 9.7050, 9.7500 - 9.7506, and 9.7700-9.7750 of the Eugene Code and is consistent with Statewide Planning Goal 1. The Planning Commission approved the Community Engagement Plan on February 13, 2024.

In the spring of 2024, staff began engagement activities, focusing on sharing information with and hearing from housing and development stakeholders, people from underserved communities, and the broader community. As a multi-year effort, Urban Growth Strategies community engagement included a broad variety of topics and priorities. Engagement opportunities focused on understanding needs and priorities related to housing and access to community assets, actions to reduce barriers to housing and jobs, and policy priorities across housing, community engagement, compact development, community health, and land use.

The [2024 Engagement Summary](#) and [2025 Engagement Summary](#) highlight key takeaways that informed the development of code concepts in adoption package #1 as well as future packages, including: the urgent need for more housing - especially housing that is affordable to people with lower incomes; increased housing choice in neighborhoods with access to goods and services; policies and actions that work towards equitable outcomes for members of underserved communities; more options for people experiencing homelessness; and reducing regulatory barriers to housing and jobs development. In addition to engaging the community on components of Urban Growth Strategies, staff continue to share informational materials through the project webpage, newsletter articles, emailed project updates, virtual information sessions, Engage Eugene posts, community presentations, and social media posts.

FORMAL ADOPTION PROCESS

City Council initiated the proposed code amendments on [November 24, 2025](#) and initiated extension of expiration of land use approvals on [April 27, 2026](#).

On May 19, 2026, the City sent the Department of Land Conservation Development formal notice of the Planning Commission's hearing on the proposed land use regulations. On May 21, 2026, a Notice of the Planning Commission Public Hearing was mailed consistent with the notice requirements for Type V land use applications. This includes notice sent to Eugene neighborhood organizations, the Oregon Department of Land Conservation and Development, Lane County, the City of Springfield, and other community groups and individuals who have requested notice. Notice was also published in *The Register-Guard* newspaper.

As a courtesy and for ease of reference, links to record materials and testimony received as of 5:00 pm

on June 15, 2026, is included as **Attachment F**. Additionally, a copy of the record materials and testimony will be provided directly to the Commissioners for their consideration.

Procedural Summary and Planning Commission Role

The proposed land use regulations included in adoption package #1 are subject to Type V application (legislative) procedures (EC 9.7500 through EC 9.7560) as well as the approval criteria in EC 9.8065. The legislative process includes public notice and a hearing before the Planning Commission. After reviewing the proposed amendments and considering public input, the Planning Commission will forward a recommendation to the City Council. The City Council will then hold its own public hearing before taking final action on the proposed amendments.

Additional Outreach for Public Hearing Process

In addition to required public notices, there are other ways for the public to learn about the proposed land use code amendments included in adoption package #1, such as plain language summary materials, information sessions, newsletter articles, Engage Eugene, social media updates, and emails to stakeholders who engaged throughout the process.

Summary materials such as the [Adoption Package #1 Summary](#) highlight key components of the adoption package. The intention of this summary is to make the code amendments more accessible to community members. Two online information sessions, focused on the [Middle Housing](#) and [Micro Village Housing and SRO](#) code changes can help members prepare for the public hearing. The information sessions were recorded and are available on YouTube and linked on the [project webpage](#) and [Engage Eugene page](#). Online platforms are frequently updated with opportunities to learn about the project, connect with staff, and participate in the public hearing process.

NEXT STEPS AND STAFF RECOMMENDATION

The Planning Commission public hearing on adoption package #1 is scheduled for 5:30 pm on June 23, 2026. Staff recommend that the Planning Commission hold the record open for one week following the public hearing to consider all public testimony related to the proposed land use code amendments, until 5:00 pm on June 30, 2026. Testimony received by this date will be indexed and provided to the Commission for their deliberations. If the Planning Commission agrees to this date, any testimony received after 5:00 pm on June 30, 2026, will not be provided to the Planning Commission but will be forwarded to City Council for their consideration prior to their public hearing.

Following the Planning Commission public hearing, the Planning Commission will deliberate and make a recommendation to City Council on whether to approve, approve with modifications, or not approve the proposed land use regulations in adoption package #1. Planning Commission deliberations are scheduled for July 14 and July 28, 2026. Following Planning Commission's recommendation, City Council will then hold their own work sessions and public hearing, anticipated for September and October 2026. City Council must act on adoption package #1 by December 2026 to comply with changes in state law.

The public can access information on how to participate in the public hearing on the Urban Growth Strategies [project webpage](#), along with background information and a full [project timeline](#).

ATTACHMENTS

- A. Proposed Code Amendments: Micro Village Housing & Detached Single Room Occupancies
- B. Proposed Code Amendments: Middle Housing & Building Height in R-1
- C. Proposed Code Amendments: Day Care & Residential Treatment
- D. Proposed Code Amendments: Expedited Land Use Applications
- E. Proposed Code Amendments: Expiration Extension for Approved Land Use Applications
- F. Links to Record Materials and Public Testimony, received as of 5:00 pm on June 15, 2026

FOR MORE INFORMATION

Staff Contact: Rebecca Gershow, Principal Planner
Telephone: 541-682-5635
Staff E-Mail: rgershow@eugene-or.gov

CA 26-2: Micro Village Housing and SROs

Definitions**9.0500 Definitions.**

As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Community Building. A building intended for the shared use of residents in a development that provides space for accessory uses such as community rooms, guest housing, exercise rooms, day care, [food preparation facilities](#), community eating areas, or picnic shelters.

[Dwelling, Micro Village.](#) A dwelling within a micro village development. Each dwelling includes a private bathroom and must have access to a kitchen, either in-unit or in a community building on the development site. Micro village dwellings are not multiple-unit dwellings or middle housing.

[Micro Village Development.](#) A development site with a minimum of eight detached or attached micro village dwellings and that includes one or more community buildings.

Single Room Occupancy. [A minimum of four attached or detached units that provide living and sleeping space for the exclusive use of one or more individuals and that are independently rented and lockable. Each unit must share either sanitary facilities or food preparation facilities with other units in the Single Room Occupancy \(SRO\). A building containing at least 9 residential rooms for occupancy by individuals. Each room is without a kitchen, but may have provision for counter-top appliances and refrigerator. The toilet/bath may be private or shared with another single room occupancy \(SRO\) room\(s\). Four SRO rooms shall constitute 1 SRO dwelling. For purposes of determining residential density, 4 SRO rooms equal 1 dwelling.](#)

Fractional dwellings shall be rounded to the next highest integer, e.g. 5 SRO rooms equal 2 dwellings.

9.2160 Commercial Zone – Land Use and Permit Requirements.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Residential				
Dwellings				
Single-Unit Dwelling	P(6)	P(6)	P(7)	
Townhouse (See EC 9.5550)	S(6)	S		S
Duplex	P(6)	P(6)	P(7)	P
Triplex (See EC 9.5550)	S(6)	S	S	S
Fourplex (See EC 9.5550)	S(6)	S	S	S
Micro Village Development (See EC 9.5570)	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Multiple Unit (See EC 9.5500)	S(6)	S	S	S
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)				

	C-1	C-2	C-3	GO
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P	P	P
Assisted Care (6 or more people living in facility)		P	P	C
Day Care (4 to 16 people served).	P	P	P	P
Day Care (17 or more people served).	C	P	P	P
Rooms for Rent Situations				
Boarding and Rooming House		P	P	C
Campus Living Organization, including Fraternities and Sororities		P	P	C
Single Room Occupancy (SRO) (See EC 9.5580)	<u>S</u>	<u>SP</u>	<u>SP</u>	<u>S</u>
University and College Dormitories		P	P	P

9.2740 Residential Zone Land Use and Permit Requirements.

Table 9.2740 Residential Zone Land Uses and Permit Requirements

	R-1	R-2	R-3	R-4
Residential				

	R-1	R-2	R-3	R-4
Dwellings. (All dwellings are subject to the Residential Zone Development Standards at EC 9.2750 unless specifically exempted elsewhere in this land use code. All dwelling types are permitted if approved through the Planned Unit Development process.)				
Single-Unit Dwelling, except as provided at EC 9.2741(8) for Churches, Synagogues and Temples)	P(2)	P(2)	P(2)	P(2)
Accessory Dwelling	P(3)	P(3)	P(3)	P(3)
Townhouse (See EC 9.5550)	S(4)	S(4)	S(4)	S(4)
Duplex	P(2)(4)	P(2)(4)	P(2)(4)	P(2)(4)
Triplex (See EC 9.5550)	S(4)	S(4)	S(4)	S(4)
Fourplex (See EC 9.5550)	S(4)	S(4)	S(4)	S(4)
Micro Village Development (See EC 9.5570)	S(10)	S(10)	S(10)	S(10)
Cottage Cluster (See EC 9.5550)	S(4)	S(4)	S(4)	S(4)
Multiple-Unit Dwellings (See EC 9.5500)	PUD	S	S	S
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S or SR	S or SR		
Controlled Income and Rent Housing where density is above that normally permitted in the zoning yet not to exceed 150%. (Shall	S or PUD see Map 9.2740	S or PUD see Map 9.2740	S or PUD see Map 9.2740	

	R-1	R-2	R-3	R-4
comply with multiple-unit standards in EC 9.5500 or be approved as a PUD.)				
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)				
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)(All Assisted Care uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code.)	P	P	P	P
Assisted Care (6 or more people living in facility) (All Assisted Care uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)	C	C	C	C
Day Care (4 to 16 people served) (See EC 9.5200)	S	S	S	S
Day Care (17 or more people served)	C	C	C	C
Rooms for Rent Situations				

	R-1	R-2	R-3	R-4
Boarding and Rooming House			C	P
Campus Living Organization, including Fraternities and Sororities			C	P
Single Room Occupancy (SRO) (See EC 9.5580) (All SRO uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)	<u>S</u>	<u>SC</u>	<u>SP</u>	<u>SP</u>
University and College Dormitory			P	P

9.2741 Special Use Limitations for Table 9.2740.

(5) *C-1 Neighborhood Commercial in Residential Zones.* [Except as provided in subparagraph \(10\),](#) uses permitted outright in the C-1 Neighborhood Commercial zone shall be permitted in any residential zone through the planned unit development process with a demonstration that the commercial uses will serve residents living in the PUD.

(6) *C-1 Neighborhood Commercial in R-2, R-3 and R-4 Zones.* [Except as provided in subparagraph \(10\),](#) uses permitted outright or subject to site review in the C-1 Neighborhood Commercial zone shall be conditionally permitted in the R-2, R-3 and R-4 zone when the minimum residential density is achieved on the development site. All applicable standards for uses in the C-1 zone shall be complied with or granted an adjustment through the conditional use permit process except as follows:

(10) C-1 Neighborhood Commercial Uses in Micro Village Developments.

Uses permitted outright or subject to site review in the C-1 neighborhood commercial zone, except those uses listed under the headings “Residential” and “Utilities and Communication” in Table 9.2160, may be included, through the conditional use permit process, in a Micro Village Development located in a residential zone; provided that the conditional use permit applicant demonstrates that the Micro Village Development complies with the density standards for the applicable residential zone. Uses conditionally permitted pursuant to this subsection are subject to the standards applicable to the use in the C-1 zone.

9.2750 Residential Zone Development Standards.

Table 9.2750 Residential Zone Development Standards

(See EC 9.2751 Special Development Standards for Table 9.2750.)

	R-1	R-2	R-3	R-4
Maximum Lot Coverage (17), (18)				
All Lots, except where specifically addressed below	50% of Lot	50% of Lot	-	-
Lots with Accessory Dwellings (Area-Specific)	See (17)(c)	-	-	-
Alley Access Lots in R-1	See (18)	-	-	-
Townhouse Lots	75% of Lot	75% of Lot	75% of Lot	75% of Lot

	R-1	R-2	R-3	R-4
Cottage Clusters	-	-	-	-
Lots with Duplexes, Triplexes, or Fourplexes	60% of Lot	75% of Lot	-	-
Lots with Micro Village Developments	-	-	-	-
Open Space				
Minimum Total Open Space	-	20% of dev. site	20% of dev. site	20% of dev. site
Middle Housing Minimum Total Open Space	-	10% of dev. site	10% of dev. site	10% of dev. site
Micro Village Development Minimum Total Open Space	15% of dev. site	15% of dev. site	15% of dev. site	15% of dev. site

9.2751 Special Development Standards for Table 9.2750.

(1) *Density.*

[\(c\) Micro Village Development Density Calculations. A micro village development shall meet the applicable maximum density requirements set forth in Table 9.2750 Residential Zone Development Standards unless specifically exempted from those standards elsewhere in this code.](#)

[1. For purposes of determining compliance with the residential density requirements of Table 9.2750, four micro village dwellings equal one unit. Fractional units shall be rounded to the next highest integer. For example, 13 micro village dwellings equal four units.](#)

2. Minimum density standards do not apply to micro village developments.

(d) Single Room Occupancy (SRO) Density Calculations. All SRO uses shall meet the applicable minimum and maximum density requirements set forth in Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code.

1. In the R-1 Low Density Residential Zone, up to six SRO units are allowed on each lot or parcel zoned to allow for the development of a detached single-unit dwelling. This maximum number of units includes any SRO units located within existing buildings on the development site, as well as any new attached or detached SRO units. For example, if an existing dwelling is converted to provide four SRO units, an additional two SRO units could be developed on the site.

2. In all other residential zones the number of SRO units allowed on a lot or parcel is subject to the applicable minimum and maximum density requirements for the zone as set forth in Table 9.2750 Residential Zone Development Standards. For purposes of determining compliance with the residential density requirements of Table 9.2750, four SRO units equal one unit. Fractional units shall be rounded to the next highest integer. For example, five SRO units equal two dwellings for purposes of Table 9.2750.

(de) For purposes of this section, "net density" is the number of dwelling units per acre of land in actual residential use and reserved for the exclusive use of the residents in the development, such as common open space or recreation facilities.

(ed) For purposes of calculating net density:

1. The acreage of land considered part of the residential use shall exclude public and private streets and alleys, public parks, and other public facilities.
2. In calculating the minimum net density required for a specific lot or development site, the planning director shall round down to the previous whole number.
3. In calculating the maximum net density allowed for a specific lot or development site the planning director shall round up to the next whole number only for:

- a. A lot or development site that is 13,500 square feet or more in area;
- b. A lot or development site that is not abutting the boundary of, or directly across an alley from land zoned R-1; and
- c. Fractions of .75 or above.

In all other circumstances, the planning director shall round down to the previous whole number.

4. At the request of the developer, the acreage described in 1., above, also may exclude natural or historic resources. For purposes of this section, natural resources include those designated for protection in an adopted plan and the area within natural resources protection or conservation setbacks that have been applied to the development site. For purposes of this section, historic resources include historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director.

(fe) Legally established buildings and uses conforming to the residential net density requirements in the R-2, R-3 and R-4 zones on December 7, 1994 are exempt from EC 9.1210 to 9.1230 Legal Nonconforming Situations, pertaining to nonconforming uses. This exemption is limited to development sites in the R-2, R-3, and R-4 zones on which residential buildings and uses existed, or in which a development permit or land use application was pending, on December 7, 1994. If such a building which is nonconforming as to minimum density is destroyed by fire or other causes beyond the control of the owner, the development site may be redeveloped with the previous number of dwelling unit(s) if completely rebuilt within 5 years. If not completely rebuilt within 5 years, the development site is subject to the density standards of this section.

(gf) Provided the number of dwelling units are not reduced below the number present at the time of historic landmark designation, changes in the number of dwelling units within the historic property are exempt from the residential net density minimums.

(16) *Accessory Buildings in R-1.*

(a) *General Standards.* Except as provided in subsection (b) below, the following standards apply to all new accessory buildings:

(b) *Area-Specific Accessory Building Standards.* With the exception of Accessory Buildings that are accessory to middle housing [or micro village developments](#), the following standards apply to all new accessory buildings associated with a dwelling in the R-1 zone within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association. Accessory Buildings that are accessory to middle housing within the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association are subject to the standards in subsection (a) above.

9.3065 S-C Chambers Special Area Zone – Development Standards.

(2) *Development Standards Applicable in the S-C/R-1 Subarea.* Except as provided in this subsection, the development standards applicable in the S-C/R-1 Subarea shall be those set forth in EC 9.2750 to EC 9.2777 for the R-1 zone, Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through 9.6885. The development standards in EC 9.3065 (2)(a) – (c) do not apply to middle housing [micro village development or single room occupancies](#) in the S-C/R-1 Subarea. Middle housing [micro village development and single room occupancies](#) in the S-C/R-1 Subarea [are](#) subject to the development standards established for the R-1 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through 9.6885.

(3) *Development Standards Applicable in S-C/R-2 Subarea.* Except as provided in this subsection, the development standards applicable in the S-C/R-2 subarea shall be those set out in EC 9.2750 to 9.2777 for the R-2 zone, Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for all Development in EC 9.6000 through

9.6885. The development standards in EC 9.3065 (3)(a) – (j) do not apply to middle housing, [micro village development or single room occupancies](#) in the S-C/R-2 Subarea. Middle housing, [micro village development and single room occupancies](#) in the S-C/R-2 Subarea ~~is~~are subject to the development standards established for the R-2 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through 9.6885

9.3115 S-CN Chase Node Special Area Zone Land Use and Permit Requirements.

Table 9.3115 S-CN Chase Node Special Area Zone Land Uses and Permit Requirements

Land Use Type	C	HDR/MU	HDR
Residential			
Dwellings			
Single-Unit Dwelling		P	P
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)		P	P
Controlled Income and Rent Housing where density is above that normally required in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-unit standards in EC 9.5500.)		S	S
Townhouse (See 9.5550)	S	S	S
Duplex		P	P

Land Use Type	C	HDR/MU	HDR
Triplex (See EC 9.5550)		S	S
Fourplex (See EC 9.5550)		S	S
Cottage Cluster (See EC 9.5550)		S	S
Multiple Unit (See EC 9.5500)	S	S	S
Micro Village Development (See EC 9.5570)	<u>S</u>	<u>S</u>	<u>S</u>
Manufactured Home Park (See EC 9.5400)			P(3)
Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)			
Assisted Living (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P	P
Assisted Living (6 or more people living in facility)		C	C
Day Care (4 to 16 people served (See EC 9.5200))	S	S	S
Day Care (17 or more people served)	C	C	C
Boarding and Rooming House		P	P
Campus Living Organization, including Fraternities and Sororities		P	P
Single Room Occupancy (SRO) (See EC 9.5580)	<u>SC</u>	<u>SP</u>	<u>SP</u>
University and College Dormitories		P	P

9.3125 S-CN Chase Node Special Area Zone Development Standards.

(1)

(c) Micro Village Housing and Single Room Occupancy Standards. The development standards in EC 9.3125 to 9.3126 do not apply to micro village development or single room occupancies in the S-CN special area zone. Micro village development and single room occupancies in the S-CN special area zone are subject to the development standards established for the R-4 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through EC 9.6885

(d) *Adjustment.* The development standards in subsections (2) and (3) of this section may be adjusted in accordance with EC 9.8030(18).

9.3210 S-DW Downtown Westside Special Area Zone – Land Use and Permit Requirements.

Table 9.3210 S-DW Downtown Westside Special Area Zone Uses and Permit Requirements

		S-DW
Residential		
Dwellings (All dwellings types are permitted if approved through the Planned Unit Development process.)		

	S-DW
Single-Unit Dwelling (1 Per Lot)	P
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P
Townhouse (See EC 9.5550)	S
Duplex	P
Triplex (See EC 9.5550)	S
Fourplex (See EC 9.5550)	S
Cottage Cluster (See EC 9.5550)	S
Multiple-Unit Dwellings (See EC 9.5500)	S
Micro Village Development (See EC 9.5570)	<u>S</u>
Assisted Care and Day Care	
Day Care (4 to 16 people served) (See EC 9.5200)	S
Day Care (17 or more people served)	C
<u>Rooms for Rent Situations</u>	
Single Room Occupancy (SRO) (See EC 9.5580)	<u>S</u>

9.3215 S-DW Downtown Westside Special Area Zone Development Standards.

(1)

(c) Micro Village Housing and Single Room Occupancy Standards. All micro village development and single room occupancies in the S-DW special area zone shall be exempt from the development standards in EC 9.3215 to 9.3216. Micro village development and single room occupancies in the S-DW special area zone are subject to the development standards established for the R-4 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through EC 9.6885.

9.3310 S-E Elmira Road Special Area Zone – Land Use and Permit Requirements.

**Table 9.3310 S-E Elmira Road Special Area Zone
Uses and Permit Requirements**

	S-E
Residential	
Dwellings	
Single-Unit Dwelling (1 Per Lot)	P
Townhouse (See EC 9.5550)	S
Duplex	P
Triplex (See EC 9.5550)	S

	S-E
Fourplex (See EC 9.5550)	S
Cottage Cluster (See EC 9.5550)	S
Multiple Unit Dwellings (See EC 9.5500)	PUD
Micro Village Development (See EC 9.5570)	<u>S</u>
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Assisted Care (6 or more people living in facility)	C
Day Care (4 to 16 people served) (See EC 9.5200)	P
Day Care (17 or more people served)	C
Day care operations not part of a residence are included in the Personal Services category.	
Rooms for Rent Situations	
Single Room Occupancy (SRO) (See EC 9.5580)	<u>S</u>

9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses.

The S-HB zone designation is based on the area’s association with the city’s working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

(1) *Areas Designated for Low and Medium Density Residential.* Allowable uses are:

- (a) Single-Unit dwellings.
- (b) Accessory Dwellings (1 Per Detached Single-Unit Dwelling on Same Lot)
- (c) Duplexes.
- (d) Triplexes.
- (e) Fourplexes.
- (f) Townhouses.
- (g) Cottage Clusters.
- (h) Multiple-Unit dwellings.
- [\(i\) Micro Village Developments.](#)
- [\(j\) Single Room Occupancies \(SROs\).](#)
- [\(k\) Home occupations.](#)
- [\(l\) Bed and breakfast facilities.](#)

9.3625 S-JW Jefferson Westside Special Area Zone Development Standards.

(1) *Application of Standards and Adjustment.*

[\(d\) *Micro Village Development and Single Room Occupancy Standards.* The development standards in EC 9.3625, 9.3626, and 9.3640 do not apply to micro village development or single room occupancies in the S-JW special area zone. Micro village development and single room occupancies in the S-JW special area zone are subject to the development](#)

[standards established for the R-2 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through EC 9.6885.](#)

(ed) *Adjustment.* The development standards in subsections EC 9.3625(6) regarding driveway width and EC 9.3625(3)(a)(2)(b) regarding primary vehicle access may be adjusted in accordance with EC 9.8030(26). For sites zoned S-JW Special Area Zone, these are the only standards that may be adjusted.

9.3810 S-RN Royal Node Special Area Zone Land Use and Permit Requirements.

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements

	LDR	MDR	RMU	CMU	MSC
Residential					
Dwellings. (All dwellings shall meet minimum and maximum density requirements for development within the Royal Specific Plan area. All dwelling types are permitted.)					
Single-Unit Dwelling (1 Per Lot)	P	P	P		
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P(1)	P(1)	P(1)		

	LDR	MDR	RMU	CMU	MSC
Townhouse (See EC 9.5550)	S	S	S	S	S
Duplex	P	P	P		
Triplex (See EC 9.5550)	S	S	S	S	
Fourplex (See EC 9.5550)	S	S	S		
Cottage Cluster (See EC 9.5550)	S	S	S		
Multiple-Unit Dwellings (See EC 9.5500)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)
Micro Village Development (See EC 9.5570)	<u>S</u>	<u>S</u>	<u>S</u>		
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S – SR (4)	S – SR (4)			
Controlled Income and Rent Housing where density is above that normally permitted in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-unit standards in EC 9.5500.)	S (9)	S (9)			
Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)					
Assisted Living (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	P	P			

	LDR	MDR	RMU	CMU	MSC
Assisted Living (6 or more people living in facility)	C	C			
Day Care (4 to 16 people served) (See EC 9.5200)	S	S	P	P	P
Day Care (17 or more people served)	C	C	C	C	C
Single Room Occupancy (See EC 9.5580)	S(3), (9)	S(3), (9)	S(3), (9)	S(3), (9)	S(3), (9)

9.3811 Special Use Limitations for Table 9.3810.

(9) *Multiple-Unit and Single Room Occupancy Structures.* On development sites that will result in 100 feet or more of public or private street frontage, at least 60% of the site frontage abutting the street (including required yards) shall be occupied by a building(s) or enhanced pedestrian space with not more than 20 percent of the 60 percent in enhanced pedestrian space, placed within 10 feet of the minimum front yard setback line. On development sites with less than 100 feet of public or private street frontage, at least 40% of the site width shall be occupied by a building(s) placed within 10 feet of the minimum front yard setback line. Building projections and offsets with an offset interval of 10 feet or less meet this standard (excluding required yards). "Site width" as used in this standard, shall not include areas of street frontage that have significant natural resources as mapped by the city, delineated wetlands, slopes greater than 15%, recorded easements, required fire lanes or other similar non-buildable areas, as determined by the planning director.

9.3815 S-RN Royal Node Special Area Zone Development Standards – General.

(1)

(c) Micro Village Standards. The development standards in EC 9.3815 to 9.3816 do not apply to micro village development in the S-RN/LDR, S-RN/MDR, and S-RN/RMU subareas. Micro village development in the S-RN/LDR, S-RN/MDR, and S-RN/RMU subareas is subject to the development standards established for residential zones in EC 9.2750 to 9.2751 as follows:

1. S-RN/LDR: R-1 zone
2. S-RN/MDR: R-2 zone
3. S-RN/RMU: R-2 zone

(d) Single Room Occupancy Standards. The development standards in EC 9.3815 to 9.3816 do not apply to single room occupancies in the S-RN/LDR, S-RN/MDR, S-RN/RMU, S-RN/CMU, and S-RN/MSD subareas.

1. Single room occupancies in the S-RN/LDR, S-RN/MDR, and S-RN/RMU subareas are subject to the development standards established for residential zones in EC 9.2750 to 9.2751 as follows:
 - a. S-RN/LDR: R-1 zone
 - b. S-RN/MDR: R-2 zone
 - c. S-RN/RMU: R-2 zone
2. Single room occupancies in the S-RN/CMU and S-RN/MSD subareas are subject to the development standards established for commercial zones in EC 9.2170 as follows:
 - a. S-RN/CMU: C-2 zone
 - b. S-RN/MSD: C-2 zone

(ee) *Adjustment.* The development standards in subsections (2) and (3) of this section may be adjusted in accordance with EC 9.8030(17).

9.3910 S-W Whiteaker Special Area Zone – Land Use and Permit Requirements.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements

	S-W
Residential	
Dwellings	
Single-Unit Dwelling	P(2)
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P
Townhouse (See EC 9.5550)	S(2)
Duplex	S(2)
Triplex (See EC 9.5550)	S(2)
Fourplex (See EC 9.5550)	S(2)
Cottage Cluster (See EC 9.5550)	S(2)
Multiple Unit Dwellings (See EC 9.5500)	S(2)

		S-W
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)		
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P
Assisted Care (6 or more people living in facility)		P
Day Care (4 to 16 people served) (See EC 9.5200)		S
Day Care (17 or more people served)		P
Day care operations not part of a residence are included in the Personal Services category.		
Rooms for Rent Situations		
Boarding and Rooming House		P

9.6105 Bicycle Parking Standards.

**Table 9.6105(5) Minimum Required
Bicycle Parking Spaces**

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
Residential		
Single-Unit Dwelling	- 0 -	NA
Accessory Dwelling (Either attached or detached from primary dwelling on same lot)	- 0 -	NA
Middle Housing	- 0 -	NA
Micro Village Developments (8-16 micro village dwellings)	4 spaces	100% long term
Micro Village Developments (17 or more micro village dwellings)	1 per dwelling (4 micro village dwellings are equal to 1 dwelling)	100% long term
Multiple Unit Dwelling (5 or more dwellings on same lot)	1 per dwelling.	100% long term
Manufactured Home Park	- 0 -	NA
Controlled Income and Rent Housing where density is above that usually permitted in the zoning yet not to exceed 150%	1 per dwelling.	100% long term
Assisted Care & Day Care		

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
- Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	- 0 -	NA
- Assisted Care (6 or more people living in facility)	1 per 10 employees	100% long term
- Day Care (4 to 16 people served)	- 0 -	NA
- Day Care (17 or more people served)	1 per 10 employees	100% long term
Rooms for Rent		
- Boarding and Rooming House	1 per guest room.	100% long term
- Campus Living Organizations, including Fraternities and Sororities	1 for each 2 occupants for which sleeping facilities are provided.	100% long term
- Single Room Occupancy (SRO) (1-6 SRO units)	-0-	100% long term
- Single Room Occupancy (SRO) (7 or more SRO units)	1 per dwelling (4 SRO units single rooms are equal to 1 dwelling).	100% long term
- University and College Dormitories	1 for each 2 occupants for which sleeping facilities are provided.	100% long term

9.6410 Motor Vehicle Parking Standards.

Table 9.6410 Maximum Off-Street Motor Vehicle Parking

Uses	Maximum Number of Off-Street Parking Spaces
Residential	
Dwelling	
Single-Unit Dwelling	N/A
Single-Unit Dwelling – Flag Lot	N/A
Accessory Dwelling (Either attached or detached from primary single-unit dwelling on same lot)	N/A
Townhouse	N/A
Duplex	N/A
Triplex	N/A
Fourplex	N/A
Cottage Cluster	N/A
Micro Village Development	1.25 spaces per micro village dwelling

Uses	Maximum Number of Off-Street Parking Spaces
Multiple-Unit Dwellings not specifically addressed elsewhere in this Table.	1.2 spaces for each studio-unit 1.25 spaces per 1- or 2-bedroom dwelling unit 2 spaces per 3- or more bedroom dwelling unit
Manufactured Home Park	1.25 per dwelling.
Controlled Income and Rent Housing (CIR) where density is above that usually permitted in the zoning, yet not to exceed 150%	1.25 per dwelling.
Assisted Care & Day Care	
– Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	1.25 for each 4 beds.
– Assisted Care (6 or more people living in facility)	1.25 for each 4 beds.
– Day Care (4 to 16 people served)	1.12 for each employee not living in home on site at the same time.
– Day Care (17 or more people served)	1.12 for each employee not living in home on site at the same time.
Rooms for Rent	
– Boarding and Rooming House	1.25 per guest room.
– Campus Living Organizations, including Fraternities and Sororities	1.25 for each 3 occupants for which sleeping facilities are provided.

