

MIDDLE HOUSING IN MEDIUM AND LARGE CITIES

Oregon Administrative Rules, Chapter 660, Division 46

This is a **high-level** summary sheet and does not address everything that is included in the Middle Housing administrative rules adopted by the Land Conservation and Development Commission (referred to in this document as the Middle Housing rules). To review the text of the Middle Housing rules, [click here](#). The Large Cities Middle Housing Model Code applicable to large cities and referenced in this document is attached as Exhibit A.

WHAT IS MIDDLE HOUSING?

OAR 660-046-00020

- **Duplex**
 - Two attached dwelling units on a lot or parcel.
 - The City may, but is not required to, allow detached duplexes.
- **Triplex**
 - Three attached dwelling units on a lot or parcel.
 - The City may, but is not required to, allow detached triplexes.
- **Quadplex**
 - Four attached dwelling units on a lot or parcel.
 - The City may, but is not required to, allow detached quadplexes.
- **Cottage Cluster**
 - A group of detached dwelling units, each with a footprint of less than 900 square feet, that includes a common courtyard. A cottage cluster must have density of at least four units per acre.
 - The City may require Cottage Cluster units to be located on a single lot or parcel or allow Cottage Cluster units to be located on individual lots or parcels.
- **Townhouse**
 - A dwelling unit that is part of a row of two or more attached dwelling units where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent townhouse unit.

WHERE WILL MIDDLE HOUSING BE DEVELOPED?

OAR 660-046-0010, OAR 660-046-0105 and OAR 660-046-0205

Duplexes:

The City must allow duplexes on all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings.

Triplexes, Quadplexes, Townhouses and Cottage Clusters:

The City must allow triplexes, quadplexes, townhouses and cottage clusters:

- In all zones (but not necessarily on every lot or parcel in those zones) which implement a residential comprehensive plan map designation and in which residential dwellings are the primary use.
 - In Eugene, this includes the following zones: R-1 Low Density Residential, R-2 Medium Density Residential, R-3 Limited High Density Residential, R-4 High Density Residential, and certain Special Area Zones (including Chambers, Chase Node, Downtown Westside, Elmira Road, Historic Blair, Jefferson Westside, Royal Node, Whiteaker, and Walnut Station special area zones).

- The City has some limited ability to regulate or limit development of Middle Housing other than duplexes on lands protected by statewide planning goals, in master planned communities, and as necessary to comply with state or federal law.

The City need not allow middle housing:

- On lots or parcels not zoned for residential use (i.e., property primarily zoned for commercial, agricultural, industrial, or public uses)

HOW CAN THE CITY REGULATE MIDDLE HOUSING?

APPROVAL PROCESS, SITING STANDARDS, AND DESIGN STANDARDS

The table below illustrate the approval process, siting standards, and design standards the City may apply to duplexes, triplexes, quadplexes, townhouses and cottage clusters. The siting and design standards applicable to detached single-family dwellings and referenced in the following tables are typical of the standards applied to most detached single-family dwellings in the R-1 Low Density Residential zone. The detached single-family dwelling standards referenced in the tables do not include all the various nuanced requirements and/or special area zone standards that may apply to some detached single-family dwellings in some locations in the city.

DUPLEXES

(OAR 660-046-0110 through OAR 660-046-0130)

Approval Process	
	The City must apply the same approval process to duplexes as is applied to detached single-family dwellings. In Eugene, construction of a detached single-family dwelling is typically allowed “by-right” in the R-1 Low Density Residential zone and only requires a building permit.
Numerical Standards	
	The City may, but is not required to, allow more than two dwelling units on a lot or parcel, including any accessory dwelling units.
Siting Standards	
<i>Min Lot Size</i>	May not be greater than the minimum lot size applicable to detached single-family dwellings in the same zone. In Eugene, the typical minimum lot size in the R-1 Low Density Residential zone is 4,500 ft ² .
<i>Density</i>	The City may not apply density maximums to the development of duplexes.
<i>Setbacks</i>	May not be greater than the setbacks applicable to detached single-family dwellings in the same zone. In Eugene, front yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 10 feet. Interior yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 5 feet.
<i>Height</i>	Maximum height standards for duplexes may not be lower than the maximum height standards applicable to detached single-family dwellings in the same zone. In Eugene, maximum height for single-family detached dwellings in the R-1 Low Density Residential zone is typically 30 feet.
<i>Parking</i>	The City may not require more than a total of two off-street parking spaces for a duplex. The City may, but is not required to, allow on-street parking credits to satisfy off-street parking requirements.

