
AGENDA ITEM SUMMARY**SPRINGFIELD
CITY COUNCIL**

Meeting Date: 3/15/2021
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust
Staff Phone No: 541-726-3654
Estimated Time: 50 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

ITEM TITLE: DEVELOPMENT CODE UPDATE PROJECT – QUARTERLY CHECK IN

ACTION REQUESTED: This meeting is an opportunity for staff to provide the Council an update on the project status and for the Council to ask questions, provide input, and give feedback on the Development Code Update Project process. Staff would like input on if the Council would like to review the draft code sections prior to releasing them for public review and comment. Or is the Council comfortable with staff reviewing the draft codes sections with the Governance Committee prior to releasing for public review.

ISSUE STATEMENT: Staff will give the City Council an update on the Development Code Update Project. The Purpose of the Development Code Update Project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield’s economic development priorities and will honor Springfield’s hometown feel now and in the future.

ATTACHMENTS: Attachment 1: Council Briefing Memo
Attachment 2: Presentation slides
Attachment 3: Spectrum of options for Siting and Design Standards
Attachment 4: Development Code Update Project Schedule (3/16/21)

**DISCUSSION/
FINANCIAL
IMPACT:** **Background**
Staff last presented to the City Council on this project on October 5, 2020. At this meeting staff gave the Council an update on the progress of both Phase 1, Housing, and Phase 2, Employment Lands of the Development Code Update Project. A Communication memo was sent to Council on January 5, 2021 summarizing the final rule making adoption for middle housing that directly impacts the Phase 1 Housing portion of the Development Code Update Project.

Discussion

Staff reengaged with the Housing Technical Advisory Committee for the Housing phase of the project. Staff, together with the feedback from the Housing Technical Advisory Committee, has revised the draft housing code sections to be in conformance with the new state middle housing rules and is working to finalize the code sections for public review. Staff plans to release these draft code sections for public review in June 2021.

Staff is working on the code revisions for the Phase 2, Employment Lands, of the Development Code Update Project. Staff is working with other city staff and the appointed Employment Lands Technical Advisory Committee on draft employment lands code sections that will also be ready for public release in June 2021.

Next Steps

Staff will continue making progress on the Development Code Update Project and anticipates releasing draft public review sections of the code in June 2021. The next regularly planned quarterly check in with Council is planned for June 2021.

MEMORANDUM

City of Springfield

Date: 3/15/2021

To: Nancy Newton, City Manager

From: Tom Boyatt, Community Development Director
Mark Rust, Senior Planner

COUNCIL BRIEFING MEMORANDUM

Subject: Development Code Update Project–Quarterly Check In

ISSUE

Staff will give the City Council an update on the Development Code Update Project.

The Purpose of the Development Code Update Project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield's economic development priorities and will honor Springfield's hometown feel now and in the future.

COUNCIL GOALS/ MANDATE

Encourage Economic Development and Revitalization through Community Partnerships

BACKGROUND

Staff last presented to the City Council on this project on October 5, 2020. At this meeting staff gave the Council an update on the progress of both Phase 1, Housing, and Phase 2, Employment Lands, of the Development Code Update Project. A communication memo was sent to Council on January 5, 2021 summarizing the final rule making adoption for middle housing that directly impacts the Phase 1 Housing portion of the Development Code Update Project.

Staff has continued to meet with the Housing Technical Advisory Committee and the Employment Lands Technical Advisory Committee. Additionally, staff met with the Governance Committee on January 20, 2021 to get feedback and direction on how to ensure the development code amendments would be consistent with the Springfield Comprehensive Plan. The issue of consistency with the Comprehensive Plan was discussed in the January 5, 2021 communication memo to the Council including a flowchart specifying different options for addressing the consistency question. The direction received from the Governance Committee, which is the same as the input also received from the Housing Technical Advisory Committee on this issue, is to proceed with adopting bridge language into the Comprehensive Plan in the interim, until a comprehensive update to the Residential Land and Housing Element is completed in the future.