Uses	Maximum Number of Off-Street Parking Spaces
- Single Room Occupancy (SRO)	1.25 per dwelling (4 SRO units single-rooms are equal to 1 dwelling).
- University and College Dormitories	1.25 for each 3 occupants for which sleeping facilities are provided.

9.5860 Transition Standards for Housing/Clear and Objective Applications.

(1) *Applicability of Transition Standards.* The transition standards at EC 9.5860(2) shall apply to land use applications proposing housing to be reviewed with clear and objective approval criteria under EC 9.8100 Conditional Use Permit Approval Criteria – Housing/Clear and Objective, EC 9.8325 Tentative Planned Unit Development Approval Criteria – Housing/Clear and Objective, or EC 9.8445 Site Review Approval Criteria – Housing/Clear and Objective. The transition standards at EC 9.5860(2) apply to all new buildings and any building additions that increase the square footage of livable floor area by 20 percent or more for any of the following:

- (a) Multiple-unit development [or single room occupancy \(SRO\) proposed](#) on property abutting land zoned R-1, S-C/R-1, or S-RN/LDR except where the multiple-unit development [or SRO](#) consists of structures less than 30 feet in height.
- (b) Assisted care, boarding and rooming house, campus living organization, [or](#) university or college dormitory, ~~or single room occupancy (SRO)~~, proposed on property abutting land zoned R-1, S-C/R-1, or S-RN/LDR.

In cases where the standards in subsection (2) apply to building additions, they shall be applicable between the addition and any property line abutting land zoned R-1, S-C/R-1, or S-RN/LDR.

9.5570 Micro Village Development Standards.

(1) Purpose of Micro Village Development Standards. The purpose of these development standards is to:

- (a) Ensure that new micro village development enhances the variety of housing options available to Eugene’s residents;
- (b) Promote development of micro village development that provides opportunities for both rental and ownership housing;
- (c) Provide an adequate supply and range of housing types and prices that will meet the city’s future population growth;
- (d) Promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape;
- (e) Provide a physical environment that contributes to and enhances the quality of life;
- (f) Provide amenities that make a micro village development a fully functional residential community.

(2) Applicability of Micro Village Development Standards.

- (a) Micro Village Development Standards in this section 9.5570 apply to all micro village developments. The development standards in this section 9.5570 that are applicable to buildings apply to both new buildings and any existing buildings on the site.
- (b) The Micro Village Development Standards in this section 9.5570 apply in addition to the development standards for the applicable base zone. In the event of a conflict between the Micro Village Development Standards and other applicable development standards in this code, the Micro Village Development Standards control.

(3) Standards for Micro Village Development. Micro village developments shall comply with all of the following:

(a) General Standards.

- 1. Micro village developments must include at least one community building. This standard may not be adjusted.
- 2. Dwelling Size.

a. The dwelling unit size of a micro village dwelling may not exceed 400 square feet, except as allowed by subsections (b) and (c) below.

b. The dwelling unit size of an affordable micro village dwelling may not exceed 600 square feet. For purposes of this subparagraph, an affordable micro village dwelling is a micro village dwelling that is exclusively for individuals and/or families with an income at or below 80 percent of the area median income, and the dwelling and/or development is sponsored by a public agency, a non-profit housing sponsor, a developer, a combination of the foregoing, or other alternatives as provided for in the Oregon Revised Statutes or Federal Statutes to undertake, construct, or operate housing for households that are low-income.

c. The dwelling unit size of an accessible micro village dwelling may not exceed 600 square feet. For purposes of this subparagraph, an accessible micro village dwelling is a micro village dwelling that meets the definition of “accessible dwelling” in EC 9.0050.

d. The dwelling unit size of a micro village dwelling is the total square footage of the dwelling, which is measured by adding together the square foot area of each full story or level in the dwelling. The square foot area must be measured at the exterior perimeter walls of each story of the dwelling, not including eaves, and includes all square footage inside of the dwelling, including, but not limited to, living rooms, kitchen, bedrooms, bathrooms, hallways, entries, closets, utility rooms, stairways, and bathrooms. For attached micro village dwellings, the exterior perimeter walls of a dwelling shall be measured from the midpoint of any common wall for that portion of the structure that shares a common wall with another micro village dwelling.

e. The following are not included in the calculation of dwelling unit size of a micro village dwelling: attached garages or attached carports; exterior stairways, decks, and covered areas enclosed by no more than 50% on all sides; and crawlspaces, attics, and other areas that do not constitute a full story of the building.

f. Micro village dwellings may be located within the common building.

3. *Private Facilities.* Each micro village dwelling must include living and sleeping space, as well as a private, in-unit bathroom for the exclusive use of the occupant(s). The occupants of a micro village dwelling must be able to access their dwelling and any shared facilities without passing through another dwelling.

4. *Shared Food Preparation Facilities.* A micro village development must include shared food preparation space(s) that serve all micro village dwellings that do not include private kitchens. A micro village development may provide multiple shared food preparation spaces.

(b) *Pedestrian Circulation On-Site.* A micro village development shall meet the standards for pedestrian circulation in EC 9.6730(2) and (3).

(c) *Open Space.* A minimum of 15% of the site area of a micro village development site must be open space.

1. Open space may include any of the following:

- a. Areas planted with vegetation (including natural areas and existing trees);
- b. Private open space, including porches, balconies, and roof terraces, attached to individual dwelling units;
- c. Pedestrian hardscape;
- d. Ornamental or food gardens with at least 50 square feet of planting area;
- e. Developed and equipped recreation or play areas;
- f. Seating or picnic areas that are available for use by all residents;
- g. Internal courtyards.

2. Up to 50% of the open space required by this subparagraph (c) may be located in indoor recreation areas, community spaces, or required community buildings described in subparagraph (d), including cooking/dining, meeting facilities, day care facilities, support services offices/facilities, occupational facilities for shared remote or live-work) if the facility conforms to the following standards:

- a. The minimum area of any single space shall be 225 square feet, with no dimension being less than 15 feet.
- b. The space shall be accessible to all residents, such as from a common lobby, courtyard or exterior common open space.

c. Indoor common spaces that are not recreational or community spaces, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, do not qualify.

d. Required shared food preparation and shared sanitary facilities cannot be counted towards meeting the open space requirement.

3. Parking areas, required setbacks, and driveways do not qualify as open space.

(d) Community Buildings. Each micro village development shall include at least one community building for the shared use of residents that provides space for uses such as the shared food preparation areas as described in subparagraph (a), community rooms, guest housing, exercise rooms, day care, community eating areas, and/or picnic shelters. Community buildings are not accessory buildings. Community buildings must meet the following standards:

1. The minimum area of any single community building shall be 225 square feet, with no dimension being less than 15 feet;
2. The community building shall be accessible to all residents, such as from a common lobby, courtyard or exterior common open space;
3. The community building may also contain micro village dwellings. If the community building contains one or more micro village dwellings, a covenant must be recorded on the property stating that the structure also serves as a community building supporting all residents of the micro village development.
4. Each micro village development must include at least one community building for every 20 micro village dwellings. Micro village developments with fewer than 20 micro village dwellings must include at least one community building.

(e) Accessory Buildings. A micro village development may include accessory buildings associated with the common building(s). The total square footage of all accessory buildings shall not exceed 10 percent of the lot area.

1. The area-specific accessory building standards for the R-1 zone in EC 9.2751(16)(b) do not apply to micro village developments.
2. Accessory building size is the total square foot area of an accessory building, which is calculated by adding together the square foot area of each full story or level in an accessory building, measuring square foot area from the exterior perimeter walls of the accessory building. Eaves, decks, porches, exterior stairways and

carports are not included in the accessory building size. The total square footage of an accessory building is measured by adding together the square foot area of each full story or level in an accessory building. The square foot area must be measured at the exterior perimeter walls of each story of the accessory building, not including eaves, and is defined as all square footage inside of the accessory building, including, but not limited to, hallways, entries, closets, utility rooms, stairways, and bathrooms.

(f) Adjustment.

1. Except as provided in subparagraph 2., the Micro Village Development standards in EC 9.5570 are not adjustable.

2. The Micro Village Development Standards in EC 9.5570(c) and (d) may be adjusted consistent with the criteria in EC 9.8030(39).

9.5580 Single Room Occupancy Development Standards.

(1) Purpose of Single Room Occupancy Development Standards. The purpose of these development standards is to:

(a) Ensure that new Single Room Occupancy (SRO) development enhances the variety of housing options available to Eugene’s residents;

(b) Ensure consistency with state requirements for Single Room Occupancies;

(c) Promote development of affordable rental housing;

(d) Provide an adequate supply and range of housing types and prices that will meet the city’s future population growth; and

(e) Provide a physical environment that contributes to and enhances the quality of life.

(2) Applicability of Single Room Occupancy Development Standards.

(a) Single Room Occupancy Development Standards in this section 9.5580 apply to the development of all new Single Room Occupancies.

(b) The Single Room Occupancy Development Standards in this section 9.5580 apply in addition to the development standards for the applicable base zone. In the event of a conflict between the Single Room Occupancy Development Standards

and other applicable development standards in this code, the Single Room Occupancy Development Standards control.

(3) Standards for Single Room Occupancy Development. Single Room Occupancies shall comply with all of the following:

(a) SRO Unit Configuration. Single Room Occupancies may be composed of attached or detached units in any configuration.

(b) Detached SRO Units and Other Housing. Detached SRO units are not allowed on a development site that also includes one or more single-unit dwellings or middle housing dwellings.

(c) Conversions. In the case of a conversion of an existing building to an SRO, the building(s) must meet all development standards for a Single Room Occupancy.

(d) Shared or Private Facilities. Each SRO unit must provide living and sleeping space for the exclusive use the occupant(s) of the unit. Each SRO unit must be independently rented and lockable. Each SRO unit must share either sanitary facilities or food preparation facilities with the other units in the SRO. Occupants must be able to access their living/sleeping unit, sanitary facilities, and food preparation facilities without passing through another living/sleeping unit.

(e) SRO Unit Size. The floor area of an SRO unit must be at least 110 square feet, not including the area of any closet space. The SRO unit must include closet space totaling at least four square feet of floor area and with an unobstructed height of at least five feet.

9.8030 Adjustment Review – Approval Criteria

(39) Micro Village Development Standards Adjustment.

(a) Open Space. The requirements set forth in EC 9.5570(4)(c) may be adjusted if the applicant demonstrates consistency with all of the following:

1. The requested adjustment will allow the project to achieve an equivalent or higher quality design of open space than would result from strict adherence to the standards through:

a. Enhanced public and private spaces that contribute positively to the site, streetscape, and adjoining properties. Design elements for

this purpose may include high quality materials, outdoor seating, enhanced pedestrian space, pedestrian-scaled lighting, canopy trees and other landscape materials and other user amenities; and

b. An overall site design that promotes safety, security and privacy, and reduces visual, noise, and lighting impacts of development on adjacent properties.

2. When abutting property is zoned R-1 Low-Density Residential, the design provides an appropriate combination of setbacks, landscaping and screening to buffer between the micro village development and the adjacent Low-Density Residential zone.

(b) Community Building. The requirements set forth in EC 9.5570(4)(d) may be adjusted if the applicant demonstrates consistency with all of the following:

1. An enhanced sense of openness and community for residents by including elements such as abundant and highly functional common open space that is easily accessible and viewable from individual units through abundant windows and porches;

2. Amenities or design that enhance the livability, walkability, and safety of the residents and community, such as enhanced lighting features or easily accessible connectivity to neighborhood amenities;

3. Design that promotes compatibility with adjacent properties and the neighborhood through the scale of buildings and of the overall development pattern, through design elements that may include privacy screening, enhanced landscape buffers, or frontage improvements and amenities that are supportive of an active, walkable, and neighborly streetscape;

4. A community building must be provided for every 30 micro village dwellings.

5. The community building shall be accessible to all residents, such as from a common lobby, courtyard or exterior common open space.

9.8325 Tentative Planned Unit Development Approval Criteria – Housing/Clear and Objective.

(8) For any PUD located within or partially within the boundaries of the South Hills Study, the following additional approval criteria apply:

(a) No development shall occur on land above an elevation of 901 feet except that either middle housing, [single room occupancy of up to six units](#), or one single-unit dwelling may be built on any lot in existence as of August 1, 2001.

(b) Development on any portion of the development site located above 900 feet elevation shall be set back at least 300 feet from the ridgeline unless there is a determination by the city manager that the area is not needed as a connection to the city's ridgeline trail system. For purposes of this section, the ridgeline shall be considered as the line indicated as being the urban growth boundary.

(c) Residential density is limited as follows:

1. In the area west of Friendly Street, the maximum level of new development per gross acre shall be 8 units per acre.

2. In the area east of Friendly Street, the maximum level of new development per gross acre shall be limited to 5 units per acre.

3. Housing developed as Controlled Income and Rent Housing shall be exempt from the density limitations in subsections 1 and 2 above, but are subject to the other applicable development standards and review procedures.

4. This subsection (c) does not preclude middle housing, [single room occupancies of up to six units](#), or the addition of an accessory dwelling on any legal lot.

Definitions

9.0500 Definitions.

As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Accessible Dwelling. A dwelling that complies with either the “Type A” requirements applicable to housing as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code, or the Accessible Unit requirements applicable to housing as set forth in the American National Standards Institute (ANSI).

Adaptable Dwelling. A dwelling that complies with the “Type B” requirements applicable to units as set forth in the Standard for Accessible and Usable Buildings and Facilities published by the International Code Council and as referenced by the state building code.

Bonus unit. Bonus units are additional dwelling units to a middle housing development (i.e., duplex, triplex, fourplex, cottage cluster, and townhouses) that are allowed if one or more middle housing units in the development are an accessible dwelling or a unit of Income-Qualified Middle Housing as defined in this code. Bonus units are intended to incentivize the provision of accessible dwellings and units of Income-Qualified Middle Housing and therefore may receive increases in the number of allowed units and reductions in certain development standards as provided in this code.

Carport. A roofed structure that is accessory to a residential use, is designed to provide shelter for vehicles, and which is open on two or more sides.

Common wall. A wall that is shared by two or more dwelling units that are located in a single structure. The shared portion of the common wall must comprise at least 25 percent of its length. Any wall of a structure, including the walls of attached garages, may function as a common wall.

Dwelling, Cottage Cluster. A grouping of ~~multiple no fewer than four~~ detached or attached dwelling units, in any configuration and that includes a common courtyard. The maximum average total building footprint of all the dwellings in a cottage cluster must be consistent with the requirements of EC 9.5550(6)(a)(4). ~~per acre with a footprint of less than 900 square feet each that includes a common courtyard.~~ Cottage clusters are not duplexes, triplexes, fourplexes or multiple-unit dwellings.

Dwelling, Duplex. Two attached or detached dwellings on a single lot or parcel, other than a Middle Housing Lot, in any configuration. If one of the dwellings on the lot or parcel is an accessory dwelling, the two dwellings on that lot or parcel are not considered a duplex.

Dwelling, Fourplex. Four attached or detached dwellings on a single lot or parcel, other than a Middle Housing Lot, in any configuration. The dwelling type referred to as a fourplex in this land use code is the same dwelling type as the dwelling type referred to as a quadplex in the Metro Plan, ORS 197A.420, and Chapter 660, division 46 of the Oregon Administrative Rules.

Dwelling, Multiple-Units (Multi-Unit). One or more buildings on a single lot or parcel containing 5 or more dwellings in any configuration. The dwellings may be detached or share common walls, common roofs, or common foundations. Multiple-unit dwellings include condominium and apartment units without regard to ownership status. ~~Cottage clusters~~ Middle housing dwellings are not multiple-unit dwellings.

Dwelling, Triplex. Three attached or detached dwellings on single a lot or parcel, other than a Middle Housing Lot, in any configuration.

Garage. A covered structure that is accessory to a residential use and is designed to provide shelter for vehicles. It is typically connected to a right-of-way by a driveway, accessed off of an alley, or connected to a private drive or shared access. Structured parking is not considered a garage.

Income-Qualified Middle Housing. A unit in a duplex, triplex, fourplex, townhouse or cottage cluster exclusively for ~~low-income individuals and/or families~~ households with incomes of 120 percent or less of the area median income, sponsored by a public agency, a non-profit housing sponsor, a developer, a combination of the foregoing, or other alternatives as provided for in the Oregon Revised Statutes or Federal Statutes, to undertake, construct, or operate housing for households that are low-income. For purposes of this definition, ~~low-income means having income at or below 80 percent of the area median income~~ the unit of middle housing must also be subject to an affordable housing covenant as described in ORS 456.270 to 456.295 that:

(A) Makes the unit available and affordable to purchase and own for households with incomes of 120 percent or less of the area median income; and

(A)(B) Is enforceable for a duration of not less than 10 years from the date of issuance of the certificate of occupancy for the unit of middle housing.

Main Entrance. The principal ground floor or first floor exterior entry through which people enter the building. A building may have more than one main entrance. If a building contains dwelling units, and access to some or all dwelling units is via shared hallways, a main entrance is also an entrance to the lobby or common circulation space. If a building contains dwelling units and all dwelling units have individual exterior entrances, each entrance to a dwelling unit is considered a main entrance. For places of business, a main entrance door may not be a door that is locked during normal business hours.

Middle Housing. The following dwelling types: duplexes, triplexes, fourplexes, townhouses, and cottage clusters. Middle housing includes bonus units and retained units.

Middle Housing Land Division. A partition or subdivision of a lot or parcel on which the development of middle housing is allowed by this land use code. A middle housing land division is processed pursuant to EC 9.7900 through EC 9.7925 and governed by the application requirements and approval criteria in EC 9.8191 through EC 9.8199.

Townhouse Development Site. A development site consisting of one or more townhouse structures, together with the land that has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.

Townhouse Lot. A unit of land created by a partition, subdivision, or Middle Housing Land Division, for the purpose of siting an individual townhouse unit on that unit of land, as provided for in this land use code.

Townhouse Project Structure. A structure containing two or more attached townhouses constructed, or proposed to be constructed, together with the land that has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.

Window and door coverage area. The aggregate window and door coverage area of a building. The window is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Windows into storage areas, mechanical and utility areas, and garbage and recycling areas are not included in window area. The door area is the area of the portion of a pedestrian entrance door (other than a garage door) that moves and does not include the frame. For multiple-unit housing, doors that provide access to dwelling units (either shared or individual access) and community spaces are included in door area, but all other doors (e.g., into storage areas or mechanical areas) are not included in door area. (See Figure 9.0500 Window and Door Coverage Area.)

9.2160 Commercial Zone – Land Use and Permit Requirements.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Residential				

Residential

	C-1	C-2	C-3	GO
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Dwellings

Single-Unit Dwelling	P(6)	P(6)	P(7)	
Townhouse (See EC 9.5550)	S(6) <u>(12)</u>	S <u>(12)</u>		S <u>(12)</u>
Duplex	P(6)	P(6)	P(7)	P
Triplex (See EC 9.5550)	S(6) <u>(12)</u>	S <u>(12)</u>	S <u>(12)</u>	S <u>(12)</u>
Fourplex (See EC 9.5550)	S(6)	S <u>(12)</u>	S <u>(12)</u>	S <u>(12)</u>
Multiple Unit (See EC 9.5500)	S(6)	S	S	S

9.2161 Special Use Limitations for Table 9.2160.

(12) Retained units and bonus units. Middle housing development may include retained units as described in EC 9.2741(4)(f) and bonus units as allowed by EC 9.2741(4)(g).

9.2741 Special Use Limitations for Table 9.2740.

(4) *Middle Housing Special Use Limitations.*

(a) Middle Housing is permitted on the following lots:

1. A duplex shall be permitted on:
 - A. Any lot or parcel where a single-unit dwelling is permitted; and
 - B. Any lot or parcel with a lot area that is at least 2,250 square feet.

2. A triplex shall be permitted on any lot or parcel with a lot area that is at least 3,500 square feet.
3. A fourplex shall be permitted on any lot or parcel with a lot area that is at least 4,500 square feet.
4. A cottage cluster shall be permitted on any lot or parcel with a lot area that is at least 4,500 square feet.
5. Individual uUnits of middle housing are permitted on middle housing lots created pursuant to a middle housing land division as provided in EC 9.8194(6).

(b) *Lot Area Reduction for Small Dwelling Units.* When the average size of all dwelling units in a duplex, triplex, fourplex, or cottage cluster is less than 900 square feet as calculated using the formula in subparagraph (c), the lot area thresholds listed in subparagraphs (a)1. through (a)4. shall be reduced by 25 percent (for example, a triplex with units of an average size that is less than 900 square feet would be allowed on a lot with an area of 2,625 square feet).

(c) For the purposes of this subsection, "Average size" means the average square footage of all dwelling units in a duplex, triplex, fourplex, townhouse project structure, or cottage cluster using the formula:

$$AS = (X1 + X2 + X3 \dots + X N) \text{ divided by } N$$

Where:

AS = Average Size of all dDwelling uUnits in a dDuplex, tTriplex, fFourplex, tTownhouse Project structure, or cCottage cCluster

N = Total number of dwelling units in the duplex, triplex, fourplex, townhouse project structure, or cottage cluster. N is equal to the number of X# dwellings included within the parenthesis in the calculation.

X# = Dwelling unit size. The size of one dwelling unit that is a part of a duplex, triplex, fourplex, townhouse project structure, or cottage cluster. Dwelling unit size is the total square footage of a dwelling, which is measured by adding together the square foot area of each full story or level in a dwelling. The square foot area must be measured at the exterior perimeter walls of each story of the dwelling, not including eaves, and is defined as all

square footage inside of a dwelling, including, but not limited to, living rooms, kitchen, bedrooms, bathrooms, hallways, entries, closets, utility rooms, stairways, and bathrooms. For townhouses and attached duplexes, triplexes, and fourplexes, the exterior perimeter walls of a dwelling shall be measured from the midpoint of any common wall for that portion of the structure that shares a common wall with another unit in the townhouse ~~project~~structure, duplex, triplex, or fourplex. The following are not included in the calculation of dwelling unit size: attached or detached garages; outdoor living areas and structures, including, but not limited to uncovered porches, uncovered decks, patios, porches, exterior stairways, decks, carports, and covered areas enclosed by no more than 50% on all sides; and crawlspaces, attics, and other areas that do not constitute a full story of the building.

(d) *Lot Area Reduction for Income-Qualified Middle Housing.* When at least 50 percent of the dwelling units in a duplex, triplex, fourplex, or cottage cluster meet the definition of income-qualified middle housing, the lot area thresholds listed in subparagraphs (a)1. through (a)4. shall be reduced by 25 percent. In calculating the number of income-qualified middle housing units for purposes of this subparagraph, fractional dwelling units shall be rounded down to the nearest whole number (for example, 50 percent of the units in a triplex equals 1.5 units, so at least 1 unit must be income-qualified for the triplex to qualify for the lot area reduction pursuant to this subparagraph).

(e) For developments that qualify for the Lot Area Reductions in both subparagraphs (b) and (d) above, the total lot area reduction shall not exceed 25 percent.

(f). Retention of Existing Units.

1. Development of middle housing is allowed on a lot with existing dwelling units, where the existing dwelling unit(s) will be retained on the lot along with the newly developed middle housing and all of the criteria in subparagraphs A and B are met:

A. The existing dwelling unit(s) consist of any of the following:

i. One detached single-unit dwelling:

ii. One detached single-unit dwelling plus one accessory dwelling unit; or

iii. One duplex.

B. A final certificate of occupancy was issued for the existing dwelling unit(s) at least 5 years prior to the date of development permit submittal for the proposed middle housing.

~~3. The retained units are not Middle Housing Conversions, provided they do not alter the interior of the retained unit in a manner that would add a new unit.~~

2. The retained units do not count toward the maximum number of units allowed on a lot. Housing on a site that is composed of retained units and new middle housing units is considered middle housing and does not constitute multiple-unit housing.

3. The retained units described in subsection (4)(f)(1) are exempt from the standards at EC 9.5550. In other words, only the new units, and not the retained units, are required to comply with the standards in EC 9.5550.

4. On a lot to be used for a cottage cluster project, retained units may remain within the cottage cluster project area under the following conditions:

A. The retained unit(s) may be nonconforming with respect to the requirements of this code.

B. The retained unit(s) may be altered or expanded up to the maximum height in 9.2750 or the maximum building footprint in 9.5550; however, retained units that exceed the maximum height or footprint of this code may not be expanded.

(g) Bonus units. If one or more of the units in a middle housing development is an accessible dwelling or a unit of Income-Qualified Middle Housing, additional bonus units are permitted as part of the middle housing development as follows:

1. If one or more of the units in a duplex or triplex is an accessible dwelling or a unit of Income-Qualified Middle Housing, one additional attached or detached bonus unit maybe added to the duplex or triplex, resulting in a duplex with three units or a triplex with four units.

2. If one or more of the units in a townhouse structure, fourplex, or cottage cluster is an accessible dwelling or a unit of Income-Qualified Middle Housing, two additional attached or detached bonus units may be added to the townhouse structure, fourplex, or cottage cluster, resulting in a fourplex with five units or two additional townhouse or cottage cluster units.

3. The addition of bonus units does not change the classification of the middle housing type. For example, a duplex that adds one bonus unit, is a duplex with one bonus duplex unit, and not a triplex.

<u>Table 9.2741(4)(g) Bonus Units</u>			
<u>Minimum units to qualify for bonus</u>	<u>1 Accessible Unit, or</u> <u>1 Income Qualified Middle Housing Unit</u>		
	<u>Base Allowed</u>	<u>Bonus</u>	<u>Total Cap with Bonus Units</u>
<u>Number of Units</u>	<u>2 units (duplex)</u>	<u>+1 unit</u>	<u>3 units (duplex)</u>
	<u>3 units (triplex)</u>	<u>+1 unit</u>	<u>4 units (triplex)</u>
	<u>4 units (fourplex)</u>	<u>+2 units</u>	<u>6 units (fourplex)</u>
<u>Minimum units to qualify for bonus</u>	<u>1 Accessible Unit or 1 Income Qualified Middle Housing Unit for every 6 townhouses or every 6 cottages</u>		
	<u>Base Allowed</u>	<u>Bonus</u>	<u>Total Cap with Bonus Units</u>

	<u>2 townhouses</u>	<u>+1 to 2 units</u>	<u>1 to 2 bonus units</u>
	<u>12 cottages</u>	<u>+2 cottages</u>	<u>14 cottages</u>

9.2750 Residential Zone Development Standards.

In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section and in EC 9.2751 to EC 9.2777 shall apply to all development in residential zones. In cases of conflicts, standards specifically applicable in the residential zone shall apply. In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards shall apply:

The following Table 9.2750 sets forth the residential zone development standards, subject to the special development standards in EC 9.2751.

Table 9.2750 Residential Zone Development Standards

(See EC 9.2751 Special Development Standards for Table 9.2750.)

	R-1	R-2	R-3	R-4
Density (1)				
Minimum Net Density per Acre	No Minimum	13 units	20 units	20 units
Maximum Net Density per Acre	14 units	28 units	56 units	112 units

Maximum Building Height (2), (3), (4), (5), (16), (17), (18), (20)

	R-1	R-2	R-3	R-4
Main Building. Does not include main building on Alley Access Lot in R-1	35 feet	35 feet	50 feet	120 feet
Main Building on Alley Access Lot in R-1	See (18)	-	-	-
Accessory Building.	See (16)	25 feet	30 feet	30 feet
Accessory Dwelling	See (17)	See (17)	See (17)	See (17)

Minimum Building Setbacks (2), (4), (6), (9), (10), (11), (16), (17), (18), (20)

Maximum Lot Coverage (17), (18), (20)

All Lots, except where specifically addressed below	50% of Lot	50% of Lot	-	-
Lots with Accessory Dwellings (Area-Specific)	See (17)(c)	-	-	-
Alley Access Lots in R-1	See (18)	-	-	-
Townhouse Lots <u>Lots with a Townhouse or a lot with a Townhouse Structure (21)</u>	75% of Lot	75% of Lot	75% of Lot	75% of Lot
Cottage Clusters	-	-	-	-
Lots with Duplexes, Triplexes, or Fourplexes	60% of Lot	75% of Lot	-	-

Open Space

Minimum Total Open Space	-	20% of dev. site	20% of dev. site	20% of dev. site
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	R-1	R-2	R-3	R-4
Middle Housing Minimum Total Open Space	-	10 15 % of dev. site	10 15 % of dev. site	10 15 % of dev. site

9.2751 Special Development Standards for Table 9.2750.

(1) *Density.*

(b) The maximum residential density requirements in Table 9.2750 do not apply to accessory dwellings, duplexes, triplexes, fourplexes, townhouses, or cottage clusters. retained units described in EC 9.2741(4)(f), or bonus units described in EC 9.2741(4)(g). Retained units described in EC 9.2741 do not count toward the maximum number of units allowed on a lot.

