



Land Use Code Audit

Planning Commission Meeting
April 22, 2019



LAND USE PLANNING
TRANSPORTATION PLANNING
PROJECT MANAGEMENT

Agenda



1. Project scope, purpose, and schedule
2. Project approach
3. Summary findings
4. Assessment of barriers to each prototype

- This project is funded by a grant from the Oregon Department of Land Conservation and Development (DLCD).
- Grant project must be complete by June 2019.
- Focus is on **issues identification**... developing solutions and appropriate code amendments will be part of a longer public process.

The fine print...

The recommendations and findings are not a final determination, legal opinion or evaluation of these code provisions by DLCD.

The recommendations do not have to be adopted by, and are not a final decision of, the City.

Project Purpose and Scope



Purpose: Prepare an analysis of the City's land use code. Determine whether the code:

1. Includes criteria or procedures that may hinder housing development (barriers)
2. Could more effectively and efficiently implement statutory requirements
3. Ensures a mix and density of allowed housing to accommodate housing needs

Scope:

- Draft Code Audit
- Final Code Audit with a preliminary code update schedule
- Meetings with staff and Planning Commission

Project Schedule



December January February March April May June

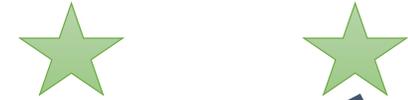
Draft Code Audit



Meetings with staff



Meetings with PC



Final Code Audit



WE ARE HERE

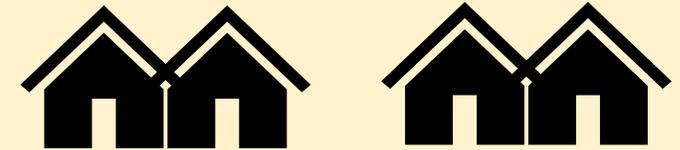
Project Approach



1. Identify a set of building prototypes that are reasonable, but not necessarily allowed or encouraged by the current code. These housing types were (1) identified as a need in the Housing Needs Analysis and (2) have potential to be more affordable as identified in other planning efforts.
2. Test the current code using prototypes.
3. Identify and assess “barriers” to building the prototypes.

What’s a prototype?

In this case, it’s a set of numeric assumptions that describe a particular building and development.



Important: Identifying a standard as a barrier does not imply that the regulation must be eliminated or that it does not serve an important public purpose.

Sources of Prototype Information

1. **Missing Middle Housing Types Handbook**
City of Eugene
2. **Character-Compatible, Space-Efficient Housing Options for Single-Dwelling Neighborhoods**
Oregon Transportation Growth Management Program/Department of Environmental Quality
3. **Housing Choices Guidebook**
Oregon Transportation & Growth Management
4. **MissingMiddleHousing.com**
Opticos Design
5. **HousePlans.pro**
Bruinier & Associates





Summary Findings

Summary Findings (p. 4)



1. There are multiple, significant barriers to development of ADUs.
2. R-1 zone standards present barriers for all missing middle housing types.
3. Density and lot area standards are the most common barriers.
4. Off-street parking standards present barriers and potential tradeoffs.
5. Some Multiple-Family Standards present barriers for triplexes, fourplexes, courtyard apartments, and cottage clusters.
6. Cluster Subdivision and Planned Unit Development (PUD) applications are valuable tools for larger projects, but present significant barriers for smaller projects.