<i>Lot Coverage/Floor Area Ratio</i>	If the City chooses to apply lot coverage or floor area ratio (FAR) standards to duplexes, the cumulative lot coverage or FAR for a duplex may not be less than the lot coverage or FAR for a detached single-family dwelling in the same zone. In Eugene, the maximum lot coverage for a detached single-family dwelling in the R-1 Low Density Residential zone is 50%. The Eugene Code does not typically apply FAR to residential uses.
<i>Exceptions to Public Works Standards</i>	If clear and objective exceptions to public works standards are granted to detached single-family dwellings, the same exceptions must be granted to duplexes.
Design Standards	
<i>New Duplexes</i>	The City is not required to apply design standards to new duplexes. However, if the City chooses to apply design standards to new duplexes, it may only apply the same clear and objective design standards that the City applies to detached single-family dwellings in the same zone.
<i>Duplex Conversions</i>	The City may not apply design standards to duplexes created through conversion of an existing detached single-family dwelling.

TRIPLEXES

(OAR 660-046-0210 through OAR 660-046-0230)

Approval Process	
	The City must apply the same approval process to triplexes as is applied to detached single-family dwellings. In Eugene, construction of a detached single-family dwelling is typically allowed “by-right” in the R-1 Low Density Residential zone and only requires a building permit.
Numerical Standards	
	The City may, but is not required to, allow more than four dwelling units on a lot or parcel, including any accessory dwelling units.
Siting Standards	
<i>Min Lot Size</i>	If the minimum lot or parcel size in the zone for a detached single-family dwelling is 5,000 ft ² or less (in Eugene the minimum lot size for a single-family detached dwelling is typically 4,500 ft ² in the R-1 Low Density Residential zone) the minimum lot or parcel size for a triplex may not exceed 5,000 ft ² .
<i>Density</i>	The City may not apply density maximums to the development of triplexes.
<i>Setbacks</i>	May not be greater than the setbacks applicable to detached single-family dwellings in the same zone. In Eugene, front yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 10 feet. Interior yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 5 feet.
<i>Height</i>	Maximum height standards for triplexes may not be lower than the maximum height standards applicable to detached single-family dwellings in the same zone, except that a maximum height applicable to a triplex may not be less than 25 feet or two stories. In Eugene, maximum height for single-family detached dwellings in the R-1 Low Density Residential zone is typically 30 feet.
<i>Parking</i>	<ul style="list-style-type: none"> • Lot or Parcel is less than 3,000 ft²: the City may require no more than one off-street parking space • Lot or Parcel is between 3,000 ft² and 4,999 ft²: the City may require no more than two off-street parking spaces

	<ul style="list-style-type: none"> • Lot or Parcel is 5,000 ft² or greater: the City may require no more than three off-street parking spaces • The City may, but is not required to, allow on-street parking credits to satisfy off-street parking requirements • The City may allow, but may not require, off-street parking to be provided as a garage or carport • The City must apply the same off-street parking surfacing, dimensional, landscaping, access and circulation standards that apply to single-family detached dwellings in the same zone • The City may not require additional parking for triplexes created through additions to or conversion of a detached single-family dwelling.
<i>Lot Coverage/Floor Area Ratio</i>	If the City chooses to apply lot coverage or floor area ratio (FAR) standards to triplexes, the cumulative lot coverage or FAR for a duplex may not be less than the lot coverage or FAR for a detached single-family dwelling in the same zone. In Eugene, the maximum lot coverage for a detached single-family dwelling in the R-1 Low Density Residential zone is 50%. The Eugene Code does not typically apply FAR to residential uses.
<i>Sufficient Infrastructure</i>	<p>City staff must work with an applicant to determine whether sufficient infrastructure will be provided or can be provided. “Sufficient infrastructure” means:</p> <ul style="list-style-type: none"> • Connection to public water and sewer systems capable of meeting established service levels; • Access to the City’s public street system via public or private streets that meet adopted emergency vehicle access standards; and • Storm drainage facilities capable of meeting established service levels for storm drainage.
Design Standards	
<i>New Triplexes</i>	<p>The City is not required to apply design standards to new triplexes. However, if the City chooses to apply design standards to new triplexes, it may only apply the following:</p> <ul style="list-style-type: none"> • The design standards for triplexes in the Large Cities Middle Housing Model Code • Design standards that are less restrictive than those in the Large Cities Middle Housing Model Code • The same clear and objective design standards that the City applies to detached single-family dwellings in the same zone (design standards may not scale by the number of dwelling units or features that scale with the number of dwelling units, such as primary entrances, but design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale) • Alternative design standards.
<i>Triplex Conversions</i>	The City may not apply design standards to triplexes created through addition to or conversion of an existing detached single-family dwelling.