1. ~~Cottage clusters in the R-1 zone shall have a minimum net density of 4 units per acre.~~
2. ~~Townhouses in the R-1 zone shall have a maximum net density of 25 units per acre. Townhouses in the R-2 zone shall have a maximum net density of 39 units per net acre.~~
3. ~~*Density Increase for Small Townhouses.* When the average size of all townhouses in a townhouse project is less than 900 square feet, the maximum townhouse density listed in subparagraph 2 of this subsection (b) shall be increased by 5 units per acre (for example, a townhouse project in the R-1 zone with an average size of units that is less than 900 square feet would be allowed up to 30 units per acre). For the purposes of this subparagraph, "Average size" means the average square footage of all townhouses in a townhouse project using the formula at EC 9.2741(4)(c).~~
4. ~~*Density Increase for Income-Qualified Townhouses.* When at least 50 percent of the dwelling units in a townhouse project meet the definition of income-qualified middle-housing, the maximum townhouse density listed in subparagraph 2 of this subsection~~

~~(b) shall be increased by 5 units per acre. In calculating the number of income-qualified dwelling units, fractional dwelling units shall be rounded down to the nearest whole number (for example, 50 percent of the townhouses in a townhouse project consisting of 3 townhouses equals 1.5 units, so at least 1 unit must be income-qualified for the townhouse project to qualify for the density increase pursuant to this subparagraph).~~

~~5. If a townhouse project qualifies for the density increases in both subparagraphs 3. and 4. above, the total density increase shall not exceed 5 units per acre over the density listed in subparagraph 2.~~

(3) Building Height.

(f) Except as provided in subsection (20) of this section, the mMaximum building height for all structures in cottage clusters is 25 feet, as provided in EC 9.5550(6)(a)3.

(g) For middle housing developments including bonus units under EC 9.2741(4)(g), relief from the maximum building height standards in Table 9.2750 is provided in accordance with Table 9.2751(20), Table 9.5550(4)(e), Table 9.5550(5)(e) and Table 9.5550(6)(g) to allow for the development of the bonus units.

(20) For middle housing projects with bonus units allowed as part of a middle housing development under EC 9.2741(4)(g), relief from the front yard setback, maximum building height, and maximum lot coverage standards in Table 9.2750 is provided in accordance with Table 9.2751(20), Table 9.5550(4)(e), Table 9.5550(5)(e) and Table 9.5550(6)(g) to allow for the development of the bonus units.

Table 9.2751(20) Development standards relief for duplex projects with bonus units

<p>—</p>

<u>Minimum units to qualify for bonus</u>	<u>1 Accessible Unit, or</u> <u>1 Income Qualified Middle Housing Unit</u>		
	<u>Base Allowed</u>	<u>Bonus</u>	<u>Total Cap with Bonus Units</u>
<u>Number of Units</u>	<u>2 units (duplex)</u>	<u>+1 unit</u>	<u>3 units (duplex)</u>
<u>Maximum building height</u>	<u>35 feet</u>	<u>+10 feet</u>	<u>45 feet for the bonus unit</u>
<u>Minimum front yard setback (excluding garages and carports)</u>	<u>10 feet</u>	<u>-5 feet</u>	<u>5 feet for the bonus unit</u>
<u>Maximum lot coverage</u>	<u>60% (R-1)</u> <u>75% (R-2)</u>	<u>+10%</u>	<u>66% (R-1)</u> <u>82.5% (R-2)</u>

(21) Lot coverage for townhouses lots created through a middle housing land division shall be calculated based on the entire development site as it was configured at the time of application for the middle housing land division. Otherwise, the lot coverage requirements in Table 9.2750 are applicable to lots with a townhouse or townhouse structure.

9.2777 Middle Housing Lot Standards.

- (1) Except for the lot width minimum applicable to townhouses in Table 9.2760, there are no frontage, width, or lot area standards for middle housing lots.
- (2) Except for retained units, a middle housing lot may not contain more than one unit of middle housing. Bonus units allowed under EC 9.2741(4)(g) are not subject to the density limits in Table 9.2750. A middle housing lot that includes a common area, but does not include a dwelling, is permitted.

(3) A middle housing lot may not be divided.

S-C Chambers Special Area Zone

9.3065 S-C Chambers Special Area Zone – Development Standards.

(2) *Development Standards Applicable in the S-C/R-1 Subarea.* Except as provided in this subsection, the development standards applicable in the S-C/R-1 Subarea shall be those set forth in EC 9.2750 to EC 9.2777 for the R-1 zone, Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through 9.6885. The development standards in EC 9.3065 (2)(a) – (c) do not apply to middle housing in the S-C/R-1 Subarea. Middle housing in the S-C/R-1 Subarea is subject to the development standards established for the R-1 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through 9.6885. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-CN Chase Node Special Area Zone

9.3115 S-CN Chase Node Special Area Zone Land Use and Permit Requirements.

**Table 9.3115 S-CN Chase Node Special Area Zone
Land Uses and Permit Requirements**

Land Use Type	C	HDR/MU	HDR
Residential			
Dwellings			
Single-Unit Dwelling		P	P
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)		P	P
Controlled Income and Rent Housing where density is above that normally required in the zoning district but does not exceed 150% of the maximum permitted density. (Shall comply with multiple-unit standards in EC 9.5500.)		S	S
Townhouse (See 9.5550)	S(9)	S(9)	S(9)
Duplex		P(9)	P(9)
Triplex (See EC 9.5550)		S(9)	S(9)
Fourplex (See EC 9.5550)		S(9)	S(9)
Cottage Cluster (See EC 9.5550)		S(9)	S(9)
Multiple Unit (See EC 9.5500)	S	S	S
Manufactured Home Park (See EC 9.5400)			P(3)

9.3116 Special Use Limitation for Table 9.3115.

(9) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-DR Downtown Riverfront Special Area Zone

9.3145 S-DR Downtown Riverfront Special Area Zone Permitted Uses.

(3) *Residential Uses.* Permitted in S-DR/MU, S-DR/MU/1 (above ground floor only), and S-DR/MU/2. This category of uses refers to the residential occupancy of a dwelling unit. Tenancy is arranged for a minimum of 30 days or longer. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of temporary lodging and are listed under “Retail Sales and Service.” Examples of residential uses include, but are not limited to:

- (a) Apartments and retirement center apartments (including those with accessory services such as food service, dining rooms, and housekeeping);
- (b) Condominiums;
- (c) Townhouses.

(d) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-DW Downtown Westside Special Area Zone

9.3210 S-DW Downtown Westside Special Area Zone – Land Use and Permit Requirements.

**Table 9.3210 S-DW Downtown Westside Special Area Zone
Uses and Permit Requirements**

	S-DW
Residential	
Dwellings (All dwellings types are permitted if approved through the Planned Unit Development process.)	
Single-Unit Dwelling (1 Per Lot)	P
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P
Townhouse (See EC 9.5550)	S(6)
Duplex	P(6)
Triplex (See EC 9.5550)	S(6)
Fourplex (See EC 9.5550)	S(6)
Cottage Cluster (See EC 9.5550)	S(6)
Multiple-Unit Dwellings (See EC 9.5500)	S(6)

9.3211 Special Use Limitations for Table 9.3210.

(6) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-E Elmira Road Special Area Zone

9.3310 S-E Elmira Road Special Area Zone – Land Use and Permit Requirements.

**Table 9.3310 S-E Elmira Road Special Area Zone
Uses and Permit Requirements**

		S-E
Residential		
Dwellings		
Single-Unit Dwelling (1 Per Lot)		P
Townhouse (See EC 9.5550)		S(4)
Duplex		P(4)
Triplex (See EC 9.5550)		S(4)
Fourplex (See EC 9.5550)		S(4)
Cottage Cluster (See EC 9.5550)		S(4)
Multiple Unit Dwellings (See EC 9.5500)		PUD

9.3311 Special Use Limitations for Table 9.3310.

(1) *Limit of Non-residential Development.* A minimum of 30 percent or 1.45 acres of the total zone of 4.74 acres shall be developed with residential uses.

(2) *Non-Residential Uses.* Any redevelopment plan for existing industrial structures or new non-residential structures shall be reviewed under the site review procedures contained in this land use code.

(3) *Printing, Blueprinting, and Duplicating.* This use is limited to non-retail activities related to audio, video, or film production.

(4) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-HB Blair Boulevard Historic Commercial Special Area Zone

9.3510S-HB Blair Boulevard Historic Commercial Special Area Zone Uses.

(1) *Areas Designated for Low and Medium Density Residential.* Allowable uses are:

(a) Single-Unit dwellings.

(b) Accessory Dwellings (1 Per Detached Single-Unit Dwelling on Same Lot)

(c) Duplexes.

(d) Triplexes.

(e) Fourplexes.

(f) Townhouses.

(g) Cottage Clusters.

(h) Multiple-Unit dwellings.

(i) Home occupations.

(j) Bed and breakfast facilities.

(k) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-JW Jefferson Westside Special Area Zone

9.3625 S-JW Jefferson Westside Special Area Zone Development Standards.

(1) *Application of Standards and Adjustment.*

(c) *Middle Housing Standards.* The development standards in EC 9.3625, 9.3626, and 9.3640 do not apply to middle housing development in the S-JW special area zone. Middle housing development in the S-JW special area zone is subject to the development standards established for the R-2 zone in EC 9.2750 to 9.2751, the Special Development Standards for Certain Uses in EC 9.5000 through EC 9.5850, and the General Standards for All Development in EC 9.6000 through EC 9.6885. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-RN Royal Node Special Area Zone

9.3810 S-RN Royal Node Special Area Zone Land Use and Permit Requirements.

**Table 9.3810 S-RN Royal Node Special Area Zone
Land Uses and Permit Requirements**

	LDR	MDR	RMU	CMU	MSC
--	-----	-----	-----	-----	-----

Residential

Dwellings. (All dwellings shall meet minimum and maximum density requirements for development within the Royal Specific Plan area. All dwelling types are permitted.)					
Single-Unit Dwelling (1 Per Lot)	P	P	P		
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P(1)	P(1)	P(1)		
Townhouse (See EC 9.5550)	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>
Duplex	<u>P(11)</u>	<u>P(11)</u>	<u>P(11)</u>		
Triplex (See EC 9.5550)	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>	
Fourplex (See EC 9.5550)	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>		
Cottage Cluster (See EC 9.5550)	<u>S(11)</u>	<u>S(11)</u>	<u>S(11)</u>		
Multiple-Unit Dwellings (See EC 9.5500)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)	S(3) (9)
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S - SR (4)	S - SR (4)			
Controlled Income and Rent Housing where density is above that normally permitted in the zoning district but does not exceed 150% of the maximum permitted density.	S (9)	S (9)			

	LDR	MDR	RMU	CMU	MSC
(Shall comply with multiple-unit standards in EC 9.5500.)					

9.3811 Special Use Limitations for Table 9.3810.

(11) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-W Whiteaker Special Area Zone

9.3910 S-W Whiteaker Special Area Zone – Land Use and Permit Requirements.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements

	S-W
Residential	
Dwellings	
Single-Unit Dwelling	P(2)
Accessory Dwelling (1 Per Single-Unit Dwelling on Same Lot)	P

	S-W
Townhouse (See EC 9.5550)	S(2)(6)
Duplex	S(2)(6)
Triplex (See EC 9.5550)	S(2)(6)
Fourplex (See EC 9.5550)	S(2)(6)
Cottage Cluster (See EC 9.5550)	S(2)(6)
Multiple Unit Dwellings (See EC 9.5500)	S(2)

9.3911 Special Use Limitations for Table 9.3910.

(6) Retained units and bonus units. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g).

S-WS Walnut Station Special Area Zone

9.3965 S-WS Walnut Station Special Area Zone Land Use and Permit Requirements.

(1) *Permitted Uses.* Unless listed in subsection (2) below as a conditional use or in subsection (3) below as a prohibited use, the following uses are permitted in the S-WS Walnut Station Special Area Zone, subject to applicable development standards:

(a) Any uses listed under the Residential or Lodging use categories on Table 9.2740 Residential Zone Land Uses and Permit Requirements. Middle housing developments may include retained units as described in EC 9.2741(4)(f) and bonus units as described in EC 9.2741(4)(g);

/# Residential Density Range Overlay Zone

9.4060 Applicability.

(1) Except as provided in subsection (2), The residential density overlay zone applies to all property where /# is indicated on the Eugene overlay zone map. The Residential Density Range overlay zone only pertains to requirements for lot area per dwelling unit and residential net density as indicated on the Eugene overlay zone map. The provisions of the residential density range overlay zone supplement those of the applicable base zone or special area zone. Where the overlay zone and base zone or special area zone provisions conflict, the more restrictive requirement applies.

(2) A maximum residential density established by a residential density overlay zone set forth in EC 9.4050 through EC 9.4065 may not be applied to an application proposing middle housing.

9.5550 Middle Housing Development Standards.

(1) *Purpose of Middle Housing Development Standards.* The purpose of these development standards is to:

- (a) Ensure that new middle housing development enhances the variety of housing options available to Eugene's residents;
- (b) Ensure consistency with state requirements for middle housing;
- (c) Promote development of middle housing that provides opportunities for both rental and ownership housing;
- (d) Provide an adequate supply and range of housing types and prices that will meet the city's future population growth;

(e) Promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape; and

(f) Provide a physical environment that contributes to and enhances the quality of life.

(2) *Applicability of Middle Housing Development Standards.*

(a) Except as provided in subsection (b), Middle Housing Development Standards in this section 9.5550 apply to:

1. The development of all new middle housing, excluding duplexes; and
2. The development of middle housing, excluding duplexes, on a site with an existing dwelling or dwellings; and
3. The development of middle housing, excluding duplexes, created by adding building area to an existing dwelling or dwellings.

(b) Except as provided at EC 9.5550(6)(g), the Middle Housing Development Standards do not apply to ~~existing~~ retained dwellings described in EC 9.2741(4)(f), or to buildings, and structures that are not being altered as part of the middle housing development.

(c) The Middle Housing Development Standards do not apply to a middle housing conversion.

(d) The Middle Housing Development Standards shall apply in all zones.

(e) The Middle Housing Development Standards do not apply to dwellings in a building with non-residential use on the ground floor.

(f) The Middle Housing standards apply in addition to the development standards for the applicable base zone. In the event of a conflict between the Middle Housing Development Standards and other applicable development standards in this code, the Middle Housing Development Standards control.

(3) *Adjustment.* Except as provided otherwise in this section, the Middle Housing Development Standards in EC 9.5550 may be adjusted consistent with the criteria in EC 9.8030(37).

(4) *Standards for Triplexes and Fourplexes.* Triplexes and fourplexes shall comply with all of the following:

(a) ~~Garages and Off-Street~~ Vehicle Parking Areas.

1. Except as provided in subparagraph (a)2 of this subsection (4), garages and off-street vehicle parking and maneuvering areas shall not may only be located between a building and a public street, except in compliance consistent with the standards in either subparagraph sections 1 or subparagraph 2 below.

a4. The garage or off-street vehicle parking or maneuvering area is separated from the front lot line street by a dwelling or a lot/parcel buildable lot or parcel, including a middle housing lot, or a lot or parcel dedicated to natural or historic resources. A lot or parcel is buildable for purposes of this subparagraph a(1) if it meets the minimum lot dimension requirements of the applicable base zone. For the purpose of this subparagraph a(1), "natural resources" means an area designated for protection in an adopted plan and the area within the natural resources protection or conservation setbacks have been applied to this site. Historic resources for the purposes of this subparagraph a(1) means historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director; or

b2. The combined width of all garages and outdoor on-site off-street vehicle parking and maneuvering areas as measured at their widest dimension, does not exceed a total of 50 percent of the street frontage (see Figure 9.5550(4)(a)2. Triplex/Fourplex Width of Garages and Parking Areas). This calculation does not include walkways that are abutting, but distinct from, a driveway.

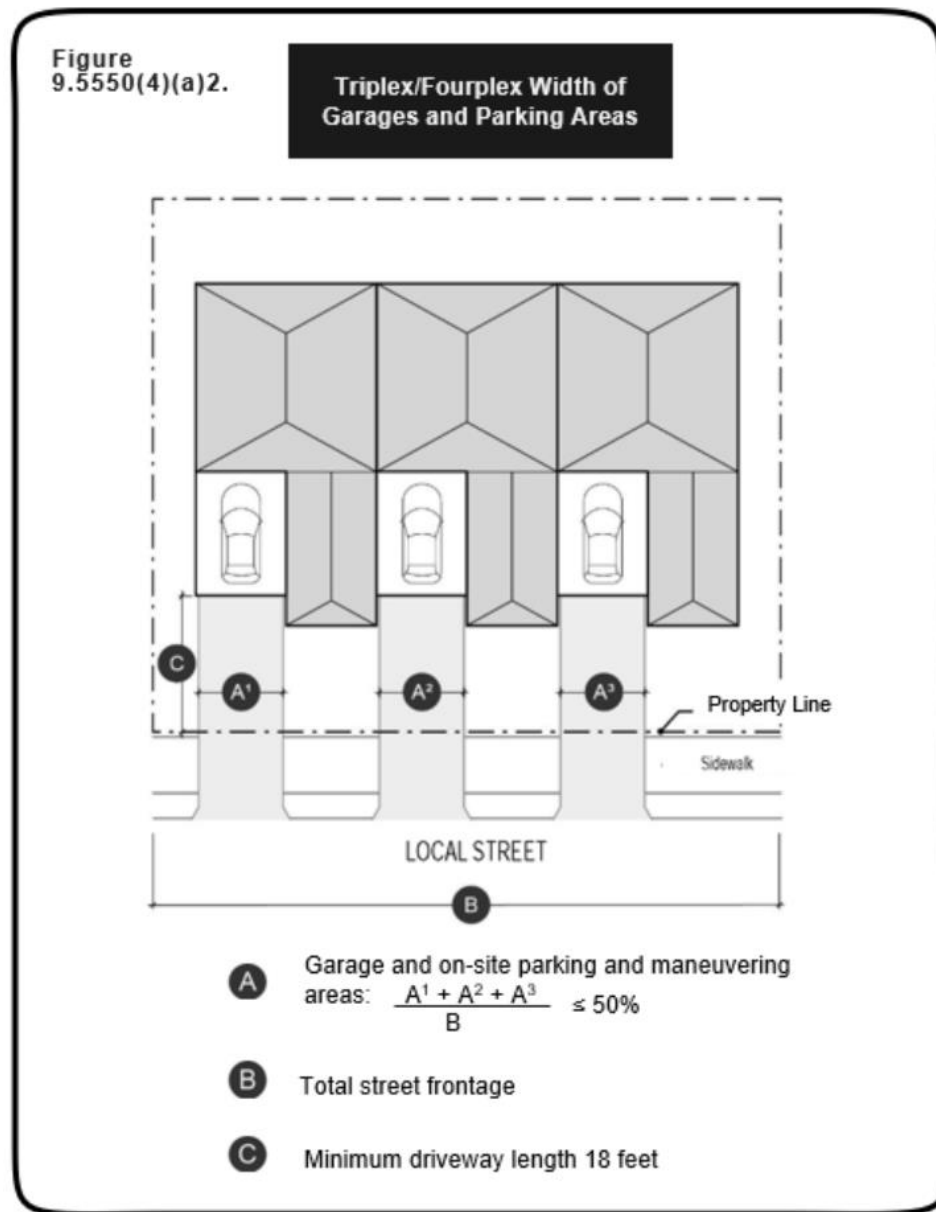
2. The requirements of subparagraph (a) of this subsection (4) do not apply to:

a. Existing garages and off-street vehicle parking and maneuvering areas that are not being altered as part of a middle housing development;

b. Garages and off-street vehicle parking and maneuvering areas associated with or assigned to ground level units that are designed as accessible or adaptable dwellings.

Figure 9.5550(4)(a)2. Triplex/Fourplex Width of Garages and Parking Areas

Figure 9.5550(4)(a)2. Triplex/Fourplex Width of Garages and Parking Areas



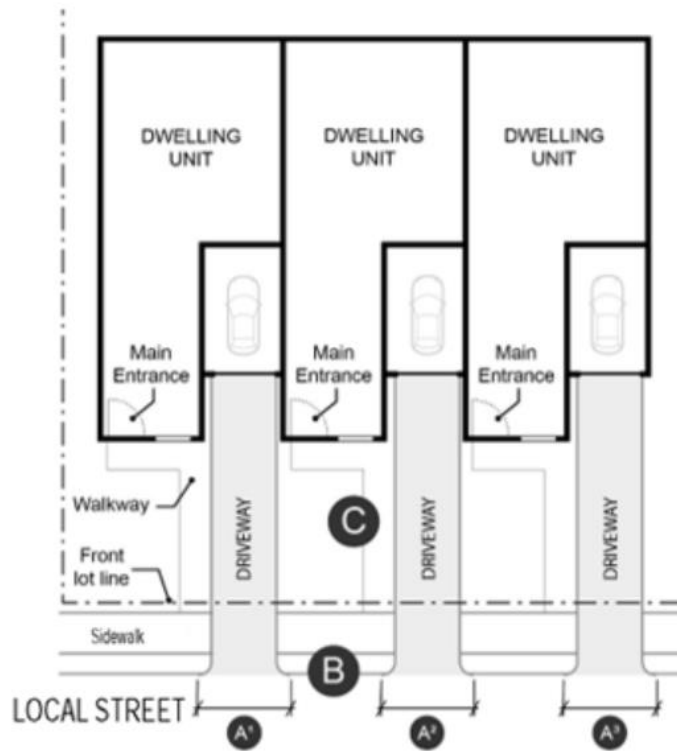
(b) Driveways Access Connections.

1. In lieu of the access connection standards in EC 7.410, access connections serving triplexes and fourplexes units shall comply with subparagraphs 2 or 3-5 of this subsection. Additionally, except where otherwise specified, access connections serving t-Triplexes and fourplexes units shall comply with the applicable access connection standards in EC 7.420 through 7.445.

2. On lots and parcels with one street frontage, in addition to the applicable standards in EC 7.420, either shared or separate access connections for each unit are allowed, provided that ~~t~~The total width of all ~~driveway approaches~~access connections ~~must~~does not exceed 32 feet ~~per frontage~~, as measured at the property line **(see Figure 9.5550(4)(b)2-3. Triplex/Fourplex Driveway Approach-Access Connection Width and Separation on Local Street and Figure 9.5550(4)(b)2-3. Triplex/Fourplex Access Connection Width with Shared Access on Local Street).** Access connections for accessible and adaptable dwellings are exempt from this standard. ~~For lots or parcels with more than one frontage, see subsection 5.~~

Figure 9.5550(4)(b)2-3. Triplex/Fourplex Driveway Approach-Access Connection Width and Separation on Local Street

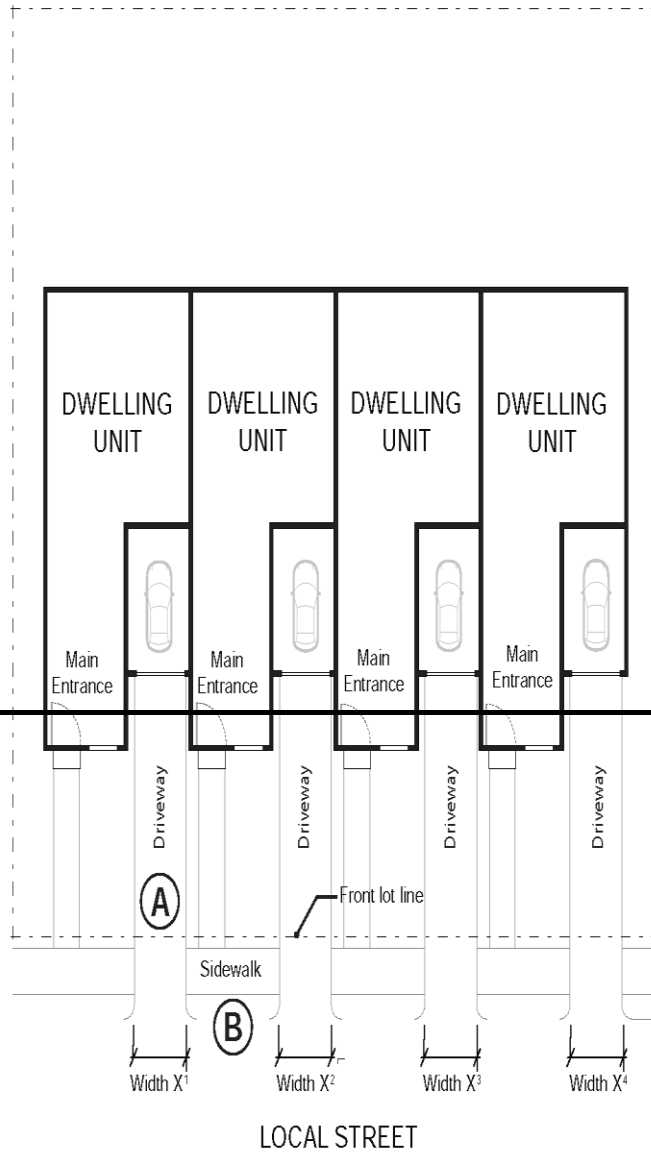
Figure 9.5550(4)(b)2-3. Triplex/Fourplex Access Connection Width and Separation on Local Street



- A** $A1 + A2 + A3$ must not exceed 32 feet per frontage
- B** Access connections must meet separation standards for local streets
- C** Walkway may abut driveway

Figure 9.5550(4)(b)2-3.

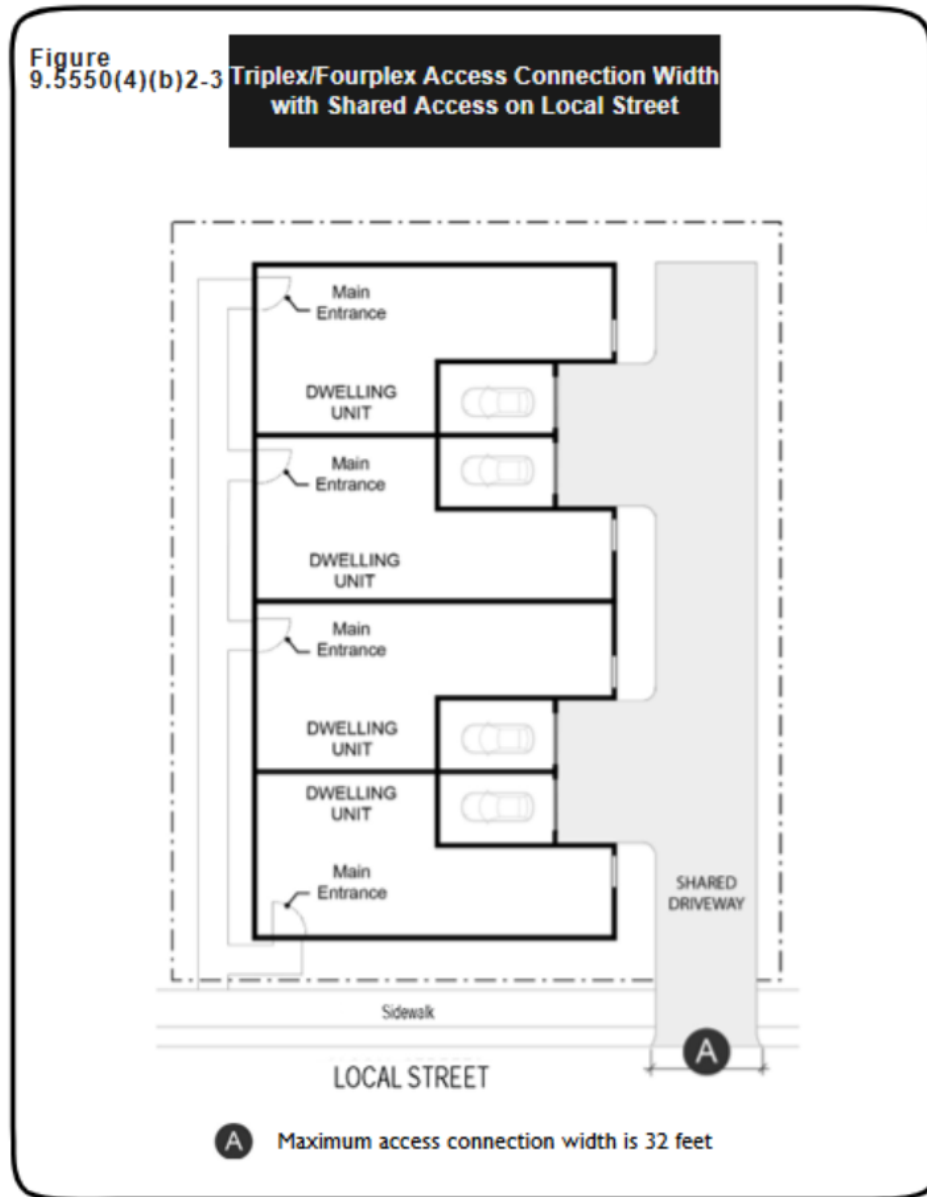
Triplex/Fourplex Driveway Approach Width and Separation on Local Street



(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 9.5550(4)(b)2-3. Triplex/Fourplex Access Connection Width with Shared Access on Local Street



3. Lots or parcels with more than one street frontage must comply with the applicable standards in EC 7.420 as well as the following standards:

a. Lots or parcels with frontages on major collectors and/or arterial streets must meet the access connection standards applicable to major collectors and/or arterials located in EC 7.420(2).

b. A lot or parcel with frontage on two or more streets of different street classifications must access the street with the lowest classification as provided in EC 7.420(1)(c).

c. Lots or parcels with frontages only on local streets may have either:

(1) Two access connections not exceeding 32 feet in total width on one frontage provided that they comply with the access connection spacing standards in EC 7.420 (see **Figure 9.5550(4)(b)3.c.(1) Triplex/Fourplex Access Connection on One Local Street Frontage**); or

(2) One maximum 16-foot-wide access connection per frontage (see **Figure 9.5550(4)(b)3.c.(2) Triplex/Fourplex Access Connection Options for Multiple Local Street Frontages**).