ADU Requirements

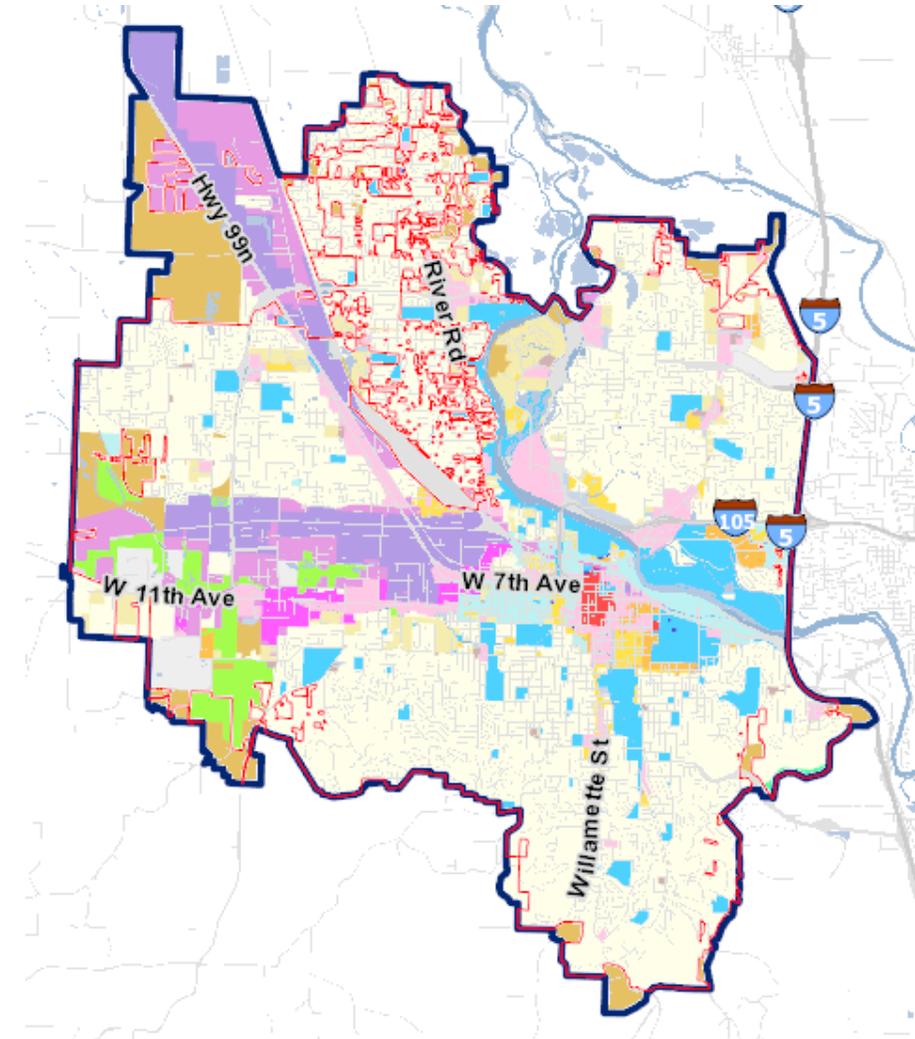


- **Owner occupancy** may discourage investment, reduces # of eligible lots
- **Off-street parking** requirement can be difficult to meet because many lots were not originally designed to accommodate two spaces.
- **Minimum lot area** standards restrict eligible lots:
 - Citywide standard - 6,100 sf: 15% of all lots are smaller
 - University Area – 7,500 sf: 50% of lots are smaller



R-1 Zone Standards

- **Maximum density** of 14 units per acre is a potential barrier to all missing middle housing types.
- **Minimum lot area, width, other special lot requirements** for duplexes, triplexes, and fourplexes limit the number of eligible lots.
- **University Area** prohibition on duplexes, triplexes, fourplexes, and rowhouses limits the number of eligible lots and presents a barrier to equitable housing access.
- **These standards are not significant barriers:** Maximum height, minimum setbacks, and maximum lot coverage.



Density and Lot Area Standards



Duplex
Density: **17** units per acre
Floor-Area-Ratio: **0.55**
Lot Coverage: **42%**

Single-Family House
Density: **8** units per acre
Floor-Area-Ratio: **0.53**
Lot Coverage: **41%**

Off-Street Parking



- **Minimum standard** of one space/per unit is not a significant barrier for most missing middle types, except for triplex/fourplex on a small lot.
- **Requiring parking** may potentially result in less attractive street frontages than if parking were not required.
- **Internal conversions** from a house to duplex, triplex, etc. may find parking to be a greater barrier than new development.
- **Prohibition on tandem parking** eliminates potential option for meeting standards.