QUADPLEXES

(OAR 660-046-0210 through OAR 660-046-0230)

Approval Process	
	The City must apply the same approval process to duplexes as is applied to detached single-family dwellings. In Eugene, construction of a detached single-family dwelling is typically allowed “by-right” in the R-1 Low Density Residential zone and only requires a building permit.
Numerical Standards	
	The City may, but is not required to, allow more than four dwelling units on a lot or parcel, including any accessory dwelling units.
Siting Standards	
<i>Min Lot Size</i>	If the minimum lot or parcel size in the zone for a detached single-family dwelling is 7,000 ft ² or less (in Eugene the minimum lot size for a single-family detached dwelling is typically 4,500 ft ² in the R-1 Low Density Residential zone) the minimum lot or parcel size for a triplex may not exceed 7,000 ft ² .
<i>Density</i>	The City may not apply density maximums to the development of quadplexes.
<i>Setbacks</i>	May not be greater than the setbacks applicable to detached single-family dwellings in the same zone. In Eugene, front yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 10 feet. Interior yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 5 feet.
<i>Height</i>	Maximum height standards for quadplexes may not be lower than the maximum height standards applicable to detached single-family dwellings in the same zone, except that a maximum height applicable to a quadplex may not be less than 25 feet or two stories. In Eugene, maximum height for single-family detached dwellings in the R-1 Low Density Residential zone is typically 30 feet.
<i>Parking</i>	<ul style="list-style-type: none"> • Lot or Parcel is less than 3,000 ft²: the City may require no more than one off-street parking space • Lot or Parcel is between 3,000 ft² and 4,999 ft²: the City may require no more than two off-street parking spaces • Lot or Parcel is between 5,000 ft² and 6,999 ft²: the City may require no more than three off-street parking spaces • Lot or Parcel 7,000 ft² or greater: the City may require no more than four off-street parking spaces • The City may, but is not required to, allow on-street parking credits to satisfy off-street parking requirements • The City may allow, but may not require, off-street parking to be provided as a garage or carport • The City must apply the same off-street parking surfacing, dimensional, landscaping, access and circulation standards that apply to single-family detached dwellings in the same zone • The City may not require additional parking for quadplexes created through additions to or conversion of a detached single-family dwelling.
<i>Lot Coverage/Floor Area Ratio</i>	If the City chooses to apply lot coverage or floor area ratio (FAR) standards to quadplexes, the cumulative lot coverage or FAR for a duplex may not be less than the lot coverage or FAR for a detached single-family dwelling in the same zone. In Eugene, the maximum lot coverage for a detached single-family dwelling in the R-1 Low Density Residential zone is 50%. The Eugene Code does not typically apply FAR to residential uses.

<i>Sufficient Infrastructure</i>	<p>City staff must work with an applicant to determine whether sufficient infrastructure will be provided or can be provided. “Sufficient infrastructure” means:</p> <ul style="list-style-type: none"> • Connection to public water and sewer systems capable of meeting established service levels; • Access to the City’s public street system via public or private streets that meet adopted emergency vehicle access standards; and • Storm drainage facilities capable of meeting established service levels for storm drainage.
Design Standards	
<i>New Quadplexes</i>	<p>The City is not required to apply design standards to new quadplexes. However, if the City chooses to apply design standards to new quadplexes, it may only apply the following:</p> <ul style="list-style-type: none"> • The design standards for quadplexes in the Large Cities Middle Housing Model Code • Design standards that are less restrictive than those in the Large Cities Middle Housing Model Code • The same clear and objective design standards that the City applies to detached single-family dwellings in the same zone (design standards may not scale by the number of dwelling units or features that scale with the number of dwelling units, such as primary entrances, but design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale) • Alternative design standards.
<i>Quadplex Conversions</i>	The City may not apply design standards to quadplexes created through addition to or conversion of an existing detached single-family dwelling.