(3) Access connections for accessible or adaptable units are exempt from the driveway width requirements in EC 9.5550(4)(b)3.c.

Figure 9.5550(4)(b)3.c.(1) Triplex/Fourplex Access Connection on One Local Street Frontage

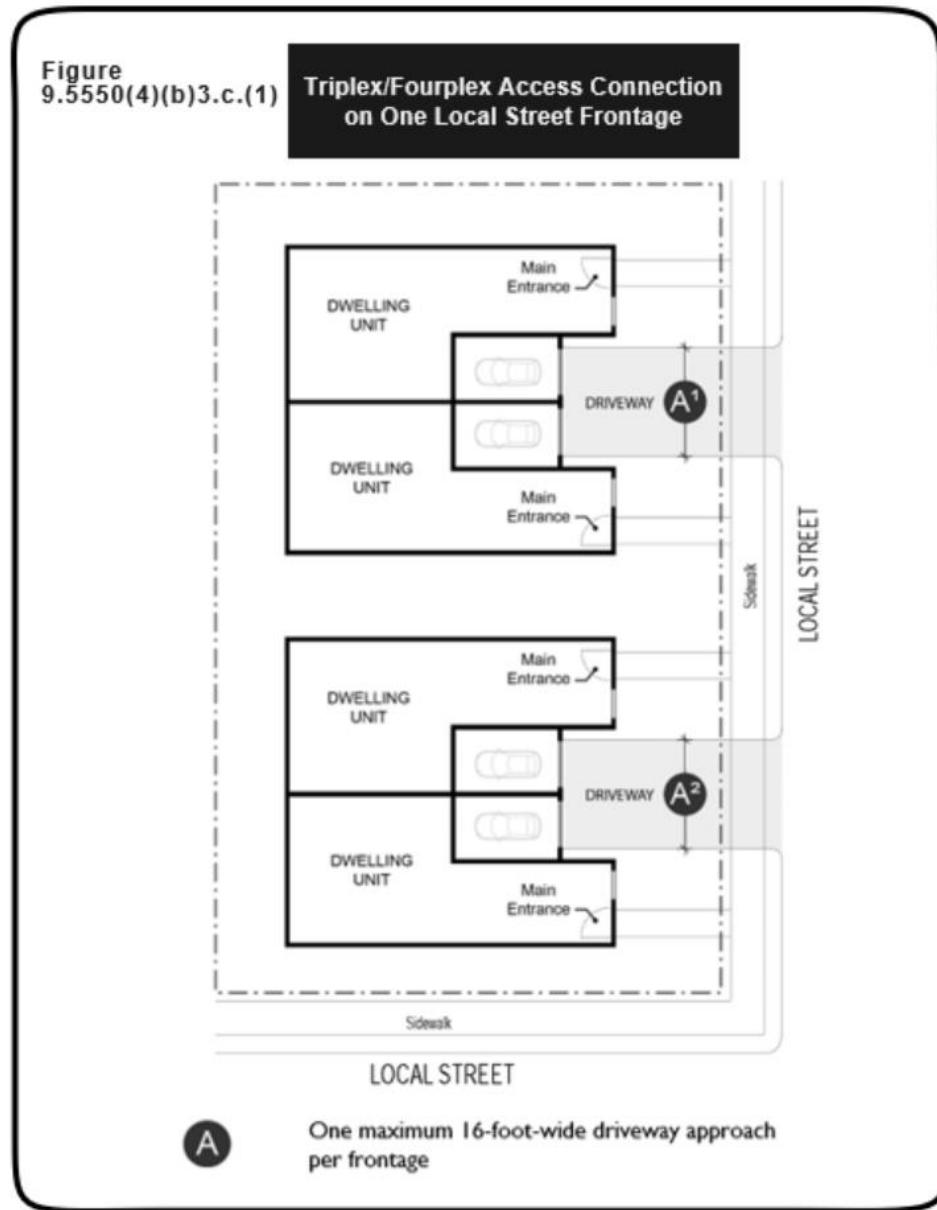
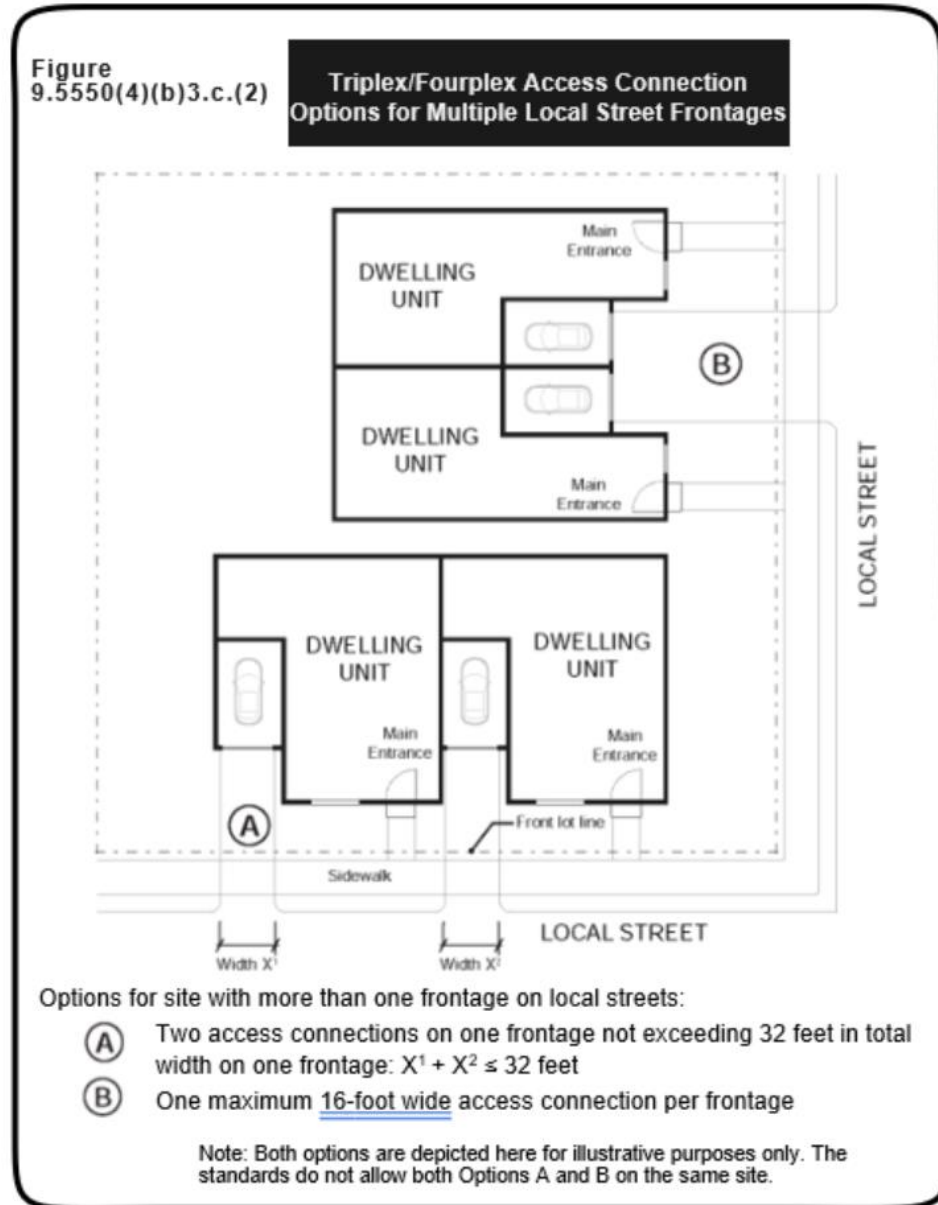


Figure 9.5550(4)(b)3.c.(2) Triplex/Fourplex Access Connection Options for Multiple Local Street Frontages



Driveway approaches may be separated when located on a local street if they comply with the access connection spacing standards in EC 7.420 (see **Figure 9.5550(4)(b)2-3. Triplex/Fourplex Driveway Approach Width and Separation on Local Street**).

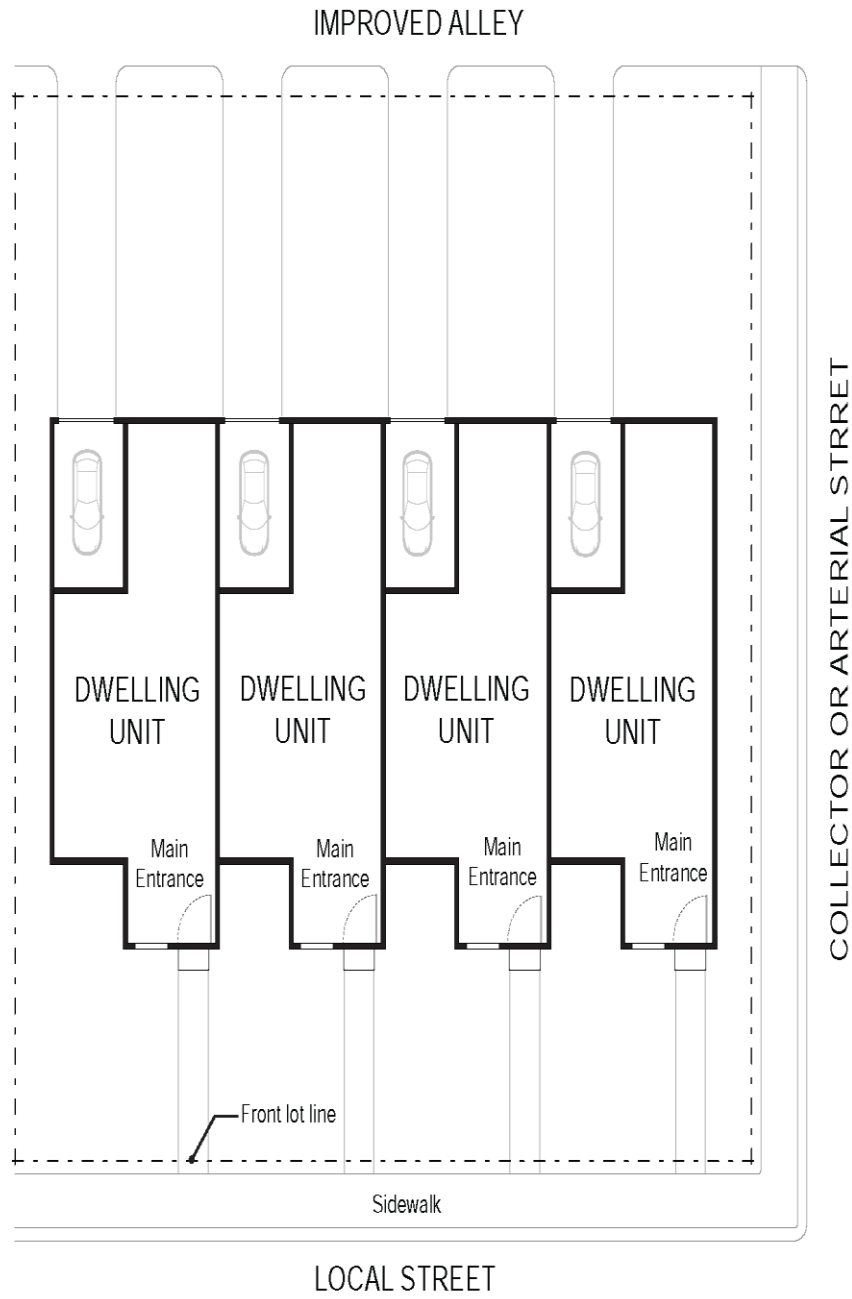
4. For Access connections on lots or parcels abutting an alley that does not meet the paving width standards of EC 9.6870 must comply with the standards in either EC 9.5550(4)(b)2. or EC 9.5550(4)(b)3. For access connections on lots or parcels abutting an alley that meets the paving width standards of EC 9.6870, in lieu of the access

connection location requirements in EC 7.420, access must be taken from the alley (see **Figure 9.5550(4)(b)4. Triplex/Fourplex Alley Access**).

Figure 9.5550(4)(b)4. Triplex/Fourplex Alley Access

Figure
9.5550(4)(b)4.

**Triplex/Fourplex
Alley Access**

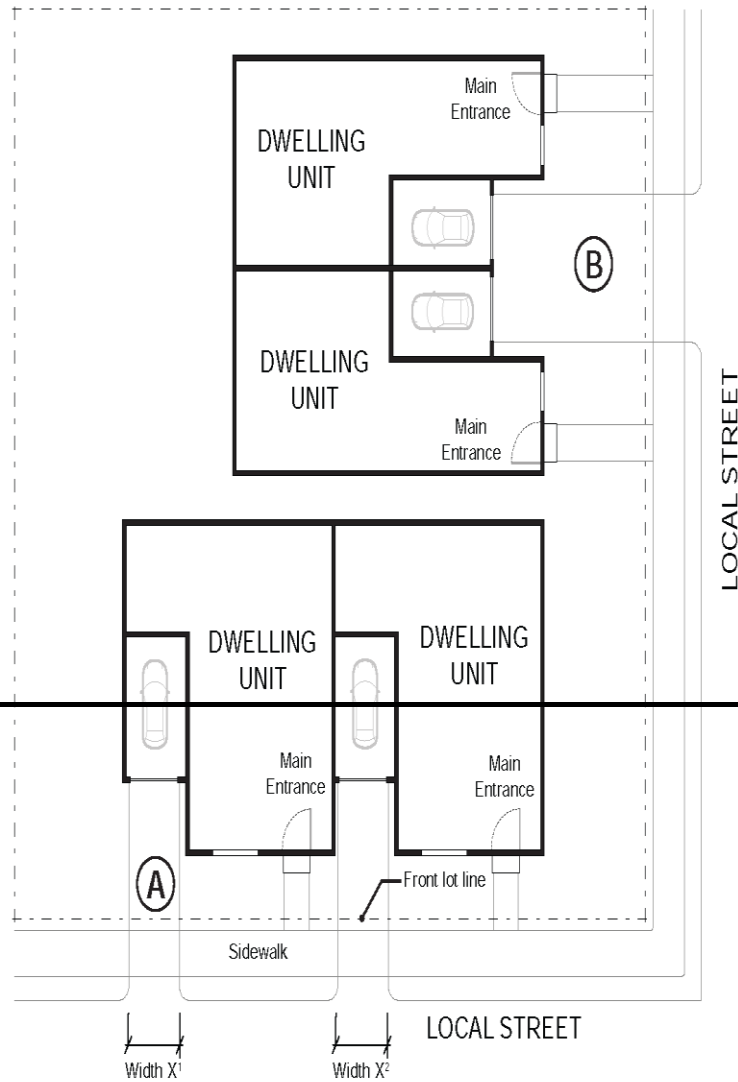


- 5. ~~Lots or parcels with more than one frontage must comply with the following:~~
 - a. ~~Lots or parcels with frontages on major collectors and/or arterial streets must meet the access connection standards applicable to major collectors and/or arterials located in EC 7.420(2).~~
 - b. ~~A lot or parcel with frontage on two or more streets of different street classifications shall comply with EC 7.420(1)(c).~~
 - c. ~~Lots or parcels with frontages only on local streets may have either:~~
 - (1) ~~Two driveway approaches not exceeding 32 feet in total width on one frontage; or~~
 - (2) ~~One maximum 16-foot-wide driveway approach per frontage (**see Figure 9.5550(4)(b)5.c.2 Triplex/Fourplex Driveway Approach Options for Multiple Local Street Frontages**).~~

~~**Figure 9.5550(4)(b)5.c.(2) Triplex/Fourplex Driveway Approach Options for Multiple Local Street Frontages**~~

Figure 9.5550(4)(b)5.c.(2)

Triplex/Fourplex 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 $X1 + X2$); 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.)

5. Criteria for Adjustment. Adjustments to the standards in EC 9.5550(4)(b) may be made, consistent with the criteria of EC 9.8030(37)(b) Garages, Off-Street Parking Areas, Access Connections, and Driveways for Triplexes and Fourplexes.

(c) Entry Orientation, ~~and~~ Windows and Doors.

1. Entry Orientation.

a. At least one main entrance for each triplex or fourplex structure must meet the standards in subparagraphs b. or c. below. ~~Any detached structure where 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.~~

b. The main entrance must either:

(3) Open onto a covered porch or covered patio with one entrance facing the street (**See Figure 9.5550(4)(c)1.b.(3) Middle Housing Main Entrance Opening onto a Porch.**).

Figure 9.5550(4)(c)1.b.(3) Middle Housing Main Entrance Opening onto a Covered Porch or Patio

Figure 9.5550(4)(c)1.b.(3)

Middle Housing Main Entrance onto a Covered Porch or Patio

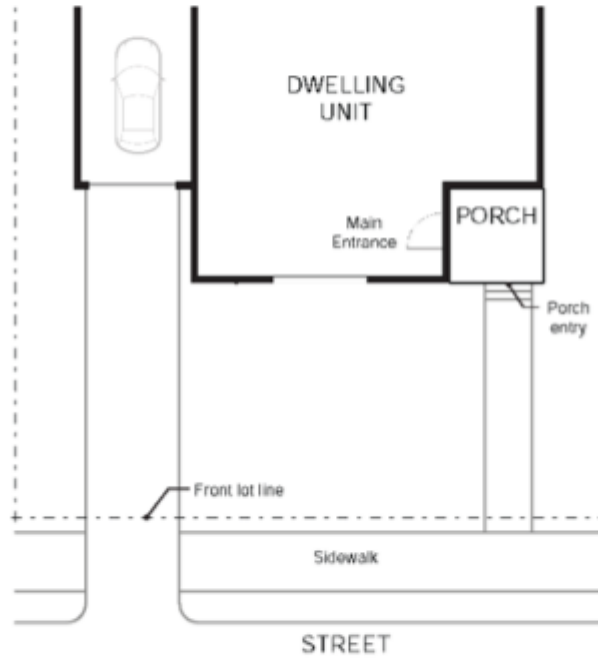
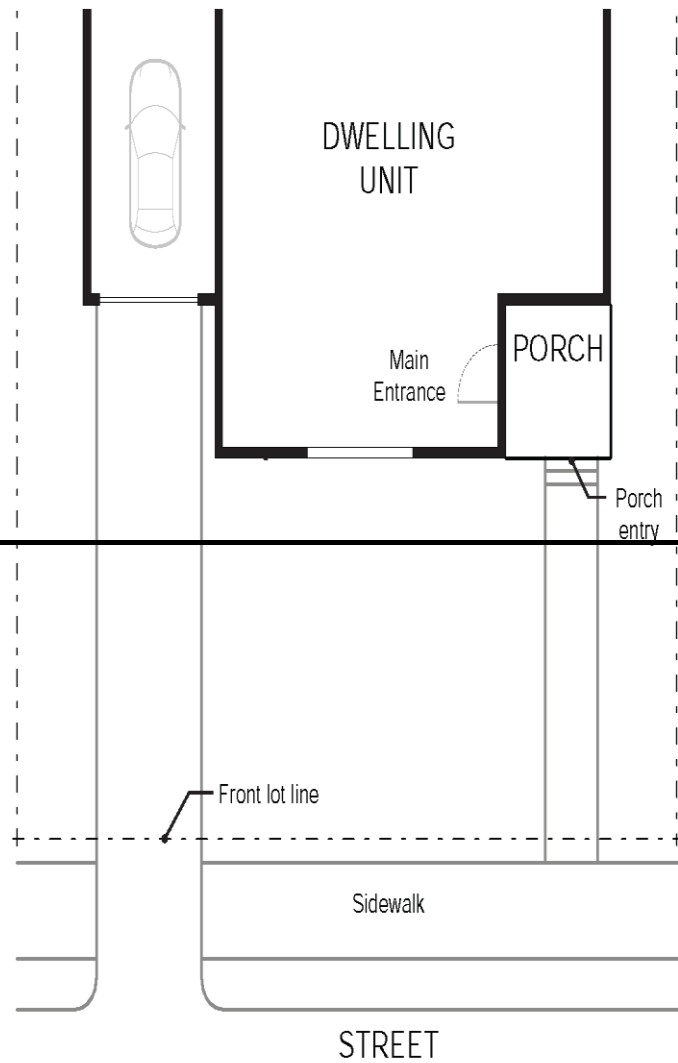


Figure
9.5550(4)(c)1.b.(3)

Middle Housing Main Entrance
Opening onto a Porch



d. The entry orientation standards in EC 9.5550(4)(c)1. do not apply under the following circumstances:

(1) An existing dwelling is located between the street-facing facade of the triplex or fourplex and the street and the existing dwelling blocks more than 50 percent of the street-facing facade of the triplex or fourplex from the street.

(2) A buildable lot or parcel, including a middle housing lot, is located between the street-facing facade and the front lot line. A lot or parcel is considered buildable for this subsection based on the minimum lot dimension requirements of the applicable base zone.

(3) A lot or parcel dedicated to natural or historic resources is between the street-facing facade and the front lot line. A lot or parcel is buildable for purposes of this subsection if it meets the minimum lot dimension requirements of the applicable base zone. Natural resources for the purposes of this subparagraph 3 means designated for protection in an adopted plan and the area within the natural resources protection or conservation setbacks have been applied to this site. Historic resources for the purposes of this subparagraph 3 means historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director.

(4) Accessible and adaptable dwellings with a main entrance that is connected to the public sidewalk by an accessible walkway. For the purposes of this section an accessible walkway means a walkway designed and built in accordance with the requirements of the Americans with Disabilities Act.

ed. Criteria for Adjustment. Adjustments to the standards in EC 9.5550(4)(c)1. may be made, consistent with the criteria in EC 9.8030(37)(a) Entry Orientation.

2. Windows and Doors. All

a. At least 15 percent of one street-facing facades, ~~except those separated from the front lot line by a dwelling,~~ shall have be covered by windows or pedestrian entrance

doors covering at least 15 percent of the applicable facade area. Half of the window area in a the garage door of an attached garage may count toward meeting this standard. This standard may not be adjusted. **(See Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area.)**

b. At least 10 percent of all other street-facing facades shall be covered by windows or pedestrian entrance doors. This standard may not be adjusted. (See Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area.)

c. The standards in EC 9.5550(4)(c)2.a-b do not apply under the following circumstances:

(1) An existing dwelling is located between the street-facing facade of the triplex or fourplex and the street and the existing dwelling blocks more than 50 percent of the facade of the triplex or fourplex from the street.

(2) A buildable lot or parcel, including a middle housing lot, is located between the street-facing facade and the front lot line. A lot or parcel is considered buildable for this subsection based on the minimum lot dimension requirements of the applicable base zone.

(3) A lot or parcel dedicated to natural or historic resources is between the street-facing facade and the front lot line. A lot or parcel is buildable for purposes of this subsection if it meets the minimum lot dimension requirements of the applicable base zone. Natural resources for the purposes of this subparagraph 3 means designated for protection in an adopted plan and the area within the natural resources protection or conservation setbacks have been applied to this site. Historic resources for the purposes of this subparagraph 3 means historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director.

(4) The building is located more than 40 feet from the front lot line.

Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area

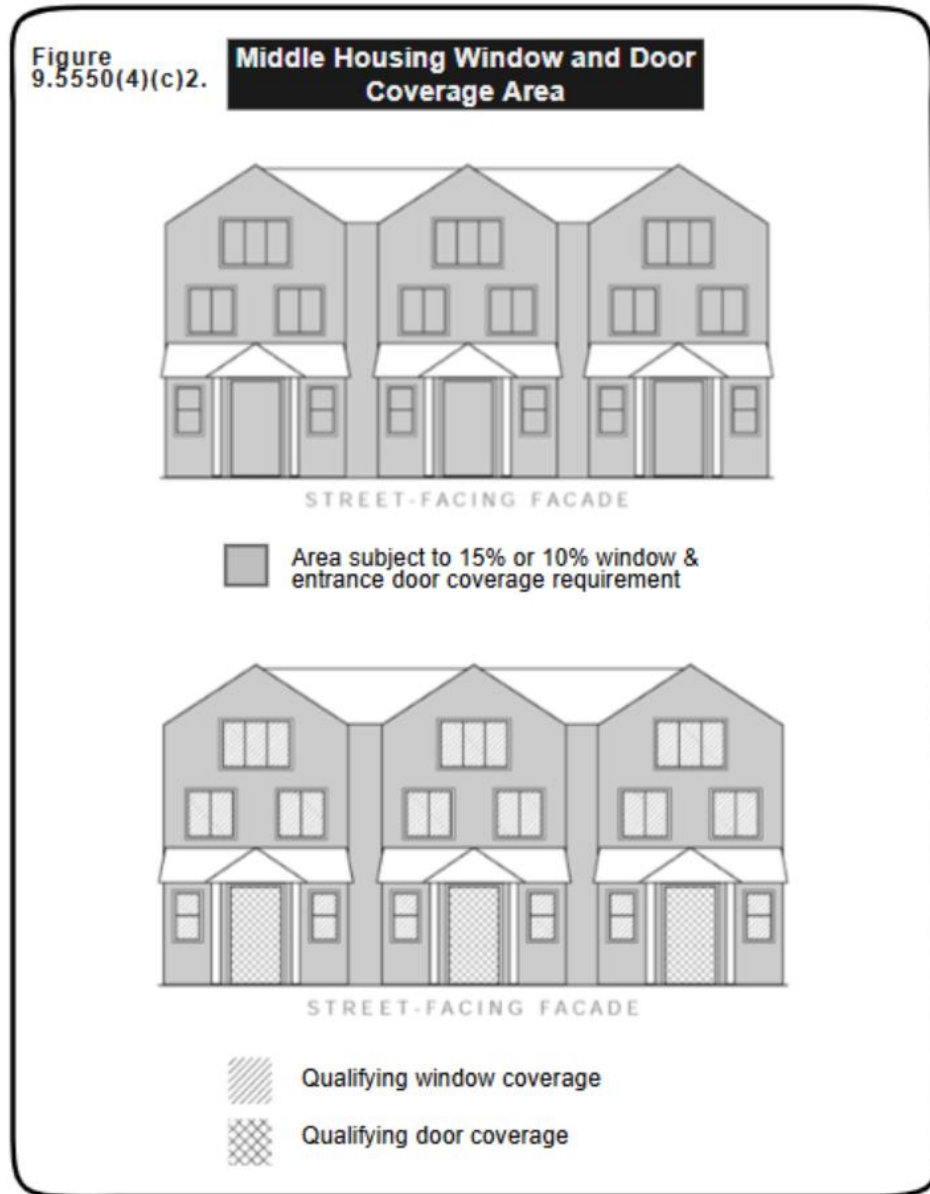


Figure 9.5550(4)(c)2.

Middle Housing Window Coverage



STREET-FACING FACADE

■ Area subject to 15% window & entrance door coverage requirement



STREET-FACING FACADE

- /// Qualifying window coverage
- ⊗ Qualifying entrance door coverage

(e) Bonus Units. Triplex or fourplex developments with additional bonus units as allowed under EC 9.2741(4)(g), may receive relief from some standards to allow for the development of the bonus units as follows:

<u>Table 9.5550(4)(e) Development standards relief for triplex and fourplex projects with bonus units</u>			
<u>Minimum units to qualify for bonus</u>	<u>1 Accessible Unit, or</u> <u>1 Income Qualified Middle Housing Unit</u>		
-	<u>Base Allowed</u>	<u>Bonus</u>	<u>Total Cap with Bonus Units</u>
-	<u>3 units (triplex)</u>	<u>+1 unit</u>	<u>4 units (triplex)</u>
<u>Number of Units</u>	<u>4 units (fourplex)</u>	<u>+2 units</u>	<u>6 units (fourplex)</u>
-			-
<u>Maximum building height</u>	<u>35 feet</u>	<u>+10 feet</u>	<u>45 feet for the bonus unit</u>
<u>Minimum front yard setback (excluding garages and carports)</u>	<u>10 feet</u>	<u>-5 feet</u>	<u>5 feet for the bonus unit</u>
<u>Maximum lot coverage</u>	<u>60% (R-1)</u> <u>75% (R-2)</u>	<u>+10%</u>	<u>66% (R-1)</u> <u>82.5% (R-2)</u>

~~(d) *Criteria for Adjustment.* Except as provided in subparagraph (c), adjustments to the standards in this subsection (4) may be made, consistent with the criteria of EC 9.8030(37)(b) Garages, Off-Street Parking Areas, and Driveways for Triplexes and Fourplexes.~~

(5) *Standards for Townhouses.* Townhouses shall comply with all of the following:

(a) *Number of Attached Dwelling Units.* These standards may not be adjusted.

1. *Minimum.* A townhouse ~~project~~ structure must contain at least two attached units.

2. *Maximum.* In the R-1 zone, ~~the~~ a single townhouse structure may contain a maximum number of townhouse units that may be attached is of 10 attached townhouse units. In all other zones, there is no maximum number of townhouses units that may be attached.