Multiple-Family Standards



- **Maximum setback for 40-60% of lot frontage** may be a potential barrier for triplexes/fourplexes, courtyard apartments.
- **Minimum open space requirements** may be difficult to meet for triplexes/fourplexes on a smaller lot.
- **Entrance orientation** requirement that ground floor units face the street is a significant barrier for several missing middle types



Cluster Subdivision/PUD Standards



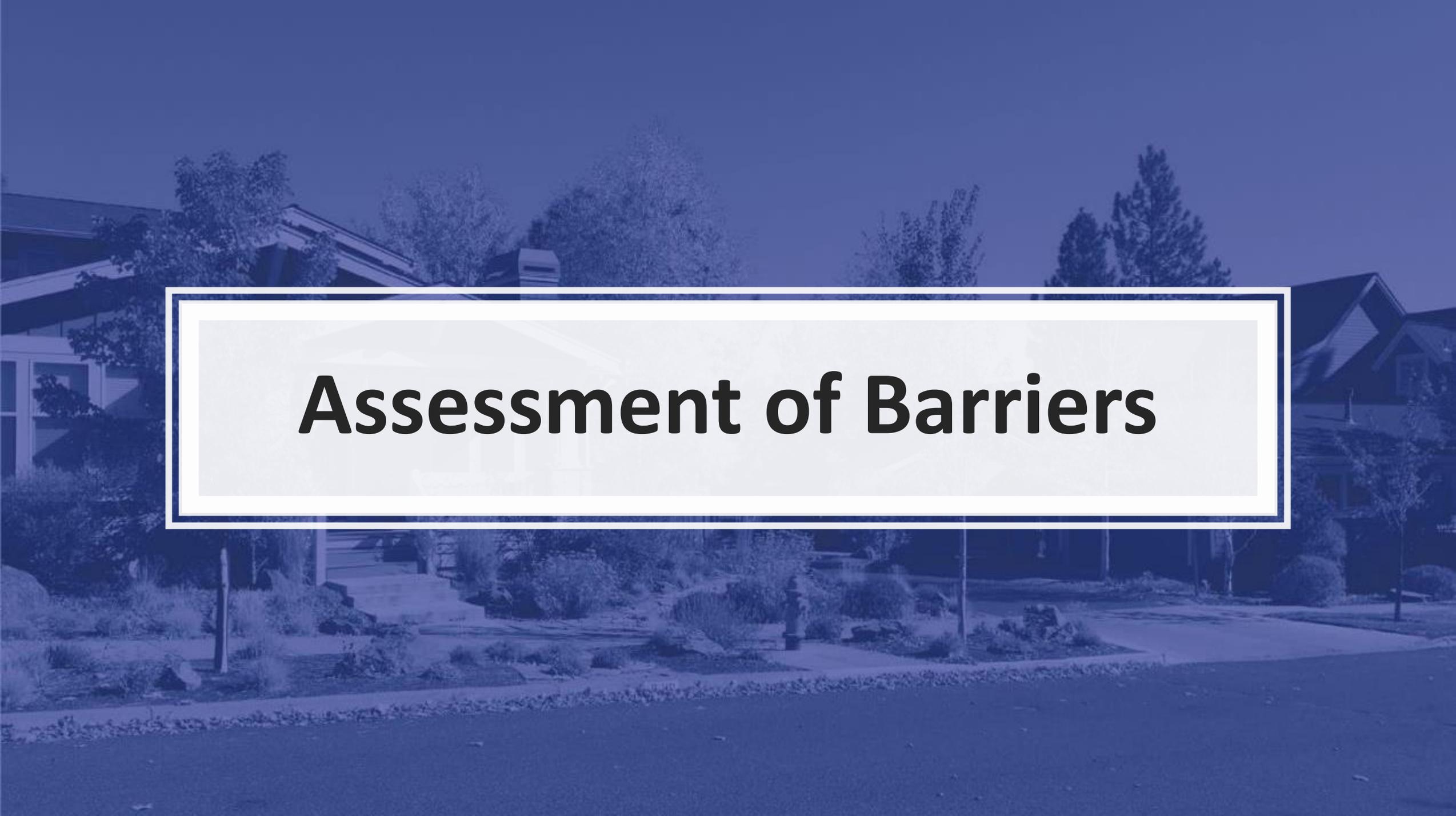
Cluster Subdivision Standards:

- **Minimum of 6 units** is a barrier to smaller projects.
- **Requirement to meet maximum density** is a barrier in R-1 zone.