TOWNHOUSES

(OAR 660-046-0210 through OAR 660-046-0230)

Approval Process	
	The City must apply the same approval process to townhouses as is applied to detached single-family dwellings. In Eugene, construction of a detached single-family dwelling is typically allowed “by-right” in the R-1 Low Density Residential zone and only requires a building permit.
Numerical Standards	
	The City must require at least two attached townhouse dwellings and must allow up to four attached townhouse dwellings, subject to applicable siting and design standards. The City may allow five or more attached townhouse dwellings.
Siting Standards	
<i>Min Lot Size</i>	The City is not required to apply minimum lot size to townhouses but if it does, the average minimum lot size for a lot in a townhouse project may not be greater than 1500 ft ² . The City may adopt separate minimum lot sizes for internal, external and corner townhouse lots, provided that they average 1500 ft ² or less.
<i>Minimum Street Frontage</i>	The City is not required to apply minimum street frontage to townhouses, but if it does, the minimum required frontage may not exceed 20 ft. The City is not required to allow townhouses on flag lots.
<i>Density</i>	For townhouses, the City must allow either four times the maximum density allowed for detached single-family dwellings in the same zone or 25 units per acre,

	whichever is less. In Eugene, the maximum net density for detached single-family dwellings in the R-1 Low Density Residential zone is 14 units per acre.
<i>Setbacks</i>	Front, side and rear setbacks may not be greater than the setbacks applicable to detached single-family dwellings in the same zone. The City must allow zero-foot side setbacks for lot lines where townhouses are attached. In Eugene, front yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 10 feet. Interior yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 5 feet.
<i>Height</i>	Maximum height standards for townhouses may not be lower than the maximum height standards applicable to detached single-family dwellings in the same zone. If the City requires covered or structured parking for townhouses, the City must allow at least three stories. If the City does not require covered or structured parking, the City must allow at least two stories. In Eugene, maximum height for single-family detached dwellings in the R-1 Low Density Residential zone is typically 30 feet.
<i>Parking</i>	The City may not require more than one off-street parking space per townhouse unit. The City may, but is not required to, allow on-street parking credits to satisfy off-street parking requirements. The City must apply the same off-street parking surfacing, dimensional, landscaping, access and circulation standards that apply to single-family detached dwellings in the same zone
<i>Bulk and Scale</i>	If the City chooses to apply standards to control bulk and scale (including but not limited to FAR, lot coverage, and max unit size), those standards cannot cumulatively or individually limit the bulk and scale of the cumulative townhouse project greater than that of a detached single-family dwelling.
<i>Sufficient Infrastructure</i>	City staff must work with an applicant to determine whether sufficient infrastructure will be provided or can be provided. "Sufficient infrastructure" means: <ul style="list-style-type: none"> • Connection to public water and sewer systems capable of meeting established service levels; • Access to the City's public street system via public or private streets that meet adopted emergency vehicle access standards; and • Storm drainage facilities capable of meeting established service levels for storm drainage.
Design Standards	
<i>New Townhouses</i>	The City is not required to apply design standards to new townhouses. However, if the City chooses to apply design standards to new townhouses, it may only apply the following: <ul style="list-style-type: none"> • The design standards for townhouses in the Large Cities Middle Housing Model Code • Design standards that are less restrictive than those in the Large Cities Middle Housing Model Code • The same clear and objective design standards that the City applies to detached single-family dwellings in the same zone (design standards may not scale by the number of dwelling units or features that scale with the number of dwelling units, such as primary entrances, but design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale) • Alternative design standards.
<i>Townhouse Conversions</i>	The City may not apply design standards to townhouses created through addition to or conversion of an existing detached single-family dwelling.

COTTAGE CLUSTERS

(OAR 660-046-0210 through OAR 660-046-0230)