3. A townhouse development site may contain more than one townhouse structure.

~~(b) *Unit Features.* Each townhouse unit must include a minimum of one of the features in subsections 1 through 7 below on a minimum of one street-facing façade (see Figure 9.5550(5)(b). Townhouse Unit Features):~~

~~1. A roof dormer a minimum of 4 feet in width, or~~

~~2. A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or~~

~~3. A bay window that extends from the façade a minimum of 2 feet, or~~

~~4. An offset of the façade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or~~

~~5. An entryway that is recessed a minimum of 3 feet, or~~

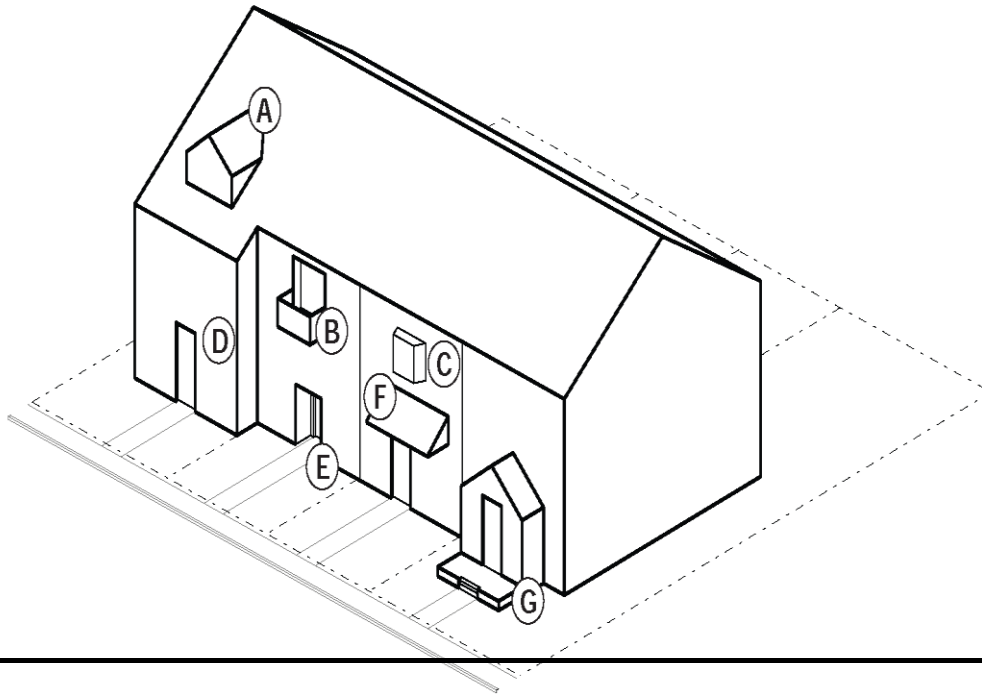
~~6. A covered entryway with a minimum depth of 4 feet, or~~

~~7. A porch meeting the standards of subsection 9.5550(5)(d)1.b.3.~~

Figure 9.5550(5)(b) Townhouse Unit Features

Figure
9.5550(5)(b)

Townhouse Unit Features



- (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 9.5550(5)(d)1.b3.

(b) Driveways Access Connections and Vehicle Parking. Townhouses on lots with public street frontage shall meet the following standards:

1. The following standards apply to townhouse lots with frontage along a public street and,
 - a. Garage or carport entrances are located on the street-facing facade of the townhouse; or
 - ~~a.~~ b. Off-street parking areas or driveways are located between the townhouse and a public street. (See Figure 9.5550(5)(b)1. Townhouses with Parking in Front Yard.)

~~(1)~~ 4. EC 7.420 and 7.445 and subparagraphs ~~2-4~~ of this subsection.

~~2.~~ Garages on the front façade of a townhouse, off-street parking areas within the front yard setback, and driveways in front of a townhouse are allowed only if they meet the following standards in this subsection 2 (see Figure 9.5550(5)(c)2. Townhouses with Parking in Front Yard).

~~(2)~~ a. Each townhouse lot has a street frontage of shall have at least 15 feet of street frontage on a local street.

~~(3)~~ b. A maximum of ~~1~~ driveway approach one access connection is allowed for every each townhouse lot. Driveway approaches Access connections and/or driveways may be shared.

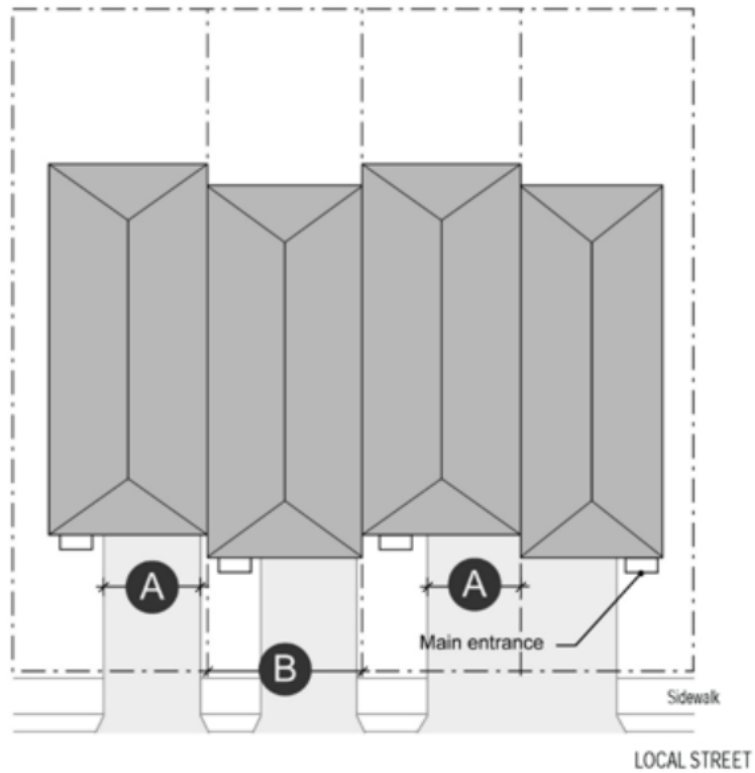
~~(4)~~ c. Outdoor ~~on-site~~ off-street vehicle parking and maneuvering areas and garages ~~do may~~ not exceed a total width of 12 feet ~~on any lot~~. For purposes of this standard, the width of a garage is the width of the inside of the frame for the vehicle door. Townhouses with ground levels that are designed as accessible or adaptable units are exempt from this standard.

~~d.~~ The garage width does not exceed 12 feet.

Figure 9.5550(5)(b)12. Townhouses with Parking in Front Yard

Figure 9.5550(5)(b).1.

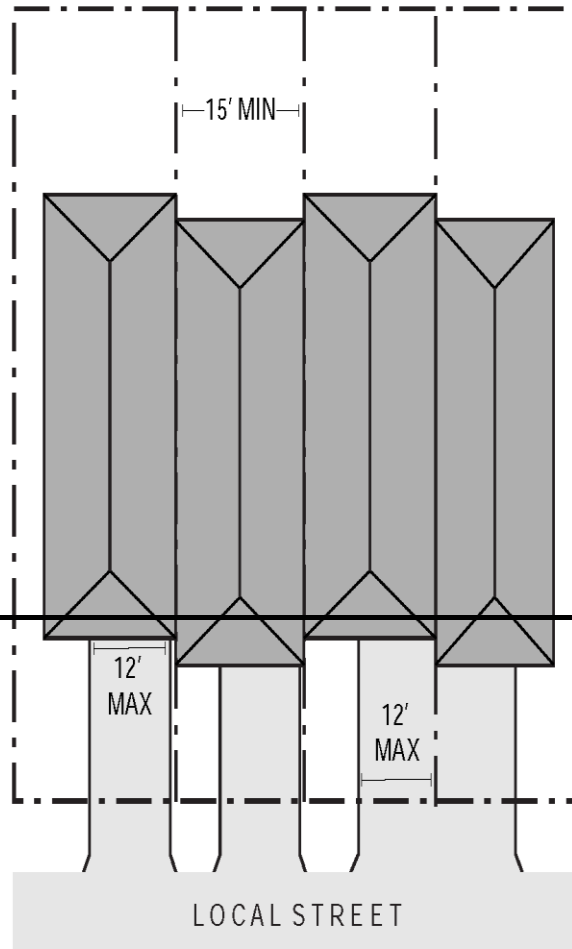
**Townhouses with Parking
in Front Yard**



- A** Maximum width of driveway, parking or maneuvering area, or garage: 12 feet
- B** Minimum 15 feet of street frontage

Figure
9.5550(5)(c)2.

**Townhouses with Parking
in Front Yard**



23. The following standards apply to ~~driveways and parking areas for townhouse projects that do not meet all of the standards in subsection 2 of this section~~ vehicle access and parking on townhouse lots with frontage along a public street that do not meet the criteria in EC 9.5550(5)(b)1.

a. EC 7.450 through 7.445.

ba. Off-street parking areas shall be accessed ~~from~~ from ~~on the back/rear~~ on the rear ~~facçade~~ facade of the townhouse ~~and/or~~ and located in the rear yard of the townhouse lot. No off-street parking shall be allowed in the front yard or side yard of a townhouse lot.

cb. ~~Each~~ Each ~~A townhouse structure project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot~~ access connection.

1. Access connections servicing townhouse development sites on corner lots shall be located on one side of the townhouse development site. (See Figure 9.5550(5)(b)23.cb.1. Townhouses on Corner Lot with Shared Access.)

Figure 9.5550(5)(b)23.cb.1 Townhouses on Corner Lot with Shared Access

Figure 9.5550(5)(b)2.c.1.

Townhouses on Corner Lot with Shared Access

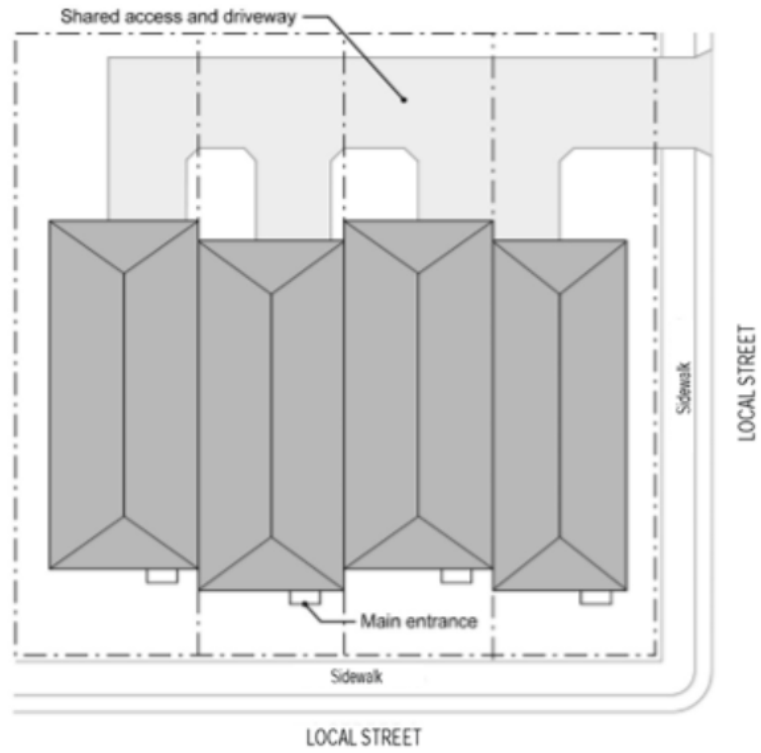
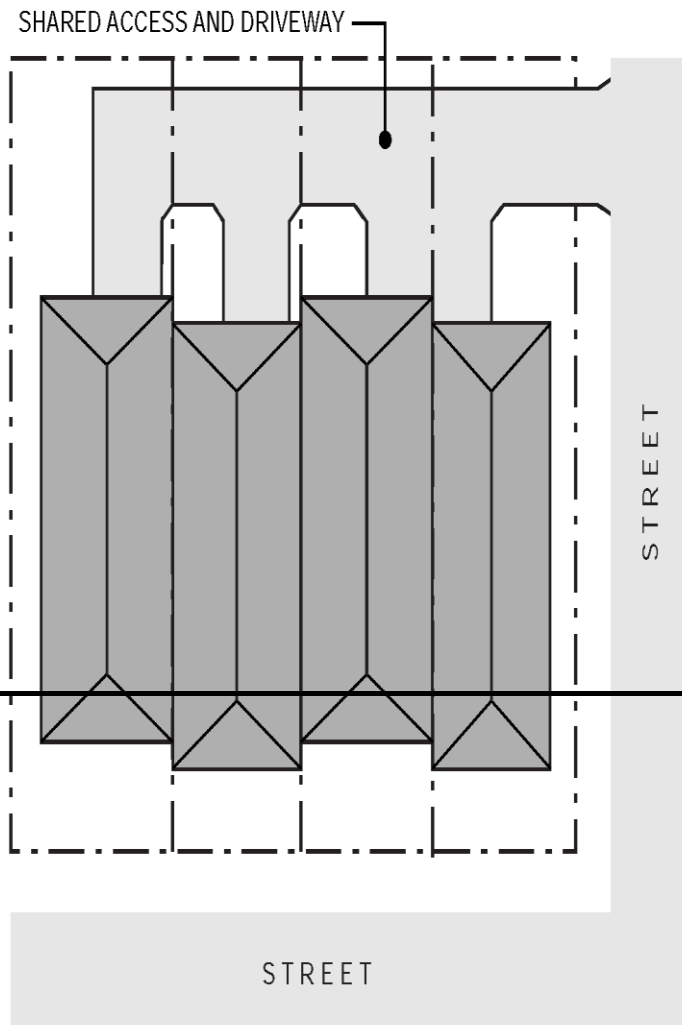


Figure
9.5550(5)(c)3.b.

Townhouses on Corner Lot
with Shared Access



2c. If a townhouse projects development site is not located on a corner lot, shall consolidate access for all lots into a single driveway. The driveway access connection and approach are not allowed in the area between the front building facade and front lot line of any of the townhouses and a public street. (See Figure 9.5550(5)(b)2.c.2. Townhouses with Consolidated Access.)

Figure 9.5550(5)(b)2.c.2 Townhouses with Consolidated Access

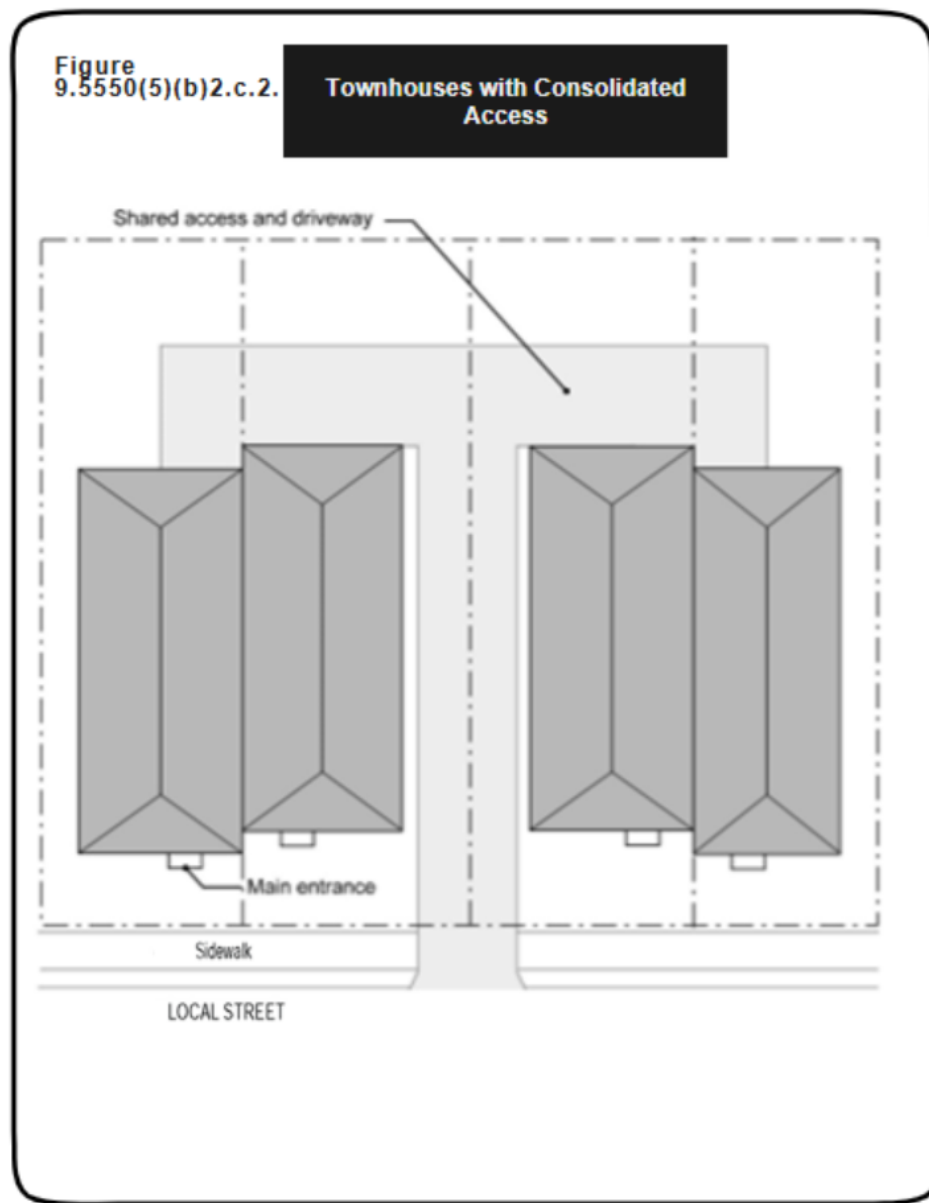
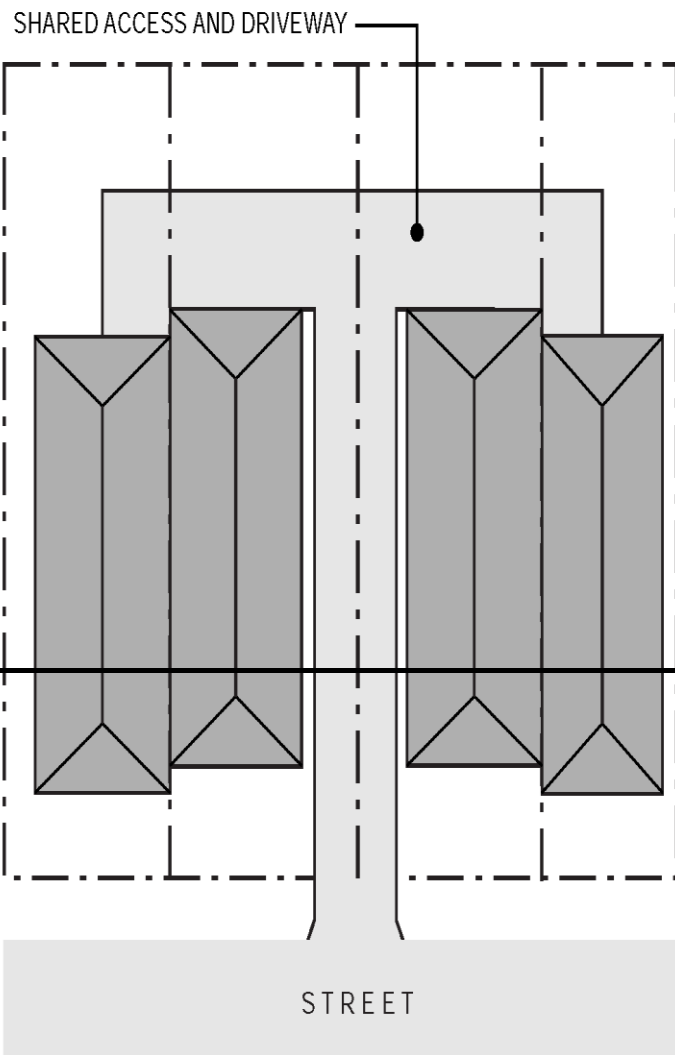


Figure
9.5550(5)(c)3.c.

Townhouses with Consolidated Access



3. Townhouse lots that do not have frontage on a public street may be accessed from a shared access connection and/or from a shared driveway located within a common area tract or covered by a shared access easement. (See

Figure 9.5550(5)(b)2.c.3. Townhouses with Access from Shared Driveway and Access Easement or Tract.)

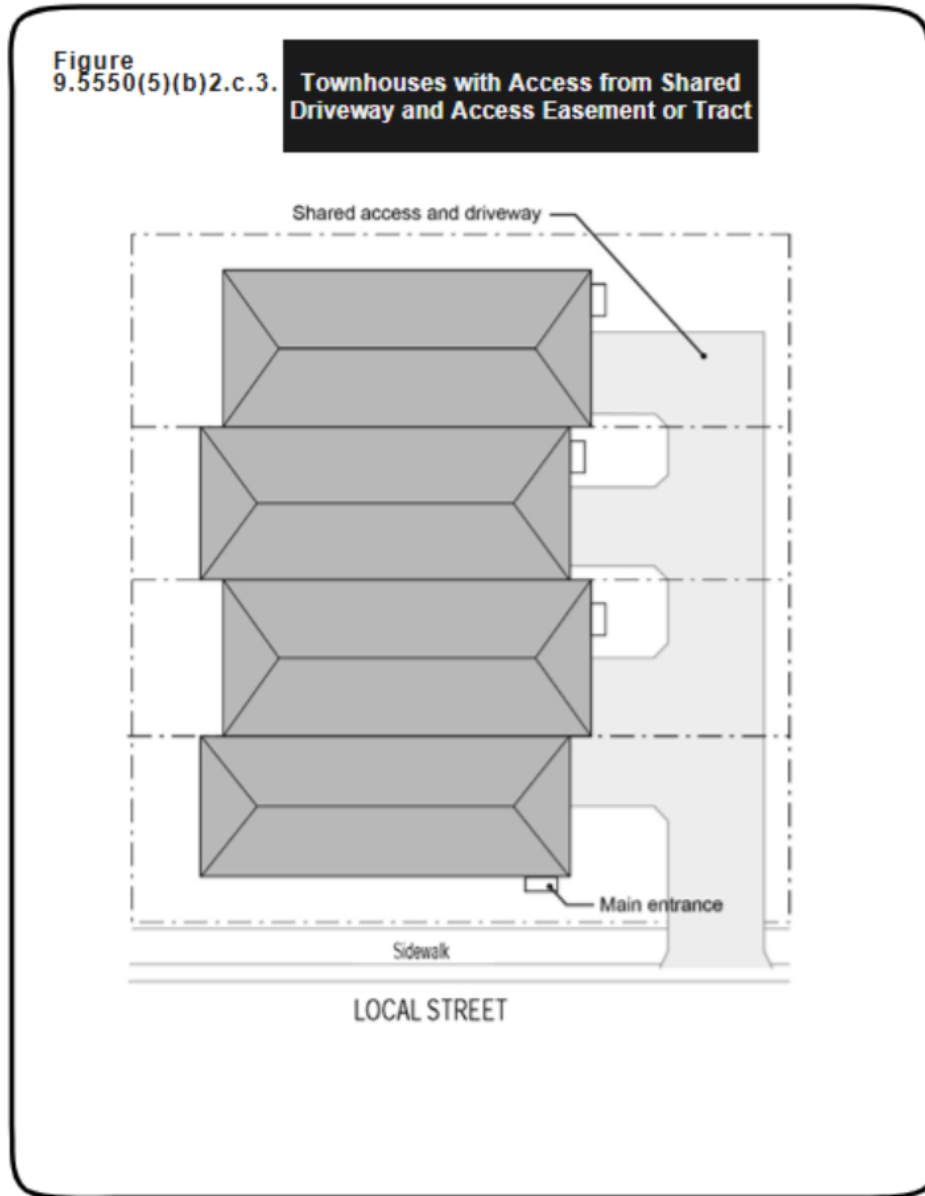
4. Common area tracts containing shared parking shall not be located between a townhouse and a public street.

5. Shared driveways, shall be designed to allow for emergency vehicle access.

6. Any easements for shared vehicular access or emergency access shall be recorded with Lane County Deeds and Records.

~~d. Townhouse projects shall include access easements recorded with Lane County Deeds and Records for vehicular access and emergency access for any consolidated access or shared driveways.~~

Figure 9.5550(5)(b)2.c.3. Townhouses with Access from Shared Driveway and Access Easement or Tract



~~74.~~ Townhouse projects structures in which all units take exclusive access from a rear alley are exempt from compliance with subsections 1 and 2 ~~2 and 3~~ of this section.

~~85.~~ *Criteria for Adjustment.* Except for those standards that cannot be adjusted, adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(~~c~~) Townhouse Driveways, Access Connections and Vehicle Parking.

(~~c~~) *Entry Orientation, ~~and~~ Windows and Doors.*

1. *Entry Orientation.*

a. If a townhouse lot has frontage on a public street, t~~he~~ the ~~townhouse dwelling with frontage on a public street~~ must meet the standards in subparagraphs b and c below.

b. The main entrance must either:

(1) Face the street (**see Figure 9.5550(4)(c)1.b.(1) Middle Housing Main Entrance Facing the Street**);

(2) Be located at an angle of up to 45 degrees from the street (**see Figure 9.5550(4)(c)1.b.(2) Middle Housing Main Entrance at 45° Angle from the Street**);

(3) Face a common courtyard that abuts the street. A courtyard used to meet this standard must be no less than 15 feet in width; or

(4) Open onto a covered porch or patio with one entrance facing the street (see Figure 9.5550(4)(c)1.b.(3) Middle Housing Main Entrance Opening onto a Covered Porch or Patio).

c. In lieu of meeting the standards in EC 9.5550(5)(c)1.a or b. above, main entrances for townhouses may instead face a common open space, private street, or driveway.

d. The standards in EC 9.5550(5)(c)1. do not apply to the following:

i. Townhouses located on townhouse lots without public street frontage;

ii. Townhouse structures where vehicular access for all townhouses is taken exclusively from a rear alley; or

iii. Townhouses with a ground level that is designed as an accessible or adaptable unit, provided the main entrance is connected to the public sidewalk by an accessible walkway. For the purposes of this section an accessible walkway means a walkway designed and built in accordance with the Americans with Disabilities Act.

ed. Criteria for Adjustment. Except for those standards that cannot be adjusted, adjustments to the standards in EC 9.5550(5)(d)1. may be made, consistent with the criteria in EC 9.8030(37)(a) Entry Orientation.

2. Windows and Doors. The following standards apply to windows and pedestrian entrance doors for townhouses located on townhouse lots with public street frontage:

a. All At least 15 percent of one street-facing facades ~~on each individual townhouse unit shall have~~ be covered by windows or pedestrian entrance doors covering at least 15 percent of the area of all facades. Half of the window area in a the garage door of an attached garage may count toward meeting this standard. This standard may not be adjusted. **(See Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area.)**

b. At least 10 percent of all other street-facing facades shall be covered by windows or pedestrian entrance doors. This standard may not be adjusted.

c. The standards in EC 9.5550(5)(c)2.a-b do not apply under the following circumstances:

(1) An existing dwelling is located between street-facing façade of the townhouse and the front lot line.

(2) A buildable lot or parcel, including a middle housing lot, is located between the street-facing facade and the front lot line. A lot or parcel is considered buildable for this subsection based on the minimum lot dimension requirements of the applicable base zone.

3) A lot or parcel dedicated to natural or historic resources is between the street-facing facade and the front lot line. A lot or parcel is buildable for purposes of this subsection if it meets the minimum lot dimension requirements of the applicable base zone. Natural resources for the purposes of this subparagraph 3 means designated for protection in an adopted plan and the area within the natural resources protection or conservation setbacks have been applied to this site. Historic resources for the purposes of this subparagraph 3 means historic property and resources identified in an official local inventory as "primary" or

“secondary.” It may also include additional natural or historic resources upon approval of the planning director.

(4) The building is located more than 40 feet from the front lot line.

(e) Bonus Units. Townhouse developments with additional bonus units as allowed under EC 9.2741(4)(g) may receive relief from some standards to allow for the development of the units as follows:

Table 9.5550(5)(e) Development standards relief for townhouse projects with bonus units			
Minimum units to qualify for bonus	1 Accessible Unit or 1 Income Qualified Middle Housing Unit, for every 6 townhouses		
	Base Allowed	Bonus	Total Cap with Bonus Units
Maximum number of attached units	10 townhouses	+1 to 2 units	12 attached townhouses
Maximum building height	35 feet	+10 feet	45 feet for the bonus unit(s)
Minimum front yard setback (excluding	10 feet	-5 feet	5 feet for the bonus unit(s)

garages and carports)			
Maximum lot coverage	75% (all res zones)	+10%	82.5%

(6) *Standards for Cottage Clusters.* Cottage cluster development shall comply with all of the following:

(a) *General Standards.*

1. *Number of Dwellings Units.*

a. A single cottage cluster shall contain a minimum of 4 and a maximum of 12 cottages. The minimum number of cottages required by this subparagraph (a) may not be adjusted.

b. Each cottage cluster may contain detached or attached cottages, and the cottages may be located in subgroupings of up to four units in any configuration.

~~c~~. All cottages within a single cottage cluster must share a common courtyard. This standard may not be adjusted.

~~d~~. A cottage cluster project may include more than one cluster with more than one associated common courtyard. There is no limit to how many cottage clusters are permitted on a single lot.

e. The retained units described in subparagraphs a-b below and as provided in EC 9.2741(4)(f) are considered one dwelling unit for purposes of the number of units on a lot:

(a) The combination of a single-unit dwelling and an accessory dwelling unit; or

(b) A duplex.

2. *Setbacks.*

a. *Building Separation.* Cottages shall be separated by a minimum distance of 6 feet between walls. This standard may not be adjusted. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

b. All other setbacks are provided in Table 9.2750 or in the development standards for the applicable zone.

3. *Building Height.* The maximum building height for all structures in a cottage cluster is 25 feet. This standard may not be adjusted.

4. *Footprint.* The average building footprint for ~~each~~ all cottages within the cottage cluster with a building height of 15 feet or less shall be 1,400 square feet or less. The average building footprint for all dwelling units within a cottage cluster with a building height of more than 15 feet shall be less than 900 square feet or less. This standard may not be adjusted. For the purposes of this subparagraph, the "average building footprint" means the sum of the footprints of all the cottages within one height category in a cottage cluster, divided by the number of cottages within that height category. The building footprint shall be measured by calculating the total square foot area of a building, when viewed directly from above, that covers a portion of a lot, except that the following structures or parts of structures shall themselves not be included in calculating building footprint:

- a. Any part of a structure without a roof.
- b. Roof eaves.
- c. Carports, porches, and balconies that are open at least 50 percent of their respective perimeter.
- d. Detached garages or accessory buildings.

e. Attached garages of up to 200 square feet.