PUD Standards

- **No outright density bonus** as projects must show consistency with Comprehensive Plan designations (except for Controlled Rent and Income housing).
- **Minimum open space and 30 foot landscape buffer requirements** are significant barriers for smaller projects under the clear and objective track.
- **Type III review** is a potential barrier due to uncertainty, cost, and complexity of process.





Assessment of Barriers

Assessment of Barriers



- Accessory Dwelling Units
- Small Lot Detached Houses
- Row Houses
- Duplexes
- Triplexes and Fourplexes
- Courtyard Apartments
- Cottage Cluster Housing

ADUs – Barriers Assessment (p. 7)

Standard	Barrier?	Assessment
Use Regulations	⊖	Allowed in all zones, but some development standards are barriers
Min. Density	✓	
Max. Density	⚠	Significant barrier in R-1 – limits eligible lots
Max. Height	⊖	Moderate barrier for sloped lots, conversion of existing structures
Min. Setbacks	✓	
Max. Lot Coverage	⊖	Moderate barrier on smaller lots
Min. Lot Area	⚠	Significant barrier in R-1 – limits eligible lots
Building Size	⊖	Cap at 600 sq. ft. may limit appeal of ADUs
Owner Occupancy Required	⚠	May discourage investment in ADUs, complicate financing options
Parking Standards	⚠	Significant barrier on some lots



Small Lot Detached Houses – Barriers Assessment (p. 16)



Standard	Barrier?	Assessment
Use Regulations	✓	Allowed in all zones except R-1.5
Min. Density	⊖	Moderate barrier in R-3 and R-4 zones
Max. Density	⊖	Moderate barrier in R-1, requires larger lot than prototype
Max. Height	✓	
Min. Setbacks	✓	
Max. Lot Coverage	✓	
Min. Lot Area	⚠	<ul style="list-style-type: none"> • Significant barrier in R-1, requires cluster subdivision or PUD • Not a barrier in R-2, R-3, and R-4 zones due to Small Lot Standards
Min. Lot Width/Frontage	⚠	<ul style="list-style-type: none"> • Significant barrier in R-1, requires cluster subdivision or PUD • Moderate barrier in R-2, R-3, and R-4 zones, requires site review plan application to proposed width below 35 feet
Parking Standards	✓	Not a significant barrier but may result in design tradeoffs



Row Houses – Barriers Assessment (p. 22)



Standard	Barrier?	Assessment
Use Regulations	⊖	Allowed in all zones, but prohibited in University Area
Min. Density	⊖	Moderate barrier in R-3 and R-4 zones
Max. Density	⊖	Moderate barrier in R-1, some projects may be higher density
Max. Height	✓	
Min. Setbacks	✓	
Max. Lot Coverage	⊖	Moderate barrier in R-1, some projects may have higher lot coverage
Open Space	⊖	Moderate barrier in R-2, R-3, and R-4 zones (20% minimum)
Min. Lot Area	⚠	<ul style="list-style-type: none"> • Significant barrier in R-1, must be part of a subdivision where overall density meets R-1 standard • Not a barrier in R-2, R-3, and R-4 zones
Min. Lot Width/Frontage	✓	
Parking Standards	✓	Not a significant barrier but may result in design tradeoffs



Duplexes – Barriers Assessment (p. 27)



Standard	Barrier?	Assessment
Use Regulations	⊖	Allowed in all zones, but special use limitations are barriers
Min. Density	⊖	Moderate barrier in R-3 and R-4 zones
Max. Density	⚠	Significant barrier in R-1, requires larger lot than prototype
Max. Height	✓	
Min. Setbacks	✓	
Max. Lot Coverage	⊖	Moderate barrier on smaller lot than prototype
Open Space	⊖	Barrier to a side-by-side duplex due to limited common open space
Min. Lot Area	⚠	Significant barrier in R-1, requires larger lot than prototype, limited to corner lots or lots designated for duplex in a subdivision
Min. Lot Width	⊖	Moderate barrier in R-1, requires wider lot than prototype
Parking Standards	⊖	Moderate barrier on smaller lot than prototype or to conversion of existing single-family house



Triplexes and Fourplexes – Barriers Assessment (p. 32)



