



# NOTICE OF EUGENE CITY COUNCIL DECISION

## Accessory Dwelling Units

City File No. CA 18-1

January 27, 2020

On January 21, 2020, the Eugene City Council approved City-initiated amendments to the City's Land Use Code (Chapter 9) related to Accessory Dwelling Units (ADUs). The amendments, adopted by Ordinance No. 20625, are part of a code amendment process that began in 2018 and respond to a November 2018 Order from the Oregon Land Use Board of Appeals ("LUBA") that remanded two earlier ordinances (Ordinance Nos. 20594 and 20595). The Ordinance was signed by the Mayor on January 22, 2020. A summary of the amendments is provided on the reverse side of this notice.

To view the ordinance visit [www.eugene-or.gov/cityrecorder](http://www.eugene-or.gov/cityrecorder) Go to "Quick Links" and click on "Ordinances." Select the "2020" folder to find Ordinance No. 20625.

The City Council's decision to adopt Ordinance No. 20625 is the City's final action responding to LUBA's 2018 Order. Appeals to LUBA are governed by ORS 197.825 to 197.845 as they relate to actions taken in response to a remand.

For additional information, please contact:

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## Summary of Land Use Code Amendments (Ordinance No. 20625)

- Changes the term “secondary dwelling” to “accessory dwelling” throughout the code
- Clarifies that an accessory dwelling is not an accessory building.
- Changes the City’s definition of “accessory dwelling” to the definition provided in Senate Bill 1051 (codified at ORS 197.312(5))
- Adds “Accessory Dwellings” use category as an explicitly permitted use in the following zones:
  - AG Agricultural
  - R-2 Medium Density Residential\*
  - R-3 Limited High-Density Residential\*
  - R-4 High Density Residential\*
  - S-E Elmira Road Special Area Zone
  - S-HB Blair Boulevard Historic Commercial Special Area Zone\*\* denotes zones in which the use was already allowed as a “one-family dwelling.
- Adds language to the S-JW Jefferson Westside Special Area Zone and S-C Chambers (R-2 Subarea) Special Area Zone to clarify that any additional dwelling that meets the definition of “accessory dwelling” will continue to be allowed and continue to be called a “one-family dwelling” in these zones.
- Applies the R-1 Low Density Residential zone standards for accessory dwellings to accessory dwellings in the following zones:
  - AG Agricultural
  - R-2 Medium Density Residential
  - R-3 Limited High-Density Residential
  - R-4 High Density Residential
  - S-E Elmira Road Special Area Zone
- Removes owner/occupancy requirement that requires either the primary dwelling or the accessory dwelling to be the principal residence of the property owner
- Removes regulations that regulate dog keeping differently for lots with accessory dwellings
- Removes regulations that require on-site parking for accessory dwellings and removes or revises regulations that regulate the development of required parking for accessory dwellings
- Increases building height/sloped setback inflection point from 8 feet to 10 feet (meaning the ADU can now be 10 feet in height at the interior yard setback, before sloping up to the maximum height)
- Removes barriers to above-garage accessory dwellings and accessory dwellings on sloped lots by adjusting standards to building height and interior setback
- Allows for accessory dwellings on flag lots created since August 29, 2014