

## Summary of Proposed Single Family Code Amendments

### Secondary Dwelling Units

The goal is to promote legal and compatible secondary dwelling units by clarifying ownership and occupancy requirements and improving design and compatibility by addressing looming walls, privacy, and building heights. The land use code currently allows secondary dwelling units (SDUs) in the R-1 Low Density Residential zone and includes limited development standards. The amendments would establish design standards such as sloped building setbacks. Note: A related concurrent Envision Eugene implementation project is studying the possibility of restructuring system development charges (SDCs) to incentivize secondary dwelling units. Proposed code amendments include:

- Clarifying that the property owner must be the majority owner of the property, that the primary dwelling or secondary dwelling must be the primary residence of the property owner, and that the property owner must occupy the primary dwelling or secondary dwelling for at least 6 months of each calendar year. Providing allowance for temporary leave of absence.
- Requiring property owner to provide documentation verifying ownership and occupancy and to sign deed restriction
- Limiting building height to 15 feet for secondary dwelling with roof pitch less than 5:12 and 18 feet for roof pitch 5:12 or greater
- Limiting number of bedrooms to 2
- Allowing for overhead utility lines (instead of undergrounding) in certain cases
- Clarifying for attached structures, that the primary dwelling and secondary dwelling must share common wall for a minimum of 8 feet
- Providing for adjustment to allow a secondary dwelling over a garage subject to relevant criteria
- Providing for adjustment to allow for existing legal accessory building to be converted to secondary dwelling

### Accessory Buildings

The goal is to promote compatibility, and to clarify distinction between accessory buildings and dwellings. The land use code currently allows accessory buildings (such as detached garages, sheds and studios) in conjunction with a single family dwelling in the R-1 Low Density Residential zone, and includes limited development standards (building setbacks and height limits). The amendments would also clarify that an accessory structure is not be used as a dwelling and is to be subordinate to the primary dwelling on the site. Proposed code amendments include:

- For residential accessory buildings on lots less than an acre, limiting building height to 22 feet, and limiting building size
- Clarifying that an accessory building cannot be used as a dwelling, and limiting number of plumbing fixtures to two per building, but allowing for accessory buildings with three plumbing fixtures if property owner to signs deed restriction limiting use of building
- Providing for adjustment to building height/setback or building size subject to relevant criteria

### Alley Access Lots/Houses

The goal is to allow for the creation of a lot that fronts an alley rather than a street and is created from the rear portion of an existing lot, including design and compatibility standards that address looming walls, privacy, parking areas and building heights. The design standards are also proposed to apply to existing alley access lots as well as new alley access lots in the R-1 zone. This type of land division was previously allowed in the R-1 zone prior to the adoption of the 2001 land use code update, without specific standards addressing compatibility. Proposed code amendments include:

*Lot Standards for Creating Alley Access Lots*

- Minimum area of original lot: 9,000 square feet. Could be created from one lot or from two consolidated lots.

- Alley access lot size: minimum 2,250 square feet and not to exceed 40 percent of street lot
  - Alley access lot minimum frontage/lot width: 50 feet
  - Alley access lot depth: No less than 35 feet
  - If original lot(s) eligible for both flag lot division and alley access division, require alley access lot
  - For fire access, require nearest corner of lot to be within 125 feet from alley/street intersection
  - Minimum alley width: 14 feet of right of way and 12 feet of paving
  - Alley surfacing requirements: Pave or allow for gravel through a temporary surfacing permit. Consider allowing alternative paving methods.
- Design/Development Standards for Houses on new and existing Alley Access Lots*
- Limiting home size to 1,000 square feet in floor area. For one and one-half story dwellings, limit square footage on second floor to 400.
  - Calculating lot coverage based on all roofed areas
  - Limiting building height to 24 feet with sloped setbacks
  - Limiting balconies or other second floor outdoor spaces, dormers and upper story windows
  - Limiting number of bedrooms to 3
  - Requiring house to be defined by a covered or roofed entrance with a minimum depth of three feet
  - Requiring house to be served by a minimum three-foot wide hard-surfaced pedestrian walkway from alley or from the front street via an easement
  - Requiring minimum of 1 parking space and maximum of 2 parking spaces
  - Allowing options for location and types of parking and providing maximum dimensions for parking spaces and garages
  - Limiting total vehicle use area (driveways and on-site parking) to a maximum of 400 square feet
  - Limiting size and height of garages and other detached accessory structures to 400 square feet
  - Prohibiting secondary dwelling units on alley access lots
  - Allowing for overhead utility lines in certain cases (as opposed to undergrounding)
  - Providing for adjustments to allow for design flexibility for building height/setback or windows, dormer, balconies subject to relevant criteria

### **University Area Interim Protection Measures**

The goal is to establish interim protection measures for existing single-family neighborhoods surrounding the University of Oregon. As part of Envision Eugene, the city is committed to completing area planning for the university neighborhoods. However, this work is not slated to begin until following the local adoption of Envision Eugene, including a Eugene-specific urban growth boundary. Interim protection measures in the form of land use code amendments are intended to limit further negative impacts until the area planning process is completed. The interim measures would focus on the R-1 zoned areas in the South University, Fairmount and Amazon neighborhoods, which have experienced an increase in unintended housing associated with the demand for student housing and the proximity of the University of Oregon. These measures would remain in place until the area planning process is complete. It is expected that these interim measures would be replaced by a more comprehensive set of development and design standards established as part of the area planning effort.

Proposed code amendments include:

- Prohibiting new secondary dwelling units, and rowhouses, duplexes and other forms of attached housing
- Prohibiting new rezonings to R-1.5 Rowhouse zone
- Prohibiting the creation of new flag lots
- Prohibiting the creation of new alley access lots, but apply compatibility standards for existing lots (as part of citywide standards addressed above)
- Limiting number of bedrooms in single-family residences (new and remodels)
- Limiting the size and number of accessory buildings
- Limiting the location and extent of parking allowed in front yards