Standard	Barrier?	Assessment
Use Regulations	—	Allowed in all zones, but special use limitations are barriers
Min. Density	—	Moderate barrier in R-3 and R-4 zones
Max. Density	⚠	Significant barrier in R-1, requires larger lot than prototype
Max. Height	✓	
Min. Setbacks	✓	
Max. Lot Coverage	—	Barrier to side-by-side prototypes, potential barrier to the stacked prototypes on a smaller lot
Open Space	—	Barrier to a side-by-side prototypes due to limited common open space
Min. Lot Area	⚠	Significant barrier in R-1, requires larger lot than prototype and lots must have been designated for triplex or fourplex in a subdivision
Min. Lot Width	—	Moderate barrier in R-1, requires wider lot than prototype
Parking Standards	—	Barrier to stacked prototypes or conversion of existing single-family house
Multi-Family Standards	—	Maximum setback and entrance orientation are moderate barriers



Courtyard Apartments – Barriers Assessment (p. 40)

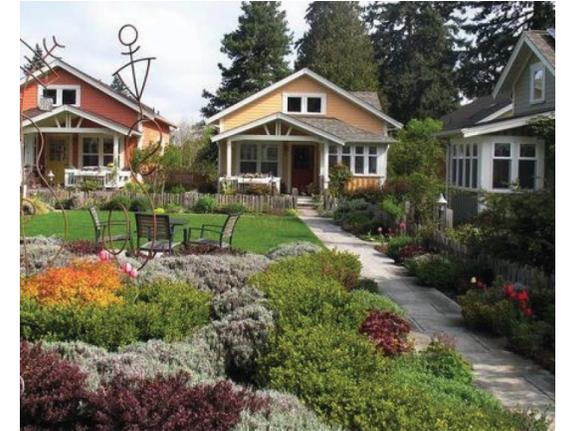
Standard	Barrier?	Assessment
Use Regulations	⚠️	<ul style="list-style-type: none"> • Significant barrier in R-1, multi-family development requires a PUD • Not a barrier in other zones (allowed use)
Min. Density	⊖	Barrier in R-4 zone
Max. Density	⊖	Moderate barrier in R-1 zone
Max. Height	✓	
Min. Setbacks	✓	
Max. Lot Coverage	✓	
Open Space	⊖	Potential barrier for smaller lot than prototype
Min. Lot Area	✓	
Min. Lot Width	✓	
Parking Standards	⊖	Potential barrier for smaller/narrower lot than prototype
Multi-Family Standards	⊖	Maximum setback and entrance orientation are moderate barriers



Cottage Cluster – Barriers Assessment (p. 47)



Standard	Barrier?	Assessment
Use Regulations	⚠️	<ul style="list-style-type: none"> One-Family Dwelling: Allowed in all zones except R-1.5 Multi-Family Dwelling: Significant barrier in R-1, requires a PUD
Min. Density	⚠️	Moderate barrier in R-2, significant barrier in R-3 and R-4
Max. Density	⚠️	Moderate barrier in R-1
Max. Height	✅	
Min. Setbacks	⚠️	<ul style="list-style-type: none"> One-Family Dwelling: Significant barrier if applied to cottage lots Multi-Family Dwelling: Not a barrier
Max. Lot Coverage	✅	
Open Space	⚠️	Moderate barrier in R-2, R-3, and R-4 zones on smaller lot than prototype
Min. Lot Area	⚠️	<ul style="list-style-type: none"> One-Family Dwelling: Significant barrier if applied to cottage lots, would require a cluster subdivision or PUD Multi-Family Dwelling: Not a barrier
Min. Lot Width	⚠️	<ul style="list-style-type: none"> One-Family Dwelling: Significant barrier if applied to cottage lots, would require a cluster subdivision or PUD Multi-Family Dwelling: Not a barrier
Parking Standards	✅	
Multiple-Family Standards	⚠️	Maximum setback and entrance orientation are moderate barriers