DISCUSSION

Phase 1 – Housing code

The housing phase of the Development Code Update Project is nearing the public review draft step. As you may recall we released a public review draft of housing code sections in February of 2020. Since the adoption of the new Oregon Administrative Rules (OARs or rules) implementing House Bill (HB) 2001 included provisions that were not anticipated when we released the previous draft code, staff has revised the housing code to be in conformance with the new OARs. Even though the draft rules are fairly prescriptive in detailing the manner in which a city must implement the new middle housing legislation, there are some areas of flexibility allowed. The main areas for local decisions around flexible implementation are discussed below.

As discussed in more detail in the January 5, 2021 communication memo to Council, there are two major options for cities in implementing the new adopted rules. A city can choose to adopt the state Model Code or adopt their own regulations under the Minimum Compliance Standards.

- The state Model Code is available for cities to adopt wholesale if a city doesn't want to or doesn't have the capacity to go through the process of modifying/amending their code to be in conformance with the Middle Housing regulations. The Model Code also will be directly applied to a city if that city does not adopt its own code changes by June 30, 2022.
- The Minimum Compliance Standards in the rules are fairly prescriptive and are therefore likely to have a significant influence on the approach to middle housing regulations. The Minimum Compliance Standards establish the standards that a city must meet to be deemed compliant with the provisions of HB 2001. The standards constitute the range of reasonable Siting and Design Standards that local governments may adopt to regulate the development of middle housing. These standards are intended to allow cities more flexibility than the standards included in the Model Code.

Density and lot size

One area of flexibility centers around lot sizes (or density) for triplexes and fourplexes. There are two main paths to choose within the rules, the Minimum Compliance Standards and the Model Code provisions.

- The Minimum Compliance Standards allow a city to limit triplexes to 5000 square foot lots and larger and fourplexes to 7000 square feet and larger. These are the largest lot minimum sizes that a city can require.
- The Model Code provisions do not have any limitation on minimum lot size for these two middle housing types. Rather under the Model Code provisions triplexes and fourplexes would be allowed on the same size lot that allows a detached single-family home.

In discussions with the Housing Technical Advisory Committee (TAC) it was generally agreed that Springfield should pursue implementing the minimum lot sizes as allowed in the Minimum Compliance Standards. Staff intends to propose this option in the new public review draft code while explaining that this is an area that flexibility could be provided.

One potential option for providing flexibility in the lot size, or density, is around affordable housing. A "deeper affordability" option would allow a density bonus for a housing project if a certain number of the units were committed to being provided at a defined affordability threshold. An example might be that instead of being limited to a triplex or a fourplex, up to six units could be allowed if half (or all) of the units were affordable to households earning no more than 60% of the area median income. This concept has not been fully vetted and could be considered further through the public outreach step of the project.

Defining Housing Types (attached vs. detached)

A second area of flexibility in the rules is in how certain housing types are defined. The Model Code requires duplex, triplex and fourplex units to be attached. The Minimum Compliance Standards allow a city to define "plexes" to include detached units in addition to attached units.

Similarly, for the cottage cluster housing type the Model Code only allows multiple cottages on one lot. But a city could choose to also allow each cottage being on their own lot (similar to our current cluster subdivision provision). This option could provide additional opportunity for fee simple ownership of a dwelling.

Staff will present some figures representing some potential different configurations illustrating these differences in the presentation slides (Attachment 2).

Parking

Parking is a topic that generates a lot of input. The Minimum Compliance Standards specify a maximum amount of parking that a city can require.

- The Minimum Compliance Standards allow a city to require no more than 1 space per unit for triplexes and fourplexes, or 3 total off-street spaces for a triplex and 4 total off-street spaces for a fourplex.
- In contrast the Model Code specifies that a total of only one off-street parking space is required for a triplex or fourplex.

The OARs give a city the ability to allow for on street parking credits as well as reducing the parking requirement to zero if desired. Based on the discussion with the TAC, staff has included the maximum parking requirement, together with allowing on street parking credit that is already allowed the development code. Staff anticipates that this will be a topic of debate through the public outreach and hearing process.

Siting Standards and Design Standards

The OARs allow a city to require Siting Standards and Design Standards. Both terms are defined in the rules.