Approval Process	
	The City must apply the same approval process to duplexes as is applied to detached single-family dwellings. In Eugene, construction of a detached single-family dwelling is typically allowed “by-right” in the R-1 Low Density Residential zone and only requires a building permit.
Numerical Standards	
	The City is not required to set a minimum number of units for a cottage cluster, but it may choose to require a minimum of three, four or five cottage cluster units. The City may allow, but may not require, more than five units in a cottage cluster. Subject to applicable siting and design standards, the City must allow up to eight units per common courtyard but may allow more than eight.
Siting Standards	
<i>Min Lot Size</i>	The City is not required to apply minimum lot size to cottage clusters. If the City does apply minimum lot size and the minimum lot size in the same zone for a detached single-family dwelling is less than 7,000 ft ² (in Eugene the minimum lot size for a single-family detached dwelling is typically 4,500 ft ² in the R-1 Low Density Residential zone) , minimum lot size for a cottage cluster may not be greater than 7,000 ft ² .
<i>Minimum Lot Width</i>	The City is not required to apply minimum lot width to cottage clusters. If the City minimum lot width, it must not be greater than minimum lot width for detached single-family dwellings in the same zone. In Eugene, the minimum lot width for detached single-family dwellings in the R-1 Low Density Residential zone is typically 50 feet.
<i>Density</i>	The City may not apply <i>maximum</i> density requirements to the development of cottage clusters. Cottage clusters must meet <i>minimum</i> density of at least four units per acre.
<i>Setbacks</i>	Perimeter setbacks may not be greater than the setbacks applicable to detached single-family dwellings in the same zone or ten feet, whichever is less. The minimum distance between cottages may not be greater than 10 feet or the distance required by applicable building codes; whichever is less. In Eugene, front yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 10 feet. Interior yard setbacks for single-family detached dwellings in the R-1 Low Density Residential zone are typically 5 feet.
<i>Dwelling Unit Size</i>	The City may limit the minimum or maximum size of dwelling units in cottage cluster but must apply a maximum building footprint of less than 900 ft ² per dwelling unit. The City may exempt up to 200 ft ² in the calculation of the building footprint for an attached garage or carport. The City may not include detached garages, carports or accessory structures in the calculation of building footprint.
<i>Parking</i>	The City may not require more than one off-street parking space per dwelling unit in a cottage cluster. The City may, but is not required to, allow on-street parking credits to satisfy off-street parking requirements.
<i>Lot Coverage/Floor Area Ratio</i>	The City may not apply lot coverage or floor area ratio (FAR) standards to cottage clusters.
<i>Sufficient Infrastructure</i>	City staff must work with an applicant to determine whether sufficient infrastructure will be provided or can be provided. “Sufficient infrastructure” means:

	<ul style="list-style-type: none"> • Connection to public water and sewer systems capable of meeting established service levels; • Access to the City’s public street system via public or private streets that meet adopted emergency vehicle access standards; and • Storm drainage facilities capable of meeting established service levels for storm drainage.
Design Standards	
<i>New Cottage Clusters</i>	<p>The City is not required to apply design standards to new cottage clusters. However, if the City chooses to apply design standards to new cottage clusters, it may only apply the following:</p> <ul style="list-style-type: none"> • The design standards for cottage clusters in the Large Cities Middle Housing Model Code • Design standards that are less restrictive than those in the Large Cities Middle Housing Model Code • The same clear and objective design standards that the City applies to detached single-family dwellings in the same zone (design standards may not scale by the number of dwelling units or features that scale with the number of dwelling units, such as primary entrances, but design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale) • Alternative design standards.
<i>Conversions</i>	The City may not apply design standards to cottages created through addition to or conversion of an existing detached single-family dwelling.

REGULATIONS RELATED TO STATEWIDE PLANNING GOALS

(OAR 660-046-0010)

The City can apply regulations to Middle Housing that are adopted to comply with the following Statewide Planning Goals:

- Goal 5 (Natural Resources, Scenic, and Historic Areas) – for Eugene regulations adopted to comply with Goal 5 include regulations related to historic resources as well as the /WB Wetland Buffer Overlay Zone, the /WP Waterside Protection Overlay Zone, and the /WR Water Resources Conservation Overlay Zone. Regulations protecting historic resources may not prohibit the development of Middle Housing on properties where detached single-family dwellings are allowed.
- Goal 6 (Air, Water and Land Resources Quality) – for Eugene regulations adopted to comply with Goal 6 include the /WQ Water Quality Overlay Zone.
- Goal 7 (Areas Subject to Natural Hazards) - regulations adopted to comply with Goal 7 include regulations related to Special Flood Hazard Areas identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map.
- Goal 9 (Economic Development) – Eugene may limit the development of Middle Housing on properties zoned for residential use but designated for future industrial or employment uses – staff believes that few, if any, properties in Eugene fit this description.
- Goal 15 (Willamette Greenway) – Eugene may regulate development of Middle Housing in the Greenway as long as the regulations adopted pursuant to Goal 15 comply with ORS 197.307.
- Goals 16, 17 and 18 (Estuarine Resources, Coastal Shorelands and Beaches and Dunes). These goals do not apply to lands within the city of Eugene.