Barriers Assessment – Summary by Zone



Prototype	R-1	R-1.5	R-2	R-3	R-4	Key Barriers
ADU						Max density, min lot area, parking, owner occupancy
Small Lot Detached						Max density/min lot area in R-1, min density in R-3 & R-4
Cottage Cluster						<ul style="list-style-type: none"> • Max density/min lot area in R-1, min density in R-3 & R-4 • Cluster subdivision and PUD requirements • Multiple-family standards
Rowhouses						Max density/min lot area in R-1, min density in R-3 & R-4
Duplex						Max density/min lot area in R-1, min density in R-3 & R-4
Triplex/Fourplex						<ul style="list-style-type: none"> • Max density/min lot area in R-1, min density in R-3 & R-4 • Multiple-family standards
Courtyard Apartments						<ul style="list-style-type: none"> • Max density/min lot area in R-1, min density in R-3 & R-4 • Multiple-family standards



Discussion and Questions

Next Steps



- Finalize Code Audit
 - Incorporate your feedback
 - Add a review of Special Area Zones
- Work with staff to outline a general schedule and approach for a future code update process



APPENDIX



PROTOTYPES

Accessory Dwelling Units

Small Lot Detached Houses

Row Houses

Duplexes

Triplexes and Fourplexes

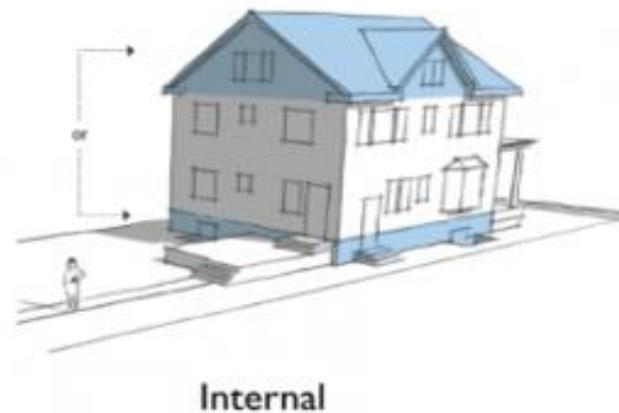
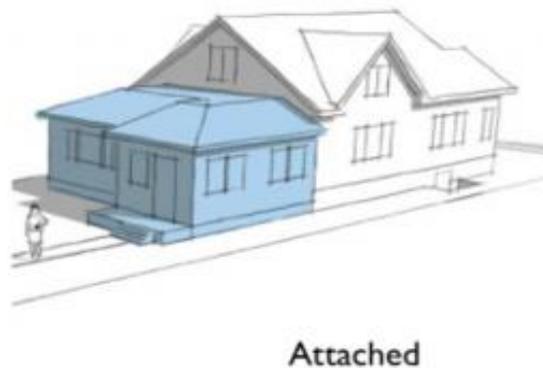
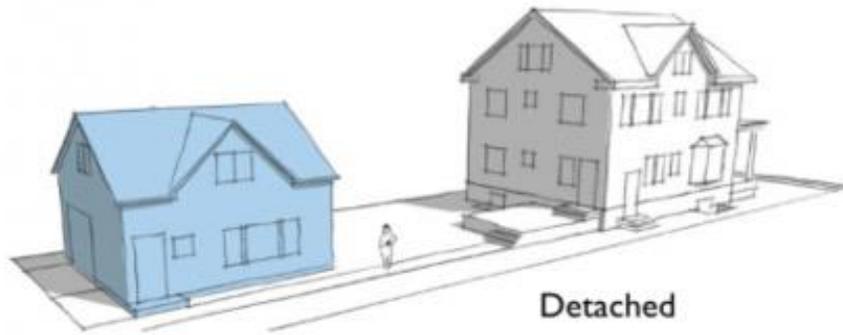
Courtyard Apartments (and other small-scale multi-family)

Cottage Cluster Housing

Accessory Dwelling Units



Dwelling, Accessory. An interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.



Prototype – Accessory Dwelling Units



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Structured/ Garage Parking	Surface Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)
ADU (Detached)	1 ADU 1 primary	14	28	392	1.5	20	0	1	40	100	4,000
ADU (Attached)	1 ADU 1 primary	14	28	392	1.5	20	0	1	40	100	4,000
ADU (Internal)	1 ADU 1 primary	N/A	N/A	N/A	N/A	N/A	0	1	35	80	2,800

Small Lot Detached Houses



The defining characteristic of “small lot detached houses” is that they are built on smaller lots than conventional detached houses. Depending on the size of the structure, they may have smaller setbacks and greater lot coverage than a typical single-family house.