- Siting Standards relate to the position, bulk, and scale of the housing on the lot. Examples include such things as setbacks, lot coverage standards, height, parking requirements, utility standards, and access.
- Design Standards relate to the arrangement, orientation, materials, appearance, articulation, or aesthetics of the housing.

The standards allowed through the rules and Model Code are considered “safe harbor” rules that meet the statutory test of not causing unreasonable cost or delay to permit middle housing.

For Siting Standards, the rules allow three options:

1. Require the standards provided in the rules or Model Code. The rules specify minimum compliance provisions related to triplexes or fourplexes. For the other middle housing types the Model Code is relied upon for the Siting Standards that are acceptable as not causing unreasonable cost or delay.
2. Implement standards that are less restrictive than what is in the rules or Model Code.
3. Go through the Alternative process and make findings for each standard that is different from what is in the rules or Model Code.

For Design Standards there are four options:

1. Require what is allowed in the Model Code.
2. Implement standards that are less restrictive than what is in the Model Code.
3. Use the same clear and objective standards that are applicable to detached single family structures in the same zone.
4. Go through the Alternative process and make findings for each standard that is different from what is in the Model Code.

Through consideration of the input from the TAC on these standards, staff in planning to include a combination of the Minimum Compliance Standards and Model Code standards in the public review draft code. Generally, the Siting Standards are proposed at the minimum compliance standard level and the Design Standards are proposed at the Model Code level of standards. See Attachment 3 for a table illustrating the spectrum of options for the Siting and Design Standards.

Alternative Siting or Design Standards Process

The alternative option for including additional Siting or Design Standards that are outside of the safe harbor provisions specifically allowed by rule is to pursue the alternative standards process. This process would include writings findings based on the established set of criteria in the rules to justify to the state that the additional standards should be allowed and would not individually or cumulatively cause unreasonable cost or delay to the development of Middle Housing. Staff has not contemplated pursuing this option at this point. However, discussions around standards such as solar setbacks may warrant further conversation and consideration of this option.

Phase 2 – Employment Lands (commercial and industrial) code

The Employment Lands Technical Advisory Committee for Phase 2 has convened four times and will continue meeting to discuss new draft code for the employment lands chapters of the Development Code. The Employment Lands phase of the project includes Site Plan Review, Infrastructure Standards, and Development Standards that are also applicable to housing development.

Planning staff is working integrally with other city staff on the infrastructure standards sections, as well as the other sections. The infrastructure standards are proving to be technically complex considering state law requirements for clear and objective standards for housing. Specifically related to stormwater management there are competing requirements to meet state and federal regulations that complicate the drafting of standards.

Phase 3 – Other Code Sections (“Everything else”)

Staff has not yet begun Phase 3 of the project. See the discussion below under the Timeline heading below. When Phase 3 is initiated it will include many sections of Development Code that are not being amended during Phases 1 and 2. Examples of some of the sections that have been highlighted for needed updates include the following:

- 5.7-100 - Annexations
- 5.13-100 - Master Plans
- 5.19-100 - Tree Felling Permits
- 3.3-500 - Hillside Development Overlay District

Project Schedule

According to the overall project schedule as revised (Attachment 4, revised version 3/16/21) staff is on track with the project phases. Staff will proceed with Phase 3 in the fall of 2021. Phases 1 and 2 will move into public outreach and the public hearings process in the spring and summer of 2021.

RECOMMENDED ACTION

This meeting is an opportunity for staff to provide the Council an update on the project status and for the Council to ask questions, provide input, and give feedback on the Development Code Update Project process. Staff would like input on if the Council would like to review the draft code sections prior to releasing them for public review and comment. Or is the Council comfortable with staff reviewing the draft codes sections with the Governance Committee prior to releasing for public review.

NEXT STEPS

Staff is scheduled for a work session with the Planning Commission on Tuesday March 16, 2021 to give them an update on the project and the input received from the City Council. Staff will also be meeting with the Planning Commission in their capacity as the Committee for Citizen Involvement (CCI). Staff is asking the CCI for approval of the revised project timeline (3/16/21 version), as part of the project Community Engagement Plan, