



An accessory dwelling is a small home that is built in addition to the primary dwelling on a lot. They are commonly known as mother-in-law apartments, granny-flats, or studio apartments. An accessory dwelling may be attached or detached from the primary dwelling and includes space for living, sleeping, food preparation, and bathroom facilities. Within Eugene’s city limits, accessory dwellings are permitted in the following zones: AG, R-1, R-2, R-3, R-4, S-C, S-DW, S-E, S-HB, S-RN, S-W and S-WS. The below requirements apply in the R-1 zone in the city limits. Check with Land Use staff to determine standards for other zones.

## Land Use Code Requirements

Eugene Code, Chapter 9, Section 9.2751(17)

If the accessory dwelling is **within the same building** as the primary dwelling:

- In order to be considered attached, a minimum 8 feet of common wall or ceiling is required.
- The lot must be at least 6,100 square feet. Flag lots must be at least 12,500 square feet, not including the pole portion of the lot.
- The size, measured from the exterior walls, cannot exceed 10 percent of the total lot area or 800 square feet, whichever is smaller.
- When located within 60 feet of a front lot line, the interior yard setback is 5 feet and the maximum building height is limited to that of the main building.
- When located greater than 60 feet from the front lot line, the interior yard setback is 5 feet and at a point that is 8 feet above finished grade, the setback shall slope at a rate of 10 inches vertically for every 12 inches horizontally away from the property line to a maximum building height of 18 feet.
- No more than 2 bedrooms are allowed.
- No more than 3 dogs are allowed on the lot.
- Additional standards apply on flag lots. Please contact Land Use staff for more information.

**In addition** to the standards above, **detached** accessory dwellings must meet the following standards:

- Up to 300 square feet of un-heated garage or storage space attached to the accessory dwelling is allowed.
- A 3 foot hard walkway is required from the street or alley to the primary entrance of the accessory dwelling and shall be constructed of a hard surface.

- The primary entry must have a covered or roofed entrance with a minimum depth and width of 3 feet.
- Outdoor storage and garbage areas must be screened on 3 sides by a minimum 42 inch tall 100-percent site obscuring fence or enclosure.
- The interior yard setback is 5 feet and at a point that is 8 feet above finished grade, the setback shall slope at a rate of 10 inches vertically for every 12 inches horizontally away from the property line to a maximum building height of 18 feet.
- The exterior wall shall provide an offset every 25 feet by providing a recess or extension, a minimum depth of 2 feet and a minimum width of 5 feet for the full height of the wall.

Accessory dwellings on flag lots are also subject to the standards at EC 9.2775(5)(e). Lots located in Amazon Neighbors, Fairmount Neighbors, or South University Neighborhood are subject to the special development standards in EC 9.2751(17)(c).

Accessory dwellings must comply with other development standards such as:

- Maximum lot coverage
- Solar setbacks
- Undergrounding of utilities

Please contact Land Use staff at 541-682-8336 or [landuseinfo@ci.eugene.or.us](mailto:landuseinfo@ci.eugene.or.us) for information related to these development standards.

*Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this document.*

## Building Code Requirements

Oregon Residential Specialty Code (ORSC)

### Dwelling Unit Separation

ORSC R302.3, Appendix K

Fire Separation:

- The dwellings must be separated to prevent a fire from spreading from one unit to the other. The separation must consist of either:
  1. A 6 foot open space between detached buildings, or
  2. 1-hour fire-resistance rated walls and/or floor-ceiling assemblies.

The walls or floors must be constructed to provide a complete separation between units. For example, wall assemblies must extend through attic spaces to the underside of the roof sheathing. The structure that supports a fire-rated floor (bearing walls, beams, columns) must also be protected to achieve a 1-hour rating.

- A detailing of the proposed fire-rated construction must be provided in the plans. Fire-rated assemblies may be found in the Gypsum Association's [Fire Resistance Design Manual](#), UL's Fire Resistance Directory, Chapter 7 of the Oregon Structural Specialty Code (OSSC), or other resources.

Sound Insulation:

- Wall and floor assemblies that separate dwelling units are required to have a Sound Transmission Class (STC) of 45. In addition, floor assemblies are required to have an Impact Insulation Class (IIC) of 45.

### Mechanical Systems

ORSC M1305, M1602

- All heating and cooling equipment must be located so access is available to both dwelling occupants.
- Equipment installation in one dwelling that serves the adjacent dwelling is not permitted, although separate systems or a common access area are options.
- Providing a key to gain entry to one unit is not an option since continued access cannot be assured.
- Forced air heating systems must not take return air from one dwelling unit, and supply it to another.

### Water Heaters

Oregon Plumbing Specialty Code (OPSC) 605.3

Similar to mechanical systems, water heaters must be accessible to the occupants of each dwelling. Separate systems or a common accessible area for the water heater are acceptable.

### Electrical Systems

Oregon Electrical Specialty Code (OESC) 240.24

A separate electrical meter is required for each dwelling and access for the occupants of each dwelling unit must be provided to the electrical panel. Discussing variations with an electrical inspector is advised prior to performing any work.

Please contact a residential plan reviewer at [residentialpremitinfo@ci.eugene.or.us](mailto:residentialpremitinfo@ci.eugene.or.us) or 541-682-5611 for any building code related questions.

### Systems Development Charges

EC 7.700, City of Eugene SDC Methodologies

A new accessory dwelling will generate Systems Development Charges (SDCs). SDCs are fees that are paid at the time the building permit is picked up. These fees are used to support the public infrastructure (roads system, stormwater, wastewater, and parks) that the new development will impact.

SDCs can be paid in full at the time the building permit is picked up, or they may be put on contract. SDC contracts arrange for payment of the fees in installments over a period of up to 10 years. The interest rate, per annum, on the unpaid SDC fees is the prime rate plus 2%.

Please contact Public Works Engineering staff at [publicworksinfo@ci.eugene.or.us](mailto:publicworksinfo@ci.eugene.or.us) or 541-682-8400 to discuss current SDC rates.

The Eugene Water & Electric Board (EWEB) collects a water SDC that is separate from the City SDCs. Contact EWEB at 541-484-2411 for more information.

### Fire Code Requirements

Oregon Fire Code (OFC)

Depending on such factors as size, location on site, and availability of water, an accessory dwelling may trigger requirements for fire protection and safety, including sprinklering for the structure. For information, please contact Fire Prevention staff at the Permit & Information Center.