Prototype – Small Lot Detached Houses



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units/ ac.)
Small Lot Detached (3-Story)	1	15	65	975	3	35	1 (garage)	25	80	2,000	22
Small Lot Detached (2-Story)	1	15	65	975	2	25	1 (garage)	25	80	2,000	22

Row Houses

Dwelling, Row House. A dwelling that shares 1 or more walls with 1 or more dwellings and which is located on a row house lot.



Prototype – Row Houses



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units /ac.)
Row House Row (3-Story)	5	100	80	8,000	3	35	5 (garage)	140 (site) 20 (ea. lot)	120	16,800	13
Row House Row (2-Story)	5	100	80	8,000	2.5	30	5 (garage)	140 (site) 20 (ea. lot)	120	16,800	13

Duplexes



Dwelling, Duplex. A building designed and used as dwellings for 2 families living independently of each other and having separate housekeeping facilities for each family that are connected either by common walls or common ceiling/floor connection. A building is not a duplex if one of the dwellings is an accessory dwelling.



Side-by-Side Duplex



Stacked Duplex



Stacked Duplex



Side-by-Side Duplex

Prototype – Duplexes



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units/ ac.)
Duplex Stacked	2	25	60	1,500	2	25	2 (rear)	40	100	4,000	22
Duplex Side-by-Side	2	35	50	1,750	2	25	2 (garage)	50	80	4,000	22

Triplexes and Fourplexes



Dwelling, Tri-Plex. A building designed and used as dwellings for 3 families living independently of each other and having separate housekeeping facilities for each family.

Dwelling, Four-Plex. A building designed and used as dwellings for 4 families living independently of each other and having separate housekeeping facilities for each family



Side-by-Side Triplex



Stacked Triplex



Stacked Fourplex

Prototype – Triplexes and Fourplexes



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units/ ac.)
Triplex Stacked	3	25	60	1,500	3	35	2 (rear)	40	100	4,000	32
Triplex Side-by-Side	3	60	50	3,000	2	25	3 (garage)	70	80	5,600	23
Fourplex Stacked	4	35	60	2,100	3	35	2 (rear)	50	100	5,000	34
Fourplex Side-by-Side	4	80	50	4,000	2	25	4 (garage)	90	80	7,200	24

Courtyard Apartments (and other small-scale multi-family)



Dwelling, Multiple-Family. One or more buildings on a single lot or parcel that are designed and used for 3 or more families, all living independently of each other, and having separate housekeeping facilities for each family. The dwellings may share common walls, common roofs, or common foundations. Multiple-family dwellings include condominium and apartment units without regard to ownership status.