5. *Maximum Dwelling Size.* The maximum average dwelling size permitted for a cottage cluster is 1,400 square feet. Community buildings shall be included in the maximum average size calculation for a cottage cluster. For the purposes of this subparagraph,

“Average size” means the average square footage of all dwelling units and any community building in the cottage cluster as calculated using the formula at EC 9.2741(4)(c).

6. *Accessory Buildings.* Accessory buildings must not exceed 400 square feet in floor area. Accessory buildings in the R-1 zone must also comply with the standards in EC 9.2751(16). Accessory building size is the total square foot area of an accessory building, which is calculated by adding together the square foot area of each full story or level in an accessory building, measuring square foot area from the exterior perimeter walls of the accessory building. Eaves, decks, porches, exterior stairways and carports are not included in the accessory building size. Community buildings are not considered accessory buildings for purposes of this standard.

7. *Windows and Doors.* ~~All street-facing facades of dwellings~~ Cottages located within 20 feet of a property line abutting a street shall ~~have~~ comply with the following standards regarding windows ~~or~~ and pedestrian entrance doors:

a. At least 15 percent of one street-facing building facade shall be covered by windows or pedestrian doors ~~covering at least 15 percent of the area of the facades.~~ Half of the window area in ~~the~~ a garage door of an attached garage may count toward meeting this standard. This standard may not be adjusted. **(See Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area.)**

b. At least 10 percent of all other street-facing facades shall be covered by windows or pedestrian entrance doors. This standard may not be adjusted. (See Figure 9.5550(4)(c)2. Middle Housing Window and Door Coverage Area.)

c. The standards in EC 9.5550(6)(a)7.a-b do not apply under the following circumstances:

(1) An existing dwelling is located between the street-facing facade of the townhouse and the front lot line.

(2) A buildable lot or parcel, including a middle housing lot, is located between the street-facing facade and the front lot line. A lot or parcel is considered buildable for this subsection based on the minimum lot dimension requirements of the applicable base zone.

(3) A lot or parcel dedicated to natural or historic resources is between the street-facing facade and the front lot line. A lot or parcel is buildable for purposes of this subsection if it meets the minimum lot dimension requirements of the applicable base zone. Natural resources for the purposes of this subparagraph 3 means designated for protection in an adopted plan and the area within the natural resources protection or conservation setbacks have been applied to this site. Historic resources for the purposes of this subparagraph 3 means historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director.

(4) The building is located more than 40 feet from the front lot line.

8. *Criteria for Adjustment.* Except for those standards that cannot be adjusted, adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(d) General Standards for Cottage Clusters.

(b) *Cottage Orientation.* Cottages must be clustered around a common courtyard and must meet the following standards (**see Figure 9.5550(6)(b)-(c). Cottage Cluster Orientation and Common Courtyard Standards**):

1. Each cottage within a cluster must ~~either abut~~ have a main entrance that is directly connected to the common courtyard ~~or must be connected to it by a pedestrian path.~~ This standard may not be adjusted.
2. Except as provided in subparagraph 3, a A minimum of 50 percent of cottages ~~the dwelling units~~ within a cluster must:
 - a. Have a main entrance ~~facing~~ that either faces the common courtyard or is located no more than 20 feet from the nearest edge of the common courtyard; or
 - b. Be within 10 feet from the common courtyard, measured from the facade of the cottage nearest to the common courtyard to the nearest edge of the common courtyard; ~~and~~
 - c. ~~Be connected to the common courtyard by a pedestrian path.~~

3. Bonus units included within a cottage cluster pursuant to EC 9.2741(4)(g) may be excluded from the calculation of the number of dwelling units that must oriented toward the common courtyard.

~~3. As long as the standard in subsection 2 is met, the main entrances of cottages within 20 feet of a property line abutting a street may face the street.~~

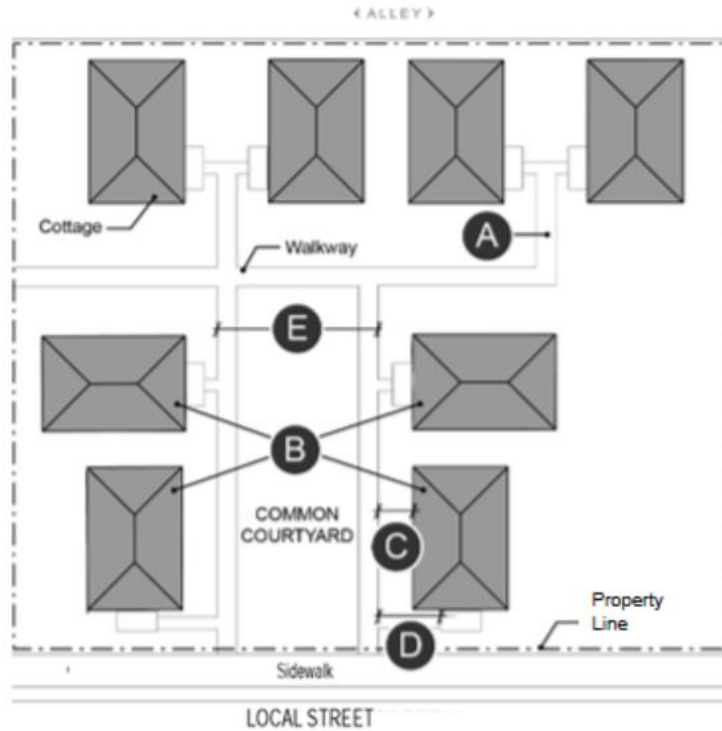
~~4. Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is connected to the common courtyard.~~

45. *Criteria for Adjustment.* Adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(e)f) Cottage Cluster Orientation Standards.

Figure 9.5550(6)(b)-(c) Cottage Cluster Orientation and Common Courtyard Standards

Figure 9.5550(6)(b)-(c)

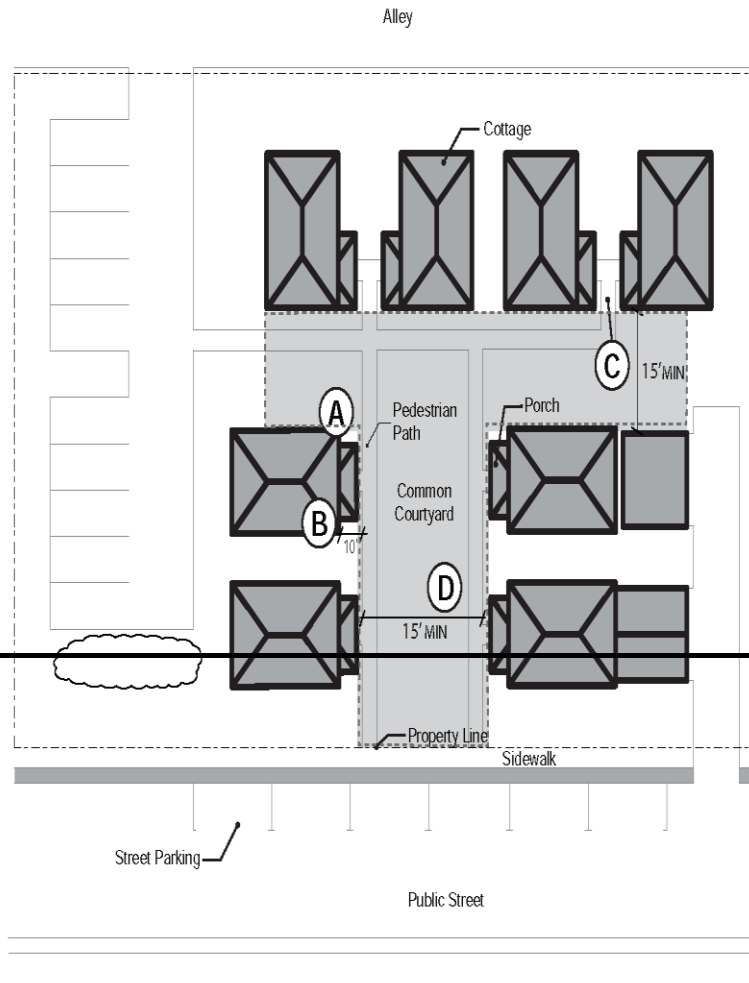
Cottage Cluster Orientation and Common Courtyard Standards




- A** All cottages connected to courtyard by walkway.
- B** Minimum 50% of cottages meet the orientation requirements illustrated by **C** and **D**.
- C** Maximum 10 feet from cottage to courtyard.
- D** Maximum 20 feet from entry to courtyard.
- E** Minimum 15 feet width at narrowest dimension.

Figure 9.5550(6)(b)-(c)

Cottage Cluster Orientation and Common Courtyard Standards



- (A)** A minimum of 50% percent of cottages must have a main entrance facing the courtyard
 - (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard, measured from the façade of the cottage to the nearest delineation of the common courtyard
 - (C)** Cottages must be connected to the common courtyard by a pedestrian path
 - (D)** The common courtyard must be at least 15 feet wide at it narrowest width
-  Common courtyard

(c) *Common Courtyard Design Standards.* Each cottage cluster must include a common courtyard in order to provide a sense of openness and community ~~for~~of residents. Common courtyards must meet the following standards (see **Figure 9.5550(6)(b)-(c).**

Cottage Cluster Orientation and Common Courtyard Standards):

1. The common courtyard must be a single, contiguous piece.
2. The common courtyard must contain a minimum of 150 square feet per ~~cottage~~
dwelling unit within the associated cluster.
3. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
4. 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.
5. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard may count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.
6. Cottages must abut the common courtyard on at least two sides of the courtyard. Cottage cluster developments consisting of a single cottage cluster where all cottages are attached are exempt from this requirement.
7. *Criteria for Adjustment.* Adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(fg) Common Courtyard Design Standards.

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

1. Each cottage cluster is permitted one community building.

2. The community building shall have a maximum floor area of 1,200 square feet. In addition, the community building shall count towards the maximum average dwelling size calculation of the cottage cluster, pursuant to subsection 9.5550(6)(a)5.

3. If a community building contains a habitable area that meets the definition of a dwelling unit but is not intended to be used as a primary dwelling, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling. If a community building contains a habitable area that meets the definition of a dwelling unit and is intended to be used as a primary dwelling, the habitable area to be used as a dwelling shall be included in the calculation of the average building footprint at EC 9.5550(6)(a)4. and the building must be counted towards the maximum number of cottages in a cluster.

4. *Criteria for Adjustment.* Adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(g) Community Building Standards.

(e) *Pedestrian Access.* These standards may not be adjusted.

1. A pedestrian path must be provided that connects the main entrance of each ~~cottage~~ building containing a dwelling unit to the following:

- a. The common courtyard;
- b. Shared parking areas;
- c. Community buildings;
- d. Sidewalks; and
- e. Public rights-of-way abutting the site if there is no sidewalk.

2. In addition to the requirements of subparagraph 1, if a dwelling unit is an accessible or adaptable unit, an accessible walkway must connect the dwelling unit to the following:

- a. A sidewalk abutting the lot on which the cottage cluster is located, or if no sidewalk exists, a street; and
- b. If ADA parking spaces are provided as part of the cottage cluster development, at least one ADA parking space.

For the purposes of this section an accessible walkway means a walkway designed and built in accordance with the Americans Disabilities Act.

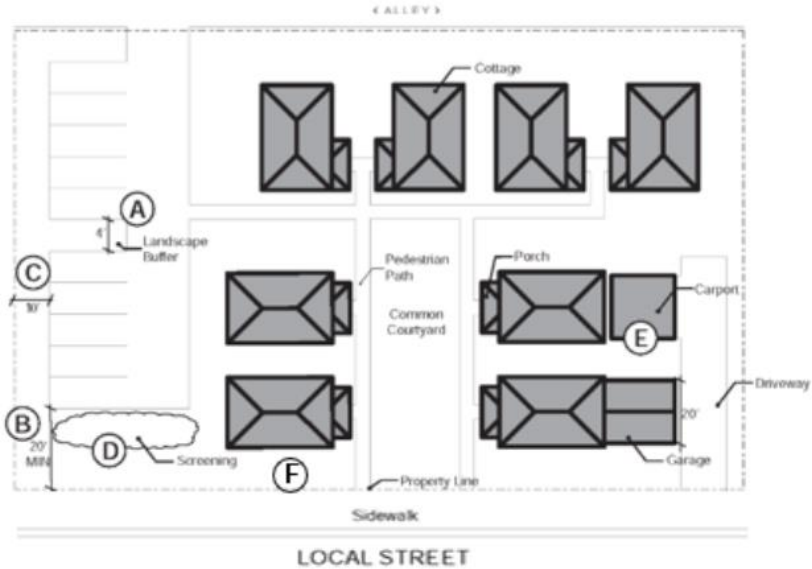
32. The A pedestrian path or accessible walkway required by this subparagraph (e) must be hard-surfaced (concrete, asphalt, or pavers) and a minimum of 3 feet wide. For purposes of this subparagraph (e)3., "hard-surfaced," means built using a durable, solid material that provides a firm, stable, and smooth walking surface, which may include concrete; asphalt; or pavers or bricks set in mortar or compacted base.

(f) Vehicle Parking Design. (Ssee Figure 9.5550(6)(f). Cottage Cluster Parking Design Standards.)

Figure 9.5550(6)(f) Cottage Cluster Parking Design Standards

Figure 9.5550(6)(f)

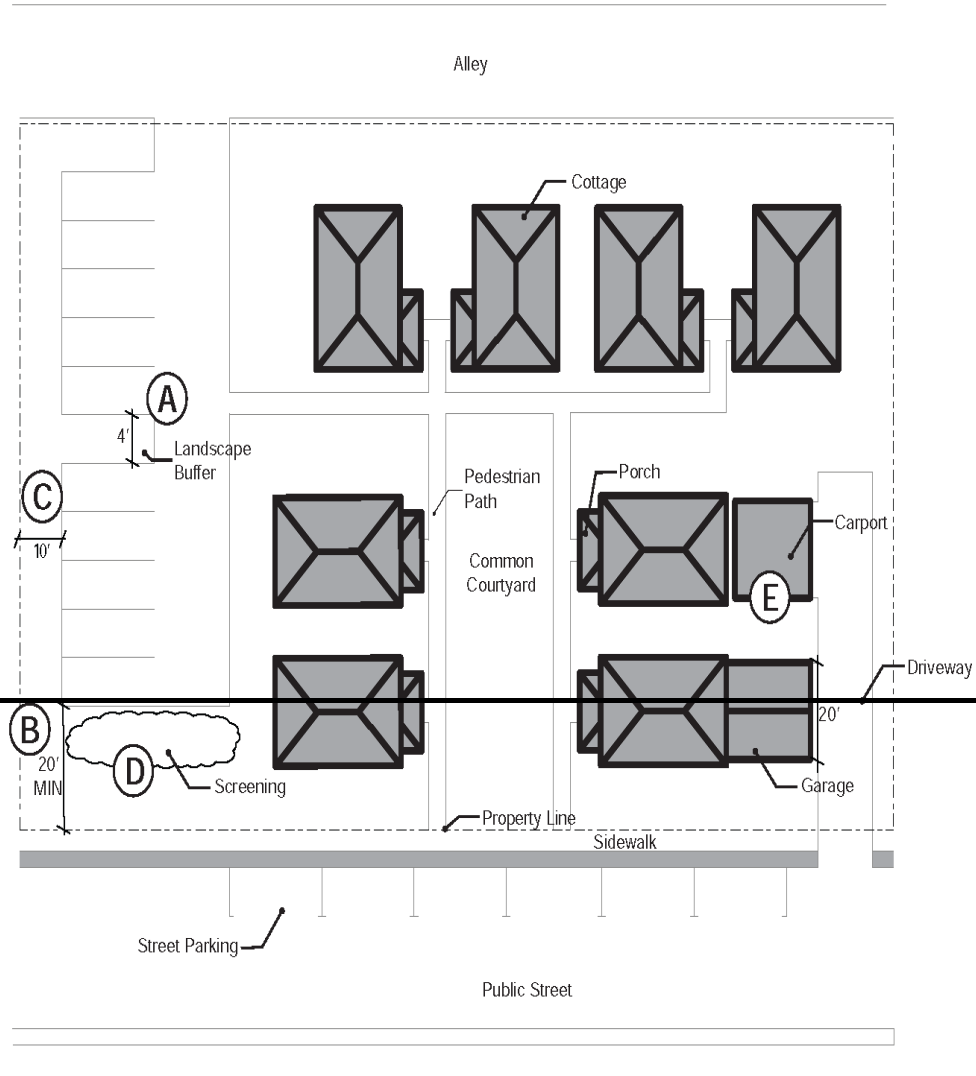
Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 8 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** Parking areas with 5 or more spaces shall not be located within 20 feet from any property line that abuts a street
- (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 more than 25% of the common courtyard perimeter. Garage doors for individual garages must not exceed 20 feet in width.
- (F)** No parking or maneuvering area between a property line that abuts a street and the front facade of cottages closest to that property line

Figure 9.5550(6)(f).

**Cottage Cluster
Parking Design Standards**



- (A) Parking allowed in clusters of up to 5 spaces (8 spaces for larger projects). Clusters separated by minimum 4 feet of landscaping.
- (B) Parking areas with 5 or more spaces shall not be located within 20 feet from any property line that abuts a street other than an 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.

1. *Clustered parking.* Off-street parking may be arranged in parking clusters, subject to the following standards:

- a. Cottage cluster projects are permitted parking clusters of not more than ~~840~~ contiguous spaces.
- b. Parking clusters must be separated from other parking spaces or parking clusters by at least 4 feet of landscaping.
- c. Clustered parking areas may be covered.
- d. Clustered parking areas must meet the standards in EC 9.6420; however, where the standards in EC 9.6420 conflict with the clustered parking standards in this ~~subsection~~-subparagraph 1, the clustered parking standards in this ~~subsection~~-subparagraph 1 control.

2. *Parking location and access.*

- a. Off-street parking areas with 5 or more spaces shall not be located within ~~10~~-20 feet from any property line that abuts a street;
- b. No off-street parking space or vehicle maneuvering area is permitted between a property line that abuts a street and the front building facade of ~~cottages~~-dwelling units in the cottage cluster located closest to that property line. Existing parking spaces or existing vehicle maneuvering areas that met the applicable standards at the time of their development are exempt from this standard.
- c. No off-street parking space is permitted within 10 feet of any property line external to the cottage cluster or cottage cluster project, except property lines abutting an alley. Driveways and drive aisles are permitted within 10 feet of property lines external to the cottage cluster or cottage cluster project.
- d. Driveways must meet the access connection standards in EC 7.410 and 7.420.

3. *Screening.* Screening that is at least three feet tall, consisting of landscaping, fencing, or walls shall separate clustered parking areas and parking structures from common courtyards and public streets.

4. *Garages and carports.*

- a. Garages and carports (whether shared or individual) must not abut more than 25 percent of a common courtyard's perimeter.
- b. Individual detached garages must not exceed 400 square feet in floor area.
- c. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

5. *Criteria for Adjustment.* Adjustments to the standards in this subsection may be made, based on the criteria of EC 9.8030(37)(h) Cottage Cluster Parking Design Standards.

(e) Bonus Units. Cottage cluster developments with additional bonus units as allowed under EC 9.2741(4)(g) may receive relief from some standards to allow for the development of the units as follows:

Table 9.5550(6)(g) Development standards relief for cottage cluster projects with bonus units			
Minimum cottages to qualify for bonus	1 Accessible Unit or 1 Income Qualified Middle Housing Unit, for every 6 cottages		
	Base Allowed	Bonus	Total Cap with Bonus Units
Number of units	12 cottages	+2 cottages	14 cottages
Maximum building height	25 feet	+5 feet	30 feet for the bonus unit(s)

Minimum front yard setback (excluding garages and carports)	10 feet	-5 feet	5 feet for the bonus unit(s)
Maximum average cottage size	1,400 square feet	+100 square feet	+1,500 square feet For the site
Maximum average cottage footprint for cottages with building height of 15 feet or less	1,400 square feet;	+50 square feet	1,450 square feet
Maximum average cottage footprint for Cottages with a building height of more than 15 feet	900 square feet	+50 square feet	950 square feet
Minimum courtyard area	150 square feet per cottage	-30 square feet per cottage	120 square feet per cottage for the bonus unit(s)

(g) ~~Existing Structures~~ Retained Units. Retained units allowed pursuant to EC 9.2741(4)(f). An existing single-unit dwelling and accessory uses and ~~and any retained accessory~~ buildings ~~that are~~ on a lot or parcel to be used for a cottage cluster project may remain within the cottage cluster project area provided they comply with the standards in subsections 1 – 64 below. These standards may not be adjusted.

1. ~~The existing dwelling~~ Retained units may be nonconforming with respect to the requirements of this section EC 9.5550(6).

2. The retained units described in subparagraphs a-b below and as provided in EC 9.2741(4)(f) are considered one dwelling unit for purposes of the number of units on a lot:

(a) The combination of a single-unit dwelling and an accessory dwelling unit; or

(b) A duplex.

3. A retained unit ~~The existing dwelling~~ may be altered or expanded up to a ~~maximum~~ height of 25 feet or a maximum building footprint of 900 square feet if the height of the retained unit is more than 15 feet, or a maximum building footprint of 1,400 square feet if the height of the retained unit is 15 feet or less. Under no circumstances may a retained unit be altered or expanded so that its height exceeds 25 feet. ~~Existing dwellings~~ Retained units that exceed the maximum height and/or footprint standards in this subparagraph 2 may not be expanded.

4. A retained accessory building may be altered or expanded up to a maximum total floor area of 400 square feet. Retained accessory buildings that exceed the maximum floor area standards in this subparagraph 3 may not be expanded.

5. The existing dwelling Retained units shall be excluded from the calculation of maximum average dwelling size of a cottage cluster, ~~per~~ in 9.5550(6)(a)5.

6. The existing dwelling Retained units shall be excluded from the calculation of orientation toward the common courtyard, ~~per subsection~~ in 9.5550(6)(b)2.

9.6740 Recycling and Garbage Screening.

(1) Except for single-unit dwellings, accessory dwelling units and middle housing, outdoor storage areas and refuse collection areas within or adjacent to vehicular use areas shall be screened on all sides so that materials stored within these areas are obscured from streets, accessways, or adjacent properties.

(a4) Outdoor storage areas and refuse collection areas are prohibited within required minimum or maximum front yard setbacks or required landscaping areas.

(b2) Required screening shall include the installation and maintenance of fences at least 6 feet high with a maximum height of 8 feet.

(c3) Fences may be made of wood, metal, masonry, or other permanent materials, and shall be 100 percent site-obscuring except as provided in (d4) and (e5) below.

(d4) On the pedestrian entrance, the fence shall be at least 50 percent site-obscuring, such as cyclone fencing with slats.

(e5) On all sides of the screening structure, up to 12 inches measured from grade may be visually unobscured provided that the unobscured area is covered with a material that contains the debris within the structure, such as cyclone fencing.

(2) Except for duplexes, on all lots and parcels developed with middle housing, outdoor storage areas and refuse collection areas are prohibited within required minimum or maximum front yard setbacks or required landscaping areas.

9.6745 Setbacks – Intrusions Permitted.

(10) Stormwater facilities. Stormwater facilities necessary for the operation and maintenance of public and private stormwater may be located in any required setback.

9.7055 Applications and Review Authorities.

Table 9.7055 Applications and Review Authorities, lists applications and the typical review authorities for the decision and the appeal of the decision. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type:

Table 9.7055 Applications and Review Authorities

R = Recommendation, D = Decision Maker, A = Appeal Review Authority

Application	Type	Planning Director	Hearings Official	Historic Review Board	Planning Commission	City Council
Expedited Land Division	N/A (See 9.7900)	D	A			

Middle Housing Land Division						
- Tentative Plan	N/A (See 9.7900)	D	A			
- Final Plat	I	D				

9.7230 Expiration.

Table 9.7230 Expiration of Type II Application Approvals

Application	12 months	18 months	36 months
Adjustment Review		X	
Conditional Use Permit, Modification		X	
Design Review			X
Design Review, Modification			X
Historic Property, Alteration		X	
Middle Housing Land Division, Tentative Plan			X
Partition:			
- Tentative Plan		X	
Planned Unit Development, Final			X
Planned Unit Development, Modification			X
Site Review		X	
Site Review, Modification		X	
Standards Review		X	
Standards Review, Modification		X	

Application	12 months	18 months	36 months
Subdivision:			
- Tentative Plan			X
Traffic Impact Analysis Review		X	
Variance		X	

~~(10) Approval of a Middle Housing Land Division tentative plan shall be effective for 36 months after the effective date of approval. Within that time, any conditions of approval shall be fulfilled and the final plat, as approved by the city, shall be recorded by the applicant at Lane County Deeds and Records.~~

~~**9.7640 Filing of Appeal of Planning Director’s Decision on Expedited Land Division or Middle Housing Land Division Application.**~~

~~(1) Within 14 days of the date of the mailing of notice of the planning director’s decision on an Expedited Land Division application or a Middle Housing Land Division application, the decision may be appealed to the hearings official by:~~

~~(a) The applicant.~~

~~(b) Any group or individual who submitted written comments during the 14-day comment period identified in the notice mailed pursuant to EC 9.7910.~~

~~(2) The appeal shall be submitted on a form approved by the city manager, be accompanied by a deposit for costs established by the city manager pursuant to EC 2.020 City Manager – Authority to Set Fees and Charges and be received by the city no later than 5:00 p.m. on the~~

14th day after the notice of decision is mailed. The record from the planning director's proceeding shall be forwarded to the hearings official. New evidence shall be accepted.

~~(3) The appeal shall include a statement of issues on appeal. The appeal statement shall explain specifically how:~~

~~(a) The Planning Director's decision violates the substantive provisions of land use regulations applicable to the application;~~

~~(b) The Planning Director's decision is unconstitutional;~~

~~(c) The application is not eligible for review under the procedures at EC 9.7900 through 9.7925; or~~

~~(d) The parties' substantive rights have been substantially prejudiced by an error in procedure made by the city.~~

Expedited Land Division/Middle Housing Land Division Application Procedures

9.7900 General Overview of Expedited Land Division/Middle Housing Land Division Application Procedures.

The Expedited Land Division/Middle Housing Land Division review process provides for review by the planning director of an application based on provisions specified in this land use code. ~~The application process includes notice to nearby occupants and property owners to allow for public comments prior to the planning director's decision.~~

9.7910 ~~Notice of Application.~~

~~(1) Within 10 days of the city's determination that an application is complete, but at least 20 days before the planning director makes a decision, written notice of the application shall be mailed to all of the following, using information from the most recent property tax assessment roll:~~

~~(a) Applicant.~~

~~(b) Owners and occupants of the subject property.~~

~~(c) Owners and occupants of properties located within 100 feet of the perimeter of the subject property.~~

~~(d) Neighborhood group or community organization officially recognized by the city council that includes the area of the subject property.~~

~~(e) Community organizations that have submitted written requests for notification.~~

~~(f) Any state agency, local government or special district responsible for providing public facilities or services to the subject property.~~

~~(2) The notice shall include all of the following:~~

~~(a) The street address or other easily understood geographical reference to the subject property.~~

~~(b) The applicable criteria for the decision, listed by commonly used citation.~~

~~(c) The place, date, and time that comments are due.~~

~~(d) A statement that copies of all evidence relied upon by the applicant are available for review and can be obtained at cost.~~

~~(e) A statement that issues that may provide the basis for an appeal to the hearings official must be raised in writing prior to the end of the comment period and with sufficient specificity to enable the hearings official to respond to the issue.~~

~~(f) The name and phone number of a city contact person.~~

~~(g) A brief summary of the local decision-making process for the decision being made.~~

~~(3) The notice shall allow a 14-day period for the submission of written comments, starting from the date of mailing. All comments must be received by the city within that 14-day period.~~

~~(4) Responsibility and procedures for mailing and posting the notices described in this section may be established by administrative rule of the city manager adopted pursuant to section 2.019 of this code.~~

9.7915 Decision.

Within ~~63~~58 days of the city's determination that an application is complete, the planning director shall approve, conditionally approve, or deny an Expedited Land Division or Middle Housing Land Division application. The decision shall: include a brief statement that explains the criteria and standards considered relevant to the decision; state the facts relied upon in rendering the decision; and explain the justification for the decision based upon the criteria, standards and facts set forth. The Planning Director's decision is the final decision on the application. ~~The planning director's decision on an application for an Expedited Land Division or Middle Housing Land Division is not a land use decision or limited land use decision.~~

9.7920 Notice of Decision.

(1) Within 5 days after the planning director renders a decision, notice of the decision shall be mailed to the following: applicant.

~~(a) Applicant.~~

~~(b) Owner and occupants of the subject property.~~

~~(c) Owners and occupants of properties located within 100 feet of the perimeter of the subject property.~~

~~(d) Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.~~

~~(e) Community organizations that have submitted written requests for notification.~~

~~(f) Any state agency, local government or special district responsible for providing public facilities or services to the subject property.~~

~~(g) Any group or individual who submitted written comments during the comment period.~~

~~(h) Those groups or individuals who requested notice of the decision.~~

(2) The notice shall include all of the following:

(a) A description of the nature of Summarize the decision of the planning director.

~~(b) An explanation of the nature of the application and the proposed use or uses which could be authorized~~Explain the applicant's appeal rights.

~~(c) The street address or other easily understood geographical reference to the subject property.~~

~~(d) The name of a city representative to contact and the telephone number where additional information may be obtained.~~

~~(e) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.~~

~~(f) A statement that the applicant and any person or organization that submitted written comments during the comment period may appeal as provided in EC 9.7640.~~

~~(g) A statement that the planning director's decision will not become final until the period for filing a local appeal has expired.~~

~~(h) An explanation that a person who is mailed written notice of the planning director's decision cannot appeal directly to LUBA.~~

(3) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

~~(4) Unless appealed according to the procedures in EC 9.7640 Filing of Appeal of Planning Director's Decision on Expedited Land Division or Middle Housing Land Division Application, the planning director's decision is effective on the 15th day after notice of the decision is mailed.~~

Adjustment Review

9.8030 Adjustment Review – Approval Criteria.

The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria:

(37) *Middle Housing Standards Adjustment*. Where EC 9.5550 provides that standards applicable to triplexes, fourplexes, townhouses, or cottage clusters may be adjusted, approval of the request shall be given if the applicant demonstrates consistency with all of the following, as applicable:

(a) *Entry Orientation*. The requirements set forth in EC 9.5550(4)(c) and 9.5550(5)(d)1. may be adjusted if the overall proposal creates building orientations and entrances that achieve all of the following:

1. Enhances public safety for residents and visitors; and
2. Provides opportunities for community interaction; and
3. Ensures that the main entrance is visible or clearly identifiable from the street or from common open spaces by its orientation or articulation; and
4. Ensures that residents, visitors, and emergency personnel can easily find the main entrance, and so establish how to enter the residence.

(b) *Garages, Off-Street Parking Areas, Access Connections, and Driveways for Triplexes and Fourplexes*. The requirements set forth in EC 9.5550(4)(a) and (b) may be adjusted if the proposal achieves the following:

1. Supports a pedestrian-friendly street environment by minimizing the visual and safety impacts of garages, parking areas, and vehicle circulation areas.
2. Consistency with EC 9.8030(28).

~~(c) *Townhouse Unit Features*. The requirements set forth in EC 9.5550(5)(b) may be adjusted if the proposed building design utilizes architectural masses, features or details to distinguish elements of the building, such as entryways, windows, garages, and other elements.~~

~~(c)~~ *Townhouse Driveways, Access Connections, and Vehicle Parking*. The requirements set forth in EC 9.5550(5)(d) may be adjusted if the proposal supports a pedestrian-friendly street environment by minimizing the visual and safety impacts of garages, parking areas, and vehicle circulation areas.

(d) *General Standards for Cottage Clusters.* The requirements set forth in EC 9.5550(6)(a) may be adjusted if the proposal overall achieves an equivalent or higher quality design by including the following:

1. Higher quality design elements, such as durable, high quality materials, architectural detail and craftsmanship, sustainable building design features, enhanced landscaping, or user amenities;
2. An enhanced sense of openness and community for residents by including elements such as abundant and highly functional common open space that is easily accessible and viewable from individual units through abundant windows and porches;
3. Amenities or design that enhance the livability, walkability, and safety of the residents and community, such as enhanced lighting features or easily accessible connectivity to neighborhood amenities;
4. Design that promotes compatibility with adjacent properties and the neighborhood through the scale of buildings and of the overall development pattern, through design elements that may include privacy screening, enhanced landscape buffers, or frontage improvements and amenities that are supportive of an active, walkable, and neighborly streetscape;
5. Enhanced design elements for cottage clusters over 8 units, such as design elements that enhance the common courtyard and open space and provide connectivity and access to shared amenities consistent with the intent of openness and community for residents. A single cottage cluster shall contain a maximum of 12 cottages;
6. An Accessory building must not exceed 600 square feet in floor area and shall comply with standards in EC 9.2751(16).

(e) *Cottage Cluster Orientation Standards.* The requirements set forth in EC 9.5550(6)(b) may be adjusted if the overall proposal achieves all of the following:

1. Provides a sense of community within a cottage cluster by including design features such as porches, outdoor living areas, and other features that incorporate transparency and openness to encourage passive observation and neighborly interactions, and
2. Each dwelling has pedestrian access to a common courtyard.

3. Dwellings within 20 feet of a front property line that abuts a street shall provide a pedestrian-friendly frontage that includes design features such as street facing porches, abundant windows, gateway elements, and other architectural features.

(fg) *Common Courtyard Design Standards*. The requirements set forth in EC 9.5550(6)(c) may be adjusted if the requested adjustment will allow the project to achieve an equivalent or higher quality design of open space than would result from strict adherence to the standards through:

- a. Enhanced spaces that contribute positively to the site, streetscape, and adjoining properties by including design elements such as high-quality materials, outdoor seating, enhanced pedestrian space, pedestrian-scaled lighting, canopy trees and other landscape materials and other user amenities; and
- b. An overall design that promotes safety and security for residents and visitors.

(gA) *Community Building Standards*. The requirements set forth in EC 9.5550(6)(d) may be adjusted if the community building is compatible in scale with dwellings in the cottage cluster, including, but not limited to, building height and building size.

(hi) *Cottage Cluster Parking Design Standards*. The requirements set forth in EC 9.5550(6)(f) may be adjusted if the proposal achieves all of the following:

1. Supports a pedestrian-friendly street environment; and
2. Supports livability for cottage cluster residents by minimizing the impacts of parking areas and garages.
3. Consistency with EC 9.8030(28).

Middle Housing Land Division, Tentative Plan

9.8191 Purpose of Middle Housing Land Division, Tentative Plan.

Sections 9.8191 through 9.8199 govern the approval of middle housing land divisions. These regulations are intended to accomplish the orderly development of land within the community, ensure the adequate provision of public facilities and services, protect public health and safety,

enable development to occur consistent with applicable provisions of the comprehensive plan, enable home ownership, and comply with state laws requiring the allowance of land divisions to create small lots for individual units of middle housing. The purpose of a middle housing land division is to create middle housing lots. The development of units of middle housing is separate from a middle housing land division.

9.8194 Middle Housing Land Division, Tentative Plan Approval Criteria.

The planning director shall approve, conditionally approve, or deny the middle housing land division tentative plan application based on compliance with the following criteria:

(5) Except as provided in subparagraph (6), Separate utilities are provided for each dwelling unit.

(6) Individual wastewater connections are not required for each dwelling unit.

(7) The middle housing land division results in one dwelling unit on each middle housing lot, except lots, parcels or tracts that include a common area. Lots, parcels or tracts that include a common area, but do not include a dwelling unit, are permitted.

(8) The following retained units are considered one dwelling unit for purposes of compliance with subparagraph (7), as long as final certificate of occupancy for each unit was issued at least 5 years prior to the date of submittal of the middle housing land division application:

(a) One detached single-unit dwelling;

(b) One detached single-unit dwelling plus one accessory dwelling unit; or

(c) One duplex.

(9) The application demonstrates that buildings or structures on the middle housing lots created by the middle housing land division will comply with applicable building code provisions related to new property lines; and, notwithstanding the creation of new lots or

parcels, that structures or buildings located on the middle housing lots will comply with the Oregon Residential Specialty Code.

(108) The following notes are included on the tentative plan:

- (a) The middle housing lots shown on the tentative plan were created pursuant to a middle housing land division and may not be further divided.
- (b) The middle housing developed on the middle housing lots shown on the tentative plan shall remain middle housing and shall not be considered to be any other housing type as a result of the middle housing land division.

(119) The proposed middle housing land division will not cause any existing improvements on the middle housing lots to be inconsistent with applicable standards in this land use code.

9.8195 Expiration

Approval of a Middle Housing Land Division tentative plan shall be effective for 36 months after the effective date of approval. Within that time, any conditions of approval shall be fulfilled and the final plat, as approved by the city, shall be recorded by the applicant at Lane County Deeds and Records.

9.8199 Middle Housing Land Division, Final Plat – Recordation.

- (1) The city surveyor and planning director shall note their approval of the middle housing land division on the final plat along with the effective date of approval, which constitutes the city's acceptance of any dedications to the public contained therein. After approval, the city shall forward the final plat for the middle housing land division to Lane County for signature by the county assessor and recording.
- (2) A notice of middle housing land division shall be recorded for each middle housing lot with the Lane County Deeds and Records that states:

- (a) The middle housing lot may not be further divided.
- (b) No more than one unit of middle housing may be developed on each middle housing lot as provided in EC 9.8194(7)-(8).
- (c) The dwelling developed on the middle housing lot is a unit of middle housing as provided in EC 9.8194(7)-(8) and is not a single attached or detached dwelling, or any other housing type.

Figures and Maps

Figure 9.0500

Window and Door Coverage Area



STREET-FACING FACADE

■ Area subject to window & entrance door coverage requirement



STREET-FACING FACADE

▨ Qualifying window coverage

▩ Qualifying door coverage

CA 26-3: Day Care and Residential Treatment

9.0500 Definitions.

As used in this land use code, unless the context requires otherwise, the following words and phrases mean:

Adult Day Care Center. An adult care facility, other than an adult day care home, where care or supervision is provided by one or more paid caregivers to four or more individuals that are 18 years of age or older and the paid caregivers are not the parent or guardian of, or related by blood or marriage to, any of the individuals being served. Adult day care centers do not provide boarding, temporary care, or other support services for adult transitory individuals. -Adult day care centers are not adult day care homes, residential treatment homes, or residential treatment facilities.

Adult Day Care Home. An adult care facility, located in a dwelling, where care or supervision is provided by one or more paid caregivers to no more than 16 individuals who are 18 years of age or older and the paid caregivers are not the parent or guardian of, or related by blood or marriage to, the individuals being served. Adult day care homes do not provide boarding, temporary care, or other support services for adult transitory individuals. Adult day care homes are not adult day care centers, residential treatment homes, or residential treatment facilities.

~~*Assisted Care.* The 24-hour care and boarding of persons by a paid caregiver who is not the parent or guardian of and is not related by blood, marriage, or legal adoption to the persons served, or other support services for adult transitory individuals. Services provided may include the training or rehabilitation for physically, mentally, or socially dependent persons requiring assisted living care. Services provided may also include meals, housekeeping, and personal care assistance. "Assisted Care" does not include temporary housing or other support services for adult transitory individuals. For purposes of determining residential density, if the design of the facility does not contain dwellings, as defined in this land use code, then every 1.5 beds equals 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g., 2 beds equals 2 dwellings.~~

Child Care Center. A child care facility, other than a family child care home, that is: certified by the Oregon Department of Early Learning and Care; a preschool recorded program or school-age recorded program recorded with the Department of Early Learning and Care; or a parent cooperative where care is provided by parents on a rotating basis, membership in the cooperative includes parents, there are written policies and procedures, and a board of directors that includes parents of the children cared for by the cooperative controls the policies and procedures of the program. Child care centers are not family child care homes, adult day care homes, adult day care centers, residential treatment homes or residential treatment facilities.

Day Care. Care or supervision of four or more persons by a paid caregiver who is not the parent, guardian, or related by blood or marriage to the persons being served. Day care does not include boarding or temporary care or other support services for adult transitory persons.

Family Child Care Home. A child care facility located in a dwelling where care or supervision is provided by one or more paid caregivers to no more than 16 children under 18 years of age and is either certified by the Oregon Department of Early Learning and complies with rules adopted by the Early Learning Council, or is registered with the Department of Early Learning and Care when certification is not required. Family child care homes are not child care centers, adult day care homes, adult day care centers, residential treatment homes or residential treatment facilities.

Residential Treatment Center. A professionally operated 24-hour care facility administering a planned system of medical, psychological, social work and/or rehabilitative procedures and activities designed to relieve or minimize mental, emotional or behavioral disorders. Residential treatment centers serve people admitted by court order, and others on a voluntary basis. Residential treatment centers normally serve less than 50 persons and can provide a security system alarming staff if residents under care leave the facility. For purposes of determining residential density, if the design of the facility does not contain dwellings, as defined in this land

use code, then every 1.5 beds equals 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g. 2 beds equals 2 dwellings.

Residential Care. Services such as supervision; protection; assistance while bathing, dressing, grooming or eating; management of money; transportation; recreation; in conjunction with providing room and board.

Residential Care Facility. A residential treatment facility, a residential care facility, or a residential training facility that provides residential care alone or in conjunction with treatment or training or a combination thereof for six or more individuals who need not be related. Staff members required to meet licensing requirements are not counted as residents. For purposes of this definition, "training" means the systematic, planned maintenance, development or enhancement of self-care skills, social skills or independent living skills, or the planned sequence of systematic interactions, activities or structured learning situations designed to meet each resident's specified needs in the areas of physical, social, emotional and intellectual growth. For purposes of this definition, "treatment" means a planned, individualized program of medical, psychological or rehabilitative procedures, experiences and activities designed to relieve or minimize mental, emotional, physical or other symptoms or social, educational or vocational disabilities resulting from or related to the mental or emotional disturbance, physical disability or alcohol or drug problem. For the purposes of determining residential density, if the design of the facility does not include dwellings, as defined in this land use code, then every 1.5 beds equals 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g., 2 beds equals 2 dwellings.

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Residential Care Home. A residential treatment home, a residential training home, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff members required to meet licensing requirements are not counted as residents. For purposes of this definition, "training" means the systematic, planned maintenance, development or enhancement of self-care skills, social skills or independent living skills, or the planned sequence of systematic interactions, activities or structured learning situations designed to meet each resident's specified needs in the areas of physical, social, emotional and intellectual growth. For purposes of this definition, "treatment" means a planned, individualized program of medical,

psychological or rehabilitative procedures, experiences and activities designed to relieve or minimize mental, emotional, physical or other symptoms or social, educational or vocational disabilities resulting from or related to the mental or emotional disturbance, physical disability or alcohol or drug problem.

Residential Training Facility. A facility that provides, for six or more individuals with intellectual or developmental disabilities, residential care and training in one or more buildings on contiguous properties. For purposes of this definition, “training” means the systematic, planned maintenance, development or enhancement of self-care skills, social skills or independent living skills, or the planned sequence of systematic interactions, activities or structured learning situations designed to meet each resident’s specified needs in the areas of physical, social, emotional and intellectual growth.

Residential Training Home. A facility that provides, for five or fewer individuals with intellectual or developmental disabilities, residential care and training in one or more buildings on contiguous properties, when so certified and funded by the Oregon Department of Human Services. For purposes of this definition, “training” means the systematic, planned maintenance, development or enhancement of self-care skills, social skills or independent living skills, or the planned sequence of systematic interactions, activities or structured learning situations designed to meet each resident’s specified needs in the areas of physical, social, emotional and intellectual growth.

Residential Treatment Facility. A facility that provides, for six or more individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties. For purposes of this definition, “treatment” means a planned, individualized program of medical, psychological or rehabilitative procedures, experiences and activities designed to relieve or minimize mental, emotional, physical or other symptoms or social, educational or vocational disabilities resulting from or related to the mental or emotional disturbance, physical disability or alcohol or drug problem.

Residential Treatment Home. A facility that provides for five or fewer individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties. For purposes of this definition, “treatment” means a planned, individualized program of medical, psychological or rehabilitative procedures, experiences and activities designed to relieve or minimize mental, emotional, physical or other symptoms or social, educational or vocational disabilities resulting from or related to the mental or emotional disturbance, physical disability or alcohol or drug problem.

9.2160 Commercial Zone – Land Use and Permit Requirements.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Medical, Health, and Correctional Services				
Correctional Facility, excluding Residential Treatment Center <u>Care Facility</u>		C	C	C
Clinic or other Medical Health Treatment Facility (including mental health).	P(1)	P	P	P

Residential Treatment Center		P	P	C
Personal Services				
<u>Adult Day Care Center</u> Facility (Not associated with a residence).	P	P	P	P
<u>Child Care</u>				
<u>Child Care Center</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	C-1	C-2	C-3	GO
<u>Child Care Center that is co-located with a civic center, public recreational center, public park, place of worship, school, college, library, or similar institutional use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Residential				
Dwellings				
Single-Unit Dwelling	P(6)	P(6)	P(7)	
Townhouse (See EC 9.5550)	S(6)	S		S
Duplex	P(6)	P(6)	P(7)	P
Triplex (See EC 9.5550)	S(6)	S	S	S
Fourplex (See EC 9.5550)	S(6)	S	S	S
Multiple Unit (See EC 9.5500)	S(6)	S	S	S
Assisted Care Homes, Care Facilities & Day Care (Residences Providing Special Services, Treatment or Supervision)				
<u>Residential Care Home</u> Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	<u>P</u>	P	P	P
<u>Residential Care Facility</u> Assisted Care (6 or more people living in facility)	<u>P</u>	P	P	<u>PC</u>
<u>Adult Day Care Home</u> (4 to 16 people served).	P	P	P	P

	C-1	C-2	C-3	GO
Day Care (17 or more people served), <u>Family Child Care Home</u>	PC	P	P	P

9.2450 Employment and Industrial Zone Land Use and Permit Requirements.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Medical, Health, and Correctional Services				
Blood Bank		P		
Correctional Facility, excluding Residential <u>Care Facility</u> Treatment Center	C	C	C	C
Clinic or other Medical Health Treatment Facility (including mental health)	P	P		
Drug Treatment Clinic – Non-Residential	P(5)	P(5)	P(5)	
Hospital	P	P		
Laboratory, includes medical, dental, and x-ray. In the E-1 zone, the use shall directly serve manufacturers, or other employment and industrial or commercial enterprises, but exclude services offered on premises to the general public	P	P		

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
other than on an incidental basis.				
Residential Treatment Center	€	€		
Personal Services				
Barber, Beauty, Nail, Tanning Shop	P(4)	P(2)	P(4)	
<u>Adult Day Care Center Facility (Not associated with a residence)</u>	P(4)	P(2)	P(4)	
Care Homes, Care Facilities & Day Care				
<u>Child Care Center</u>	<u>P(4)</u>	<u>P(2)</u>	<u>P(4)</u>	
<u>Child Care Center that is co-located with a civic center, public recreational center, public park, place of worship, school, college, library, or similar institutional use</u>	<u>P(4)</u>	<u>P(2)</u>	<u>P(4)</u>	
<u>Residential Care Home</u>	<u>P</u>	<u>P</u>	<u>P(8)</u>	
<u>Residential Care Facility</u>	<u>P</u>	<u>P</u>	<u>P(8)</u>	

9.2451 Special Use Limitations for Table 9.2450.

(8) Special Allowances for Residential Treatment Facilities and Residential Treatment Homes in I-2. Residential treatment facilities and residential treatment homes are allowed in I-2 if the property meets the following criteria:

(a) The property is publicly owned or owned by a public benefit corporation as defined in ORS 65.001;

(b) The property is located within 250 feet of lands zoned for residential use; and

(c) The property is not designated heavy industrial.

9.2682 Public Land Zone Land Use and Permit Requirements.

(1) *Permitted Public or Semi – Public Uses.* The following uses are permitted in the PL public land zone:

(d) The following uses not operated by the public agency that owns the property when the owner declares that the property is not currently needed for public uses:

1. Adult Day Care Center
2. Athletic Field, outdoor.
- ~~3~~2. Ballet, Dance, Martial Arts, and Gymnastic Schools/Academies/Studios.
- ~~4~~3. Child Care Centers and Child Care Centers co-located with a civic center, public recreational center, public park, place of worship, school, college or library or similar institutional use.
5. Community and Allotment Gardens.
- ~~6~~4. Community and Neighborhood Centers.
- ~~5~~ Day Care Facilities.
- ~~7~~6. Meal Services, non-profit.

87. Parks and Playgrounds.

9. Residential Care Facilities

10. Residential Care Homes

118. Schools, Elementary through Middle School.

129. Combinations of the above uses.

9.2740 Residential Zone Land Use and Permit Requirements.

Table 9.2740 Residential Zone Land Uses and Permit Requirements

	R-1	R-2	R-3	R-4
Medical, Health and Correctional Services				
Clinic, or other Medical Health Facility (including mental health).			C(1)	C(1)
Correctional Facility, excluding Residential Care Facility Treatment Center		C	C	C
Hospital, Clinic, or other Medical Health Facility (including mental health). (These uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development			C (1)	C (1)

	R-1	R-2	R-3	R-4
Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)				
Nursing Home (See also Table 9.1240)			C	C
Residential Treatment Facility	€	€	€	€
Personal Services				
<u>Adult Day Care Center</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Child Care</u>				
<u>Child Care Center</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Child Care Center that is co-located with a civic center, public recreational center, public park, place of worship, school, college, library, or similar institutional use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Residential				
Assisted-Care Homes, Care Facilities & Day Care (Residences Providing Special Services, Treatment or Supervision)				
<u>Residential Care Home</u> Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)(All Assisted Care uses shall meet minimum and maximum density	P	P	P	P

	R-1	R-2	R-3	R-4
requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code.)				
<u>Residential Care Facility Assisted Care</u> (6 or more people living in facility) (All Assisted <u>Residential Care Facility</u> uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)	PC	PC	PC	PC
Day Care (4 to 16 people served) (See EC-9.5200)	S	S	S	S
Day Care (17 or more people served)	C	C	C	C
<u>Adult Day Care Home</u>	P	P	P	P
<u>Family Child Care Home</u>	P	P	P	P

9.3115 S-CN Chase Node Special Area Zone Land Use and Permit Requirements.

**Table 9.3115 S-CN Chase Node Special Area Zone
Land Uses and Permit Requirements**

Land Use Type	C	HDR/MU	HDR
Medical and Health Services			
Residential Treatment Center	P	P	P
Personal Services			
Barber, Beauty, Nail, Tanning Shop	P(4)	P(1)	
<u>Adult Day Care Center</u> Facility not associated with a residence	P(4)	P(1)	P(1)
<u>Child Care</u>			
<u>Child Care Center</u>	<u>P(4)</u>	<u>P(1)</u>	<u>P(1)</u>
<u>Child Care Center that is co-located with a civic center, public recreational center, public park, place of worship, school, college, library, or similar institutional use</u>	<u>P(4)</u>	<u>P(1)</u>	<u>P(1)</u>
Residential			
<u>Care Homes, Care Facilities</u> Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision			
<u>Residential Care Home</u> Assisted Living (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time	<u>P</u>	P	P
<u>Residential Care Facility</u> Assisted Living (6 or more people living in facility)	<u>P</u>	<u>PC</u>	<u>PC</u>

Land Use Type	C	HDR/MU	HDR
<u>Adult Day Care Home</u> (4 to 16 people served (See EC 9.5200))	<u>PS</u>	<u>PS</u>	<u>PS</u>
<u>Family Child Care Home</u> Day Care (17 or more people served)	<u>PC</u>	<u>PC</u>	<u>PC</u>

9.3145 S-DR Downtown Riverfront Special Area Zone Permitted Uses.

The uses listed at EC 9.3145(1) through (8) are permitted in the S-DR Zone as specified below, except as limited at EC 9.3146 S-DR Downtown Riverfront Special Area Zone Prohibited Uses and EC 9.3147 S-DR Downtown Riverfront Special Area Zone Willamette Greenway Setback. Accessory uses as defined at EC 9.0500 are permitted.

(1) *Retail Sales and Service Uses.* Permitted as specified in (a) through (c) below. This category of uses refers to the sale, lease, or rent of products to the general public; personal services; entertainment; product repair; or services for consumer and business goods.

(b) *Personal Service – Oriented.* Permitted in S-DR/MU, S-DR/MU/1 (above ground floor only), and S-DR/MU/2. Examples include, but are not limited to:

1. Banks and credit unions;
2. Business, arts, and other trade schools;
3. Care Centers (child care centers, adult day care centers, pre-schools and nursery schools);
4. Dance or music studios;
5. Mail, photo, copy, and package services;
6. Personal care services;
7. Residential care facilities and residential care homes;

~~86.~~ Urgent medical care.;

~~7.~~ Daycare, preschools, and nursery schools.

(3) *Residential Uses.* Permitted in S-DR/MU, S-DR/MU/1 (above ground floor only), and S-DR/MU/2. This category of uses refers to the residential occupancy of a dwelling unit. Tenancy is arranged for a minimum of 30 days or longer. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of temporary lodging and are listed under "Retail Sales and Service." Examples of residential uses include, but are not limited to:

(a) Apartments and retirement center apartments (including those with accessory services such as food service, dining rooms, and housekeeping);

(b) Residential care facilities and residential care homes;

~~(c)~~ Condominiums;

(d) Family child care homes and adult day care homes;

~~(e)~~ Townhouses.

(4) *Institutional Uses.* Permitted in S-DR/MU and S-DR/MU/2 (above ground floor only). This category of uses refers to:

(a) Activities of a public, nonprofit, or charitable entity, which provide a local service to the community. Generally, they provide the service on the site or have employees at the site on a regular basis. Examples include, but are not limited to:

1. Care Centers (child care centers, adult day care centers, pre-schools and nursery schools);

2. Community centers;

~~2.~~ Daycare, preschools, and nursery schools;

3. Government services;

4. Libraries, museums, and interpretive centers;
5. Municipal services (including drive-through facilities);
6. Public and private schools, colleges, and universities;
7. Religious institutions;
8. Senior centers;
9. Transit stations;
10. Surface parking owned or operated by a public agency.

9.3210 S-DW Downtown Westside Special Area Zone – Land Use and Permit Requirements.

**Table 9.3210 S-DW Downtown Westside Special Area Zone
Uses and Permit Requirements**

	S-DW
Medical, Health, and Correctional Services	
Hospital, Clinic, or other Medical Health Treatment Facility (including Mental Health) 10,000 square feet or less of floor area	C
Nursing Home	P
Residential Treatment Center	C

		S-DW
Personal Services		
Barber, Beauty, Nail, Tanning Shop		P(3)
Adult Day Care Center Facility (Day care operations part of a residence are included in residential category.)		P C
<u>Child Care</u>		
<u>Child Care Center</u>		<u>P</u>
<u>Child Care Center that is co-located with a civic center, public recreational center, public park, place of worship, school, college or library or similar institutional use</u>		<u>P</u>
Laundromat, Self-Service		P(3)
Mailing and Package Service		P(3)
Tailor Shop		P(3)
Residential		
Assisted Care Homes, Care Facilities and & Day Care		
<u>Residential Care Home</u>		<u>P</u>
<u>Residential Care Facility</u>		<u>P</u>
Adult Day Care Home (4 to 16 people served) (See EC 9.5200)		P S
Day Family Child Care Home (17 or more people served)		P C

9.3310 S-E Elmira Road Special Area Zone – Land Use and Permit Requirements.

**Table 9.3310 S-E Elmira Road Special Area Zone
Uses and Permit Requirements**

	S-E
Education, Cultural, Religious, Social and Fraternal	
School, Elementary through High School	SR(1)
University or College, must provide general education programs as a primary activity	SR(1)
<u>Adult Day Care Center</u>	P
Child Care	
<u>Child Care Center</u>	P
<u>Child Care Center that is co-located with a civic center, as public recreational center, public park, place of worship, school, college or library or similar institutional use.</u>	P
Residential	
Dwellings	
Single-Unit Dwelling (1 Per Lot)	P
Townhouse (See EC 9.5550)	S
Duplex	P

	S-E
Triplex (See EC 9.5550)	S
Fourplex (See EC 9.5550)	S
Cottage Cluster (See EC 9.5550)	S
Multiple Unit Dwellings (See EC 9.5500)	PUD
Assisted Care Homes, Care Facilities & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Residential Care Home Assisted Care (6 or more people living in facility)	PC
Residential Care Facility Day Care (4 to 16 people served) (See EC 9.5200)	P
Adult Day Care Home (17 or more people served)	PC
Family Child Care Home Day care operations not part of a residence are included in the Personal Services category.	P

9.3510 S-HB Blair Boulevard Historic Commercial Special Area Zone Uses.

The S-HB zone designation is based on the area’s association with the city’s working class and the mix of residential, commercial and light industrial uses within the zone. The S-HB zone is the commercial core of the residential districts located to the east and west of the zone. The Whiteaker Plan Land Use Diagram reflects four underlying land use designations for this zone of residential, commercial, mixed use, and parks. Uses permitted within the S-HB zone are as follows:

(1) *Areas Designated for Low and Medium Density Residential.* Allowable uses are:

- (a) Single-Unit dwellings.
- (b) Accessory Dwellings (1 Per Detached Single-Unit Dwelling on Same Lot)
- (c) Duplexes.
- (d) Triplexes.
- (e) Fourplexes.
- (f) Townhouses.
- (g) Cottage Clusters.
- (h) Multiple-Unit dwellings.
- (i) Home occupations.
- (j) Bed and breakfast facilities.
- (k) Residential Care Homes.
- (l) Residential Care Facilities.
- (m) Adult Day Care Home.
- (n) Family Child Care Home.

(2) *Areas Designated for Neighborhood Commercial.*

- (a) Some houses in the zone are currently used for commercial purposes. Permitted uses shall allow the conversion of commercial back to residential when it relates to historic residential architecture.
- (b) Notwithstanding subparagraph (a) of this subsection, the following uses are permitted:
 - 1. *Accessory uses.* Examples include, but are not limited to, storage and distribution incidental to the primary use of the site.
 - 2. Adult Day Care Center.

3. Administrative, general and professional offices.
43. Amusement centers (arcades, pool tables, etc.).
54. Artist galleries/studios.
- ~~5. Assisted care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time).~~
6. Athletic facilities and sports clubs.
7. Automated teller machines (ATMs).
8. Ballet, dance, martial arts, and gymnastic schools, academies and studios.
9. Banks, savings and loan offices, credit unions.
10. Barber, beauty, nail, tanning shops.
11. Bars and taverns.
12. Boarding/rooming house.
13. Building maintenance services.
14. Catering services.
15. Child Care Centers and Child Care Centers that are co-located with a civic center, public recreational center, public park, place of worship, school, college or library or similar institutional use.
- ~~165.~~ Churches, Synagogues, and Temples, including associated residential structures for religious personnel.
- ~~176.~~ Clubs and lodges of state or national organizations.
- ~~187.~~ Community and neighborhood centers.
- ~~198.~~ Convenience stores.
- ~~19.~~ Day care (4 to 16 people served).

- ~~20. Day care, not associated with a residence.~~
- 201. Delicatessens.
- 212. Equipment, light, rental/sales/service.
- 223. Film, drop-off/pick-up.
- 234. Furniture and home furnishings store.
- 245. Garden supply/nurseries.
- 256. General merchandise (includes supermarkets and department stores).
- 267. Government services not specifically listed elsewhere.
- 278. Hardware/home improvement stores.
- 289. Home occupations.
- ~~2390.~~ Hospitals, clinics or other medical health treatment facilities (including mental health) 10,000 square feet or less of floor area.
- 301. Locksmith shop.
- 312. Mailing and package services.
- 323. Meal services, non-profit.
- 334. Healthcare equipment and supplies.
- 345. Museum.
- 356. Office equipment and supplies.
- 367. Parks and playgrounds.
- 378. Parts stores.
- 389. Photographer's studios.
- 3940. Picture framing and glazing.

~~40~~1. Printing, blueprinting and duplicating.

~~41~~2. Publishing services.

~~42~~3. Recycling, reverse vending machines.

43. Residential care homes.

44. Residential care facilities.

~~45~~4. Restaurants.

~~46~~5. Schools, business or specialized educational training (excludes driving instruction).

~~47~~6. Scientific and educational research centers.

~~48~~7. Shoe repair shops.

~~49~~8. Specialty Food and Beverage. Examples include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.

~~50~~9. Specialty stores (examples include gift, computer or video store).

~~51~~0. Tailor shops.

~~52~~1. Theaters, live entertainment.

~~53~~2. Transit, neighborhood improvement.

~~54~~3. Veterinarian services.

9.3710 S-RP Riverfront Park Special Area Zone – Permitted Uses.

The following uses shall be permitted within the S-RP Riverfront Park Special Area Zone, pursuant to EC 9.3725 S-RP Riverfront Park Special Area Zone Review Procedures.

(3) *Accessory and Supporting Uses.* Accessory and supporting uses are permitted, provided that the gross floor area devoted to the accessory and supporting functions does not exceed 25 percent of the gross floor area within a development site. (As used in this and subsequent sections of the S-RP zone provisions, the term “development site” means the total land area under common control, such as the total area subject to a land lease). Examples of accessory and supporting uses include: retail sales of goods and food service such as book stores, office supplies, delicatessen, and similar activities; service functions such as finance, ~~day care~~child care centers, adult day care centers and similar activities; administrative and office support functions; accessory manufacturing activities such as specialized machining; indoor storage and distribution when integral to a primary use within the zone; multiple-unit dwellings; residential care facilities, residential care homes, and recreational facilities. Recreational facilities available to the general public at no cost shall not be classified as accessory or supporting uses when computing the floor area under the 25-percent limitation stipulated above.

9.3810 S-RN Royal Node Special Area Zone Land Use and Permit Requirements.

Table 9.3810 S-RN Royal Node Special Area Zone Land Uses and Permit Requirements

	LDR	MDR	RMU	CMU	MSC
Personal Services					
Barber, Beauty, Nail, Tanning Shop			P(6) (3)	P(7) (3)	P(8) (3)
<u>Adult Day Care Center</u> Facility (Day care operations part of a residence are included in residential)	<u>C</u>	<u>P</u>	P(6)-(3)	P(7)-(3)	P(8)-(3)

Child Care					
<u>Child Care Center</u>	<u>C</u>	<u>P</u>	<u>P(6)</u>	<u>P(7)</u>	<u>P(8)</u>
<u>Child Care Center that is co-located with a civic center, as public recreational center, public park, place of worship, school, college or library or similar institutional use.</u>	<u>P</u>	<u>P</u>	<u>P(6)</u>	<u>P(7)</u>	<u>P(8)</u>
Residential					
<u>Care Homes, Care Facilities</u> Assisted Living & Day Care (Residences Providing Special Services, Treatment or Supervision)					
<u>Residential Care Home</u> Assisted Living (5 or fewer people living in facility and 3 or fewer outside employees on-site at any one time)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Residential Care Facility</u> Assisted Living (6 or more people living in facility)	<u>PC</u>	<u>PC</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Adult Day Care Home</u> (4 to 16 people served) (See EC 9.5200)	<u>PS</u>	<u>PS</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Family Child Care Home</u> Day Care (17 or more people served)	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

9.3910 S-W Whiteaker Special Area Zone – Land Use and Permit Requirements.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements

Medical, Health, and Correctional Services	
Residential Treatment Center	C(3)
Personal Services	
Barber, Beauty, Nail, Tanning Shop	P(1)
<u>Adult Day Care Center Facility</u> (Day care operations part of a residence are included in residential category.)	<u>PC</u>
Child Care	
<u>Child Care Center</u>	<u>P</u>
<u>Child Care Center that is co-located with a civic center, as public recreational center, public park, place of worship, school, college or library or similar institutional use.</u>	<u>P</u>
Residential	
Assisted Care Homes, Care Facilities & Day Care (Residences Providing Special Services, Treatment or Supervision)	
<u>Residential Care Home</u> Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	P
<u>Residential Care Facility</u> Assisted Care (6 or more people living in facility)	P
<u>Adult Day Care Home</u> (4 to 16 people served) (See EC 9.5200)	<u>PS</u>
<u>Family Child Care Home</u> Day Care (17 or more people served)	P
Day care operations not part of a residence are included in the Personal Services category.	

9.5200 Day Care, Small (4 to 16 people served) Standards.

~~These standards apply to small, (4 to 16 people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) "permitted subject to zone verification and EC 9.5000 to 9.5850."~~

~~(1) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.~~

~~(2) At least 1 of the business owners of a day care service serving 4 to 16 people in R-1 and R-2 zones shall reside in the building.~~

~~(3) No overnight care permitted without a conditional use permit.~~

9.5350 Home Occupation Standards.

Except for garage sales lasting no more than 3 consecutive days no more than 3 times in a year, ~~and day care facilities, which are exempt,~~ home occupations shall be subject to the following standards:

(13) To the extent that the following uses qualify as home occupations, they are exempt from the standards in this section:

(a) Adult Day Care Center

(b) Adult Day Care Home

(c) Residential Care Facility

(d) Residential Care Home

(e) Child Care Center

(f) Family Child Care Home

9.5860 Transition Standards for Housing/Clear and Objective Applications.

(1) *Applicability of Transition Standards.* The transition standards at EC 9.5860(2) shall apply to land use applications proposing housing to be reviewed with clear and objective approval criteria under EC 9.8100 Conditional Use Permit Approval Criteria – Housing/Clear and Objective, EC 9.8325 Tentative Planned Unit Development Approval Criteria – Housing/Clear and Objective, or EC 9.8445 Site Review Approval Criteria – Housing/Clear and Objective. The transition standards at EC 9.5860(2) apply to all new buildings and any building additions that increase the square footage of livable floor area by 20 percent or more for any of the following:

- (a) Multiple-unit development on property abutting land zoned R-1, S-C/R-1, or S-RN/LDR except where the multiple-unit development consists of structures less than 30 feet in height.
- (b) ~~Residential Assisted-care~~ home, residential care facility, boarding and rooming house, campus living organization, university or college dormitory, or single room occupancy (SRO), proposed on property abutting land zoned R-1, S-C/R-1, or S-RN/LDR.

In cases where the standards in subsection (2) apply to building additions, they shall be applicable between the addition and any property line abutting land zoned R-1, S-C/R-1, or S-RN/LDR.

9.6105 Bicycle Parking Standards.

Table 9.6105(5) Minimum Required Bicycle Parking Spaces

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
Medical, Health, and Correctional Services		
Blood Bank	1 per each 3000 square feet of floor area.	100% short term
Correctional Facility, excluding Residential Care Facility Treatment-Center	1 per 20 beds.	75% long term 25% short term
Hospital, Clinic, or other Medical Health Treatment Facility (including mental health) in excess of 10,000 square feet of floor area	1 per each 3000 square feet of floor area.	75% long term 25% short term
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) 10,000 square feet or less of floor area	1 per each 3000 square feet of floor area.	75% long term 25% short term
Laboratory – Medical, Dental, X-Ray	1 per each 3000 square feet of floor area.	25% long term 75% short term
Meal Service, Non-Profit	1 per each 3000 square feet of floor area.	25% long term 75% short term

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
Nursing Home	1 per 15 beds.	75% long term 25% short term
Plasma Center, must be at least 800 feet between Plasma Centers	1 per 15 beds.	75% long term 25% short term
Residential Treatment Center	1 per 15 beds.	75% long term 25% short term
Personal Services		
All Personal Services Uses, except <u>Adult Day Care Center</u> , Barber, Beauty, <u>Child Care Center</u> , Nail, Tanning Shop and Laundromat	1 per each 3000 square feet of floor area.	25% long term 75% short term
<u>Adult Day Care Center, Child Care Center</u>	<u>1 per 10 employees</u>	<u>75% long term</u> <u>25% short term</u>
Barber, Beauty, Nail, Tanning Shop	1 per each 2000 square feet of floor area	25% long term 75% short term

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
Laundromat, Self-Service	1 per each 2000 square feet of floor area	25% long term 75% short term
Residential		
Single-Unit Dwelling	- 0 -	NA
Accessory Dwelling (Either attached or detached from primary dwelling on same lot)	- 0 -	NA
Middle Housing	- 0 -	NA
Multiple Unit Dwelling (5 or more dwellings on same lot)	1 per dwelling.	100% long term
Manufactured Home Park	- 0 -	NA
Controlled Income and Rent Housing where density is above that usually permitted in the zoning yet not to exceed 150%	1 per dwelling.	100% long term
Assisted Care Homes, Care Facilities & Day Care		
- Residential Care Home Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site)	- 0 -	NA

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless - 0 - is indicated.)	Type and % of Bicycle Parking
at any one time)		
- Residential Care Facility Assisted-Care (6 or more people living in facility)	1 per 10 employees	100% long term
- Adult Day Care Home, Family Child Care Home (4 to 16 people served)	- 0 -	NA
- Day Care (17 or more people served)	1 per 10 employees	100% long-term

9.6410 Motor Vehicle Parking Standards.

Table 9.6410 Maximum Off-Street Motor Vehicle Parking

Uses	Maximum Number of Off-Street Parking Spaces
Medical, Health, and Correctional Services	
Blood Bank	1.25 per each 330 square feet of floor area.
Correctional Facility, excluding Residential Treatment Center	1.25 per 5.5 beds.

Uses	Maximum Number of Off-Street Parking Spaces
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) in excess of 10,000 square feet of floor area	1.25 per each 200 square feet of floor area or 1.35 per bed.
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) 10,000 square feet or less of floor area	1 per each 200 square feet of floor area or 1.68 per bed.
Laboratory – Medical, Dental, X-Ray	1.25 per each 330 square feet of floor area.
Meal Service, Non Profit	1.25 per each 330 square feet of floor area.
Nursing Home	1.25 per 4 beds.
Plasma Center, must be at least 800 feet between Plasma Center	1.25 per each 330 square feet of floor area.
Residential Treatment Center	1.25 per 5.5 beds.
Personal Services	
Barber, Beauty, Nail, Tanning Shop	1.25 per 330 square feet of floor area.
Adult Day Care Center, Child Care Center Facility (Not associated with a residence)	1.12 per employee.
Dry Cleaner	1.25 per each 660 square feet of floor area.

Uses	Maximum Number of Off-Street Parking Spaces
Film, Drop-off/Pick-up	1.25 per each 660 square feet of floor area.
Locksmith Shop	1.25 per each 660 square feet of floor area.
Laundromat, Self-Service	1.25 per each 330 square feet of floor area.
Mailing and Packaging Service	1.25 per each 660 square feet of floor area
Shoe Repair Shop	1.25 per each 330 square feet of floor area.
Tailor Shop	1.25 per each 330 square feet of floor area.
Residential	
Assisted-Care <u>Homes, Care Facilities</u> & Day Care	
– Assisted <u>Residential</u> Care <u>Home</u> (5 or fewer people living in facility and 3 or fewer outside employees on-site at any one time)	<u>N/A</u> 1.25 for each 4 beds.
– Assisted <u>Residential</u> Care <u>Facility</u> (6 or more people living in facility)	1.25 for each 4 beds.
– <u>Adult</u> Day Care <u>Home</u> and <u>Family Child Care Home</u> (4 to 16 people served)	<u>N/A</u> 1.12 for each employee not living in-

Uses	Maximum Number of Off-Street Parking Spaces
	home on site at the same time.
Day Care (17 or more people served)	1.12 for each employee not living in home on site at the same time.

CA 26-4: Expedited Land Use Applications

9.7000 Introduction.

Review of an application to annex property, divide land, develop or use property, or amend this land use code, the comprehensive plan, or a refinement plan, shall be processed as provided in sections 9.7000 through ~~9.7925~~9.7975

9.7005 Pre-application Conference.

A pre-application conference shall be required for applications specifically listed below:

- (1) Conditional Use Permit.
- (2) Planned Unit Development, Tentative Plan, except that a pre-application conference is not required if the application meets the criteria in EC 9.7955(1).
- (3) Willamette River Greenway Permits.

A pre-application conference may also be requested by a private individual due to factors such as the need for multiple land use applications, the scale of the development proposal, or the complexity of the project. All required or requested pre-application conferences shall be submitted on a form approved by the city manager and be accompanied by a fee established pursuant to EC Chapter 2.

9.7025 Performance Agreements.

(1) *Applicability.* The city shall require execution of a performance agreement by the applicant for all of the following types of applications, including applications processed through the expedited procedures in EC 9.7900 through 9.7925 or EC 9.7950 through 9.7975:

- (a) Conditional use permit and any modifications.
- (b) Design review.
- (c) Historic property alteration and any modifications.

- (d) Middle Housing Land Divisions described in EC 9.8192(3).
- (e) Planned unit development, final plan and any modifications.
- (f) Site review and any modifications.
- (g) Subdivisions final plat and any modifications.
- (h) Standards review and any modifications.

9.7030 Recordation of Certain City Decisions.

After a decision becomes final at the local level, the city shall record at Lane County Deeds and Records a notice of a decision concerning property that is the subject of the following types of applications, including applications processed through the expedited procedures in EC 9.7950 through 9.7975:

- (1) Conditional use permit and any modifications.
- (2) Design Review.
- (3) Historic landmark, designation.
- (4) Historic property, alteration.
- (5) Middle Housing Land Division.
- (6) Planned unit development, final plan and any modifications.
- (7) Property line adjustment.
- (8) Site review and any modifications.
- (9) Variances.
- (10) Willamette River Greenway Permit and any modifications.

(11) Zone change.

(12) Vacations.

9.7035 Application Review Authorities and Processes.

Application review shall generally follow one of five types of procedures based on whether the decision is administrative (Type I), quasi-judicial (Type II, Type III or Type IV), or legislative (Type V).

9.7055 Applications and Review Authorities.

Table 9.7055 Applications and Review Authorities, lists applications and the typical review authorities for the decision and the appeal of the decision. To accommodate a request for concurrent review, the city may instead review multiple applications according to the highest applicable type:

Table 9.7055 Applications and Review Authorities

R = Recommendation, D = Decision Maker, A = Appeal Review Authority						
Application	Type	Planning Director	Hearings Official	Historic Review Board	Planning Commission	City Council
<u>Expedited Planned Unit Development -PUD Tentative Plan</u>	<u>N/A (See 9.7950)</u>	<u>D</u>	<u>A</u>			

R = Recommendation, D = Decision Maker, A = Appeal Review Authority						
Application	Type	Planning Director	Hearings Official	Historic Review Board	Planning Commission	City Council
-PUD Final Plan -PUD Modification						
Expedited Variance	N/A (See 9.7950)	D	A			
Expedited Zone Change	N/A (See 9.7950)	D	A			

9.7600 General Overview of Appeal Procedures.

The appeal procedures in EC 9.7605 through EC 9.7635 apply to appeals of interpretations of this land use code made according to EC 9.0040(1), ~~and to appeals of~~ [all Type II land use applications, and to appeals of decisions made pursuant to EC 9.7950 through EC 9.7975](#). The appeal procedures in EC 9.7640 through EC 9.7644 apply to appeals of decisions made pursuant to EC 9.7915. The appeal of the planning director's decision provides for a review of an administrative decision by a higher review authority specified in this land use code. The planning director's decision may be affirmed, reversed, or modified.

**Expedited Planned Unit Development, Expedited Variance, and
Expedited Zone Change Application Procedures**

**9.7950 General Overview of Expedited Planned Unit Development,
Expedited Variance, and Expedited Zone Change Application
Procedures.**

The Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change application review process provides for review by the planning director of an application based on provisions specified in this land use code. The application process includes notice to nearby occupants and property owners to allow for public comments prior to the planning director's decision.

**9.7955 Applicability of Expedited Planned Unit Development,
Expedited Variance, and Expedited Zone Change Process.**

1. Applicability. This expedited process may be only utilized if the application meets all the criteria in subparagraphs a - c below:

a. The application is for:

i. A change in the zone of the subject property to a zone that allows for a higher residential density than the property's current zone;

ii. A variance from a residential approval standard; or

iii. Any of the following planned unit development applications that include residential development:

A. A tentative plan application;

B. A final plan application; or

C. A modification application.

b. The property that is the subject of the application is either zoned with one of the zones listed in subparagraphs (i) – (xx) or designated with one of the designations listed in subparagraph (xxi) – (xxv):

i. C-1 Neighborhood Commercial,

ii. C-2 Community Commercial,

iii. C-3 Major Commercial,

iv. GO General Office,

v. R-1 Low Density Residential,

vi. R-2 Medium Density Residential,

vii. R-3 Limited High Density Residential,

viii. R-4 High Density Residential,

ix. S-C Chambers Special Area Zone, subarea S-C/R-1, S-C/R-2, or S-C/C-2,

- x. S-CN Chase Node Special Area Zone, subarea S-CN/C, S-CN/HDR/MU, or S-CN/HDR,
- xi. S-DR Downtown Riverfront Special Area Zone, subdistricts S-DR/MU, S-DR/MU/1, or S-DR/MU/2,
- xii. S-DW Downtown Westside Special Area Zone,
- xiii. S-E Elmira Road Special Area Zone,
- xiv. S-F Fifth Avenue Special Area Zone,
- xv. S-H Historic Zone,
- xvi. S-HB Blair Boulevard Historic Commercial Special Area Zone,
- xvii. S-JW Jefferson Westside Special Area Zone,
- xviii. S-RN Royal Node Special Area Zone, subarea S-RN/LDR, S-RN/MDR, S-RN/MSC, S-RN/CMU, or S-RN/RMU,
- xix. S-W Whiteaker Special Area Zone,
- xx. S-WS Walnut Station Special Area Zone, frontage districts S-WS/Franklin, S-WS/Garden Avenue, or S-WS/TE-15,
- xxi. Low Density Residential,

xxii. Medium Density Residential,

xxiii. High Density Residential,

xxiv. Medium Density Residential Mixed-Use Overlay, or

xxv. High Density Residential Mixed-Use Overlay.

c. The applicant is proposing residential development on the subject property.

2. The following applications are excluded from this expedited process:

a. An application that would reduce the minimum residential density of the subject property.

b. An application for a final subdivision or partition plat.

9.7960 Notice of Application.

(1) Within 10 days of the city's determination that an application is complete, but at least 20 days before the planning director makes a decision, written notice of the application shall be mailed to all of the following, using information from the most recent property tax assessment roll:

(a) The applicant.

(b) Owners and occupants of the subject property.

(c) Owners and occupants of properties located within 100 feet of the perimeter of the subject property.

(d) The neighborhood group or community organization officially recognized by the city council that includes the area of the subject property.

(2) The notice shall include all of the following:

(a) The street address or other easily understood geographical reference to the subject property.

(b) The applicable criteria for the decision, listed by commonly used citation.

(c) The place, date, and time that comments are due.

(d) A statement that copies of all evidence relied upon by the applicant are available for review and can be obtained at cost.

(e) A statement that issues that may provide the basis for an appeal to the hearings official must be raised in writing prior to the end of the comment period and with sufficient specificity to enable the hearings official to respond to the issue.

(f) The name and phone number of a city contact person.

(g) A brief summary of the local decision-making process for the decision being made.

(3) The notice shall allow a 14-day period for the submission of written comments, starting from the date of mailing. All comments must be received by the city within that 14-day period.

(4) Responsibility and procedures for mailing and posting the notices described in this section may be established by administrative rule of the city manager adopted pursuant to section 2.019 of this code.

9.7965 Decision.

Within 45 days of the city's determination that an application is complete, the planning director shall approve, conditionally approve, or deny an Expedited Planned Unit Development, Expedited Variance, and Expedited Zone Change application. The decision shall: include a brief

statement that explains the criteria and standards considered relevant to the decision; state the facts relied upon in rendering the decision; and explain the justification for the decision based upon the criteria, standards and facts set forth.

9.7970 Notice of Decision.

(1) Within 5 days after the planning director renders a decision, notice of the decision shall be mailed to the following:

(a) Applicant.

(b) Owner and occupants of the subject property.

(c) Any group or individual who submitted written comments during the comment period.

(2) The notice shall include all of the following:

(a) A description of the nature of the decision of the planning director and the process for reaching a final decision on the application.

(b) An explanation of the nature of the application and the proposed use or uses which could be authorized.

(c) The street address or other easily understood geographical reference to the subject property.

(d) The name of a city representative to contact and the telephone number where additional information may be obtained.

(e) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.

(f) A statement that the applicant and any person or organization that submitted written comments during the comment period may appeal as provided in EC 9.7605.

(g) A statement that the planning director's decision will not become final until the period for filing a local appeal has expired.

(h) An explanation that a person who is mailed written notice of the planning director's decision cannot appeal directly to LUBA.

(3) Responsibility and procedures for mailing the notice described in this section may be established by administrative rule of the city manager pursuant to section 2.019 of this code.

(4) The City will provide an affidavit or other certification describing the notice provided.

(5) Unless appealed according to the procedures in EC 9.7605 Filing of Appeal of Planning Director's Decision, the planning director's decision is effective on the 13th day after notice of the decision is mailed.

9.7975 Approved Site Plans.

When an Expedited Planned Unit Development, Expedited Variance, and Expedited Zone Change application requires a final approved site plan, the applicant shall provide the city with 4 copies of site plans that meet the conditions of approval of the planning director's decision.

9.8005 Applicability and Effect of Application Requirements, Criteria, and Concurrent Review.

(1) Additional provisions addressing the applicability of sections 9.8000 through 9.8865 are found in EC 9.2000 through 9.3980, which identify various uses that require approval of a particular land use application. Land use applications referred to in EC 9.8000 through 9.8865 are subject to the procedural requirements in EC 9.7000 through ~~9.7925~~ 9.7975, Application Procedures, and any additional requirements of EC 9.8000 through 9.8865. To the extent there is a conflict, the provisions in EC 9.8000 through 9.8865 control.

(2) If an initial proposal also requires an application be submitted for one or more of the following:

(a) Adjustment review;

- (b) Site review;
- (c) Conditional use permit;
- (d) Planned unit development;
- (e) Zone change;
- (f) Willamette River Greenway permit; or
- (g) Standards review,

the applicant may elect to have the applications reviewed concurrently according to the highest application type. All other provisions of this code would continue to apply to each application, including, but not limited to, the approval criteria. If an initial proposal includes an application that meets the criteria in EC 9.7955 to be processed as an Expedited Planned Unit Development, Expedited Variance or Expedited Zone Change application pursuant to EC 9.7950-9.7975 the applicant may choose to have that application reviewed concurrently under a different review process but only applications that meet the criteria in EC 9.7955 may be processed pursuant to EC 9.7950-9.7975.

9.8310 Tentative Planned Unit Development General Application Requirements.

(6) Expedited Review. If the proposal complies with the criteria in EC 9.7955 the written statement submitted with the PUD application shall clearly state whether the applicant is proceeding under: (a) the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures; or (b) the application review process in EC 9.7300 through 9.7340 Type III Procedures.

9.8335 Modifications to Approved Tentative Planned Unit Development.

(1) Except as provided in subsection (2), below, an The applicant may apply for a modification of the approved PUD tentative plan following the Type II process.

(2) If the modification application complies with the criteria in EC 9.7955, the applicant shall clearly state in writing whether the applicant is proceeding under: (a) the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures; or (b) the application review process in EC 9.7200 through 9.7230 Type II Procedures.

(3) The planning director shall approve the ~~request~~ PUD modification application only if it complies with the following criteria:

(a) The proposed modification is consistent with the conditions of the original approval.

(b) The proposed modification will result in insignificant changes in the physical appearance of the development, the use of the site, and impact on the surrounding properties.

(4) If the planning director determines that the proposed modification is not consistent with the ~~above~~ criteria in subsection (3), the proposed modification may not occur. Nothing in this section shall preclude the applicant from initially submitting the requested modification as a new tentative PUD application.

9.8360 Planned Unit Development, Final Plan Application Requirements.

In addition to the provisions in EC 9.7010 Application Filing, the following specific requirements apply to PUD final plan applications:

(4) If the application complies with the criteria in EC 9.7955, the applicant shall clearly state in writing whether the applicant is proceeding under: (a) the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures; or (b) the application review process in EC 9.7200 through 9.7230 Type II Procedures.

9.8370 Modifications to Approved Planned Unit Development.

(1) Except as provided in subsection (2), the applicant for the original PUD may apply for a modification of the final PUD approval following the Type II process.

(2) If the modification application complies with the criteria in EC 9.7955, the applicant shall clearly state in writing whether the applicant is proceeding under: (a) the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures; or (b) the application review process in EC 9.7200 through 9.7230 Type II Procedures.

(3) The planning director shall approve the request only if it complies with the following criteria:

(a) The proposed modification is consistent with the conditions of the original approval.

(b) The proposed modification will result in insignificant changes in the physical appearance of the development, the use of the site, and impact on the surrounding properties.

(4) If the planning director determines that the proposed modification is not consistent with the ~~above~~ criteria in subsection (3), the proposed modification may not occur unless a new tentative PUD application is submitted ~~based on the Type III procedural requirements~~. Nothing in this section shall preclude the applicant from initially submitting the requested modification as a new tentative PUD application.

9.8757 Application Requirements

If a variance application complies with the criteria in EC 9.7955, the applicant shall clearly state in writing whether the applicant is proceeding under: (a) the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures; or (b) the application review process in EC 9.7200 through 9.7230 Type II Procedures.

9.8855 Applicability.

Changes in zoning, including the application of or change of an overlay zone or special area zone shall be processed as a Type III application as provided in EC 9.7300 through EC 9.7340 Type III Application Procedures, with the following exceptions:

(8) The proposed zone change complies with the criteria in EC 9.7955 and the applicant has clearly stated in writing that the applicant wishes to proceed under the application review process in EC 9.7950 through 9.7975 Expedited Planned Unit Development, Expedited Variance and Expedited Zone Change Application Procedures.

CA 26-5: Land Use Application Extensions

ORDINANCE NO. _____

AN ORDINANCE CONCERNING TIME EXTENSIONS FOR APPROVED LAND USE APPLICATIONS AND PROVIDING AN EFFECTIVE DATE.**The City Council of the City of Eugene finds that:**

A. In response to the housing crisis and to help remove barriers to housing and job development, the City Council wishes to be proactive and programmatic in granting a three-year extension to those unexpired development approvals that were granted by the City after a process that included a public notice and comment period.

B. For land use approvals that include an extended phasing plan, the City Council intends that the three-year extension be applied to the current phase of development and that the time periods for all future development phases be adjusted to accommodate the one-time extension granted by this Ordinance.

NOW, THEREFORE, based on the above findings,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The legislative findings attached as Exhibit A hereto are adopted in support of this Ordinance.

Section 2. The expiration dates for all Type II land use application approvals, Type III land use application approvals, Expedited Land Divisions, and Middle Housing Land Divisions in effect on the date this Ordinance takes effect are hereby extended by three years. Further extensions for these land use approvals may be sought pursuant to Chapter 9 of the Eugene Code, 1971.

Section 3. For an executed performance agreement required by EC 9.7025 and in effect on the date this Ordinance takes effect, each reference to a specific year within in the Time Schedule section of said performance agreement (referencing a commencement or a completion year) is hereby extended by three additional years.

Section 4. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

Passed by the City Council this

____ day of _____, 2026

City Recorder

Approved by the Mayor this

____ day of _____, 2026

Mayor

**URBAN GROWTH STRATEGIES ADOPTION PACKAGE 1
RECORD MATERIALS AND PUBLIC TESTIMONY**

City Files: CA 26-1, CA 26-2, CA 26-3, CA 26-4, CA 26-5

Record Materials as of June 15, 2026

Materials related to the proposed land use regulations are available online at the following link: <https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=CA-26-0001>.

The record materials will be provided to the Planning Commission directly. A printed copy of the record materials are available for free inspection at the Eugene Planning and Development Department, 99 W 10th Avenue, Eugene, Oregon 97401, between 12:00-4:00 p.m. Monday-Friday. Please contact Elena Domingo at 541-682-5002 or by e-mail at EDomingo@eugene-or.gov to make an appointment outside of these times to review application materials in person.

The following links to testimony are provided as an easy way to access these materials.

Testimony

- Batch 1: <https://www.eugene-or.gov/DocumentCenter/View/83659/Batch-1-Testimony>

Batch 1 contains testimony received through June 15, 2026 at 5:00pm. New testimony will be posted on the Urban Growth Strategies webpage: <https://www.eugene-or.gov/5202/Urban-Growth-Strategies>