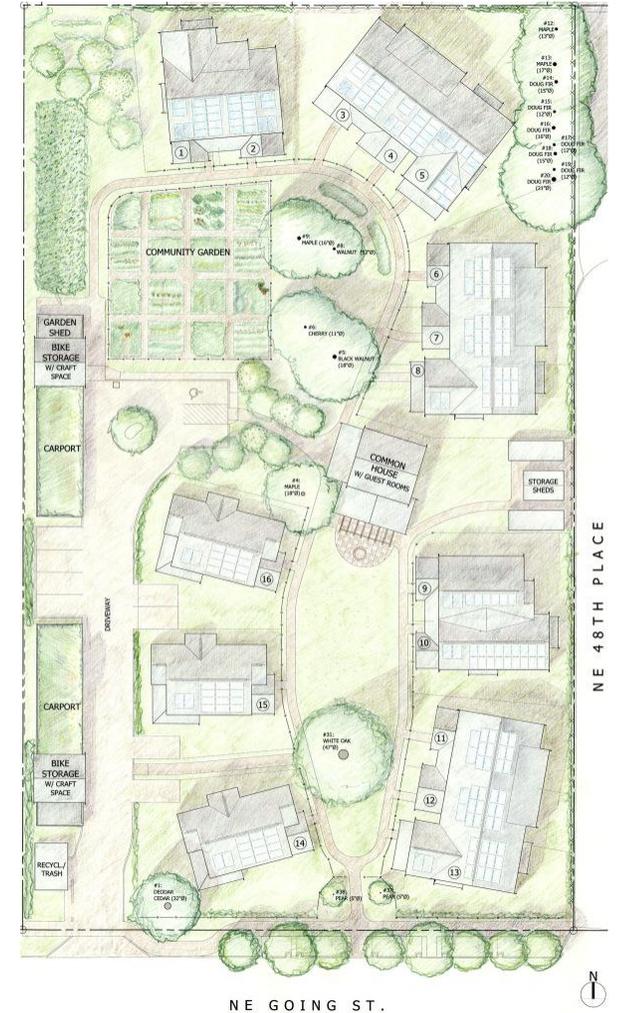
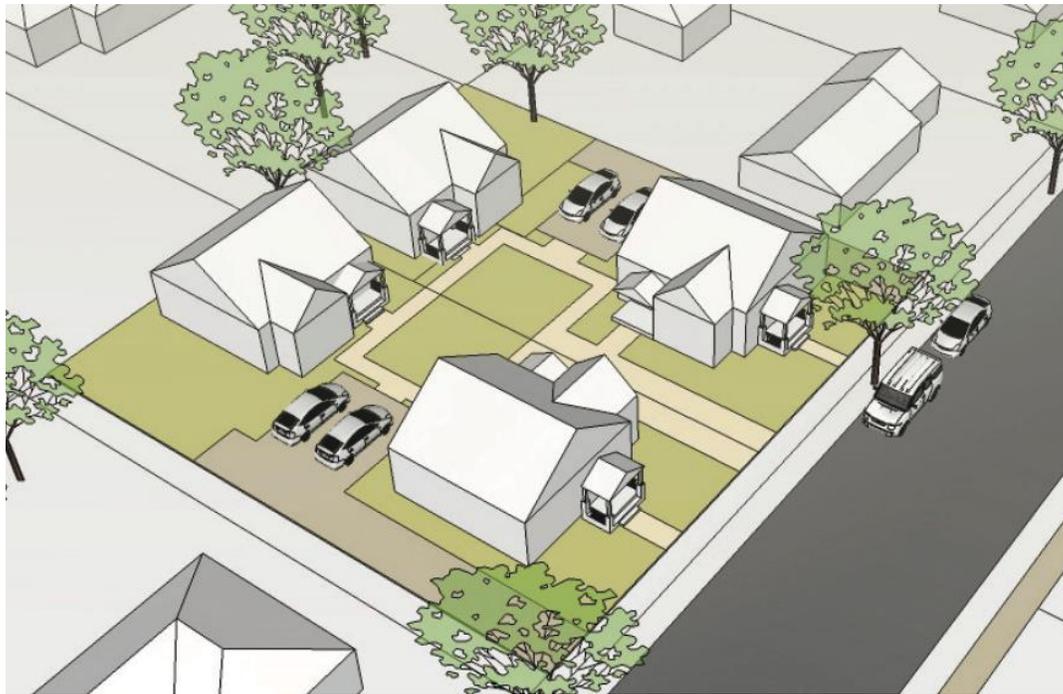
Prototype – Courtyard Apartments (and other small-scale multi-family)



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units/ac.)
Courtyard Apartments	8	Varies (U-Shape)		6,200	1	15	6 (rear or side)	120	120	14,400	15

Cottage Cluster Housing

Cottage Cluster Housing could be classified as One-Family Dwellings or as Multiple-Family Dwellings depending on whether the land is divided so that each house is on its own lot



Prototypes – Cottage Cluster Housing



Housing Type	# of Units	Bldg. Width (ft)	Bldg. Depth (ft)	Bldg. Footprint (sq. ft)	Stories	Bldg. Height (ft)	Parking	Needed Lot Width (ft)	Needed Lot Depth (ft)	Needed Lot Size (sq. ft.)	Density (units/ ac.)
Cottage Cluster (Small)	4	Varies		4,200	1.5	20	4	120	120	14,400	12
Cottage Cluster (Large)	8	Varies		8,400	1.5	20	8	120	120	21,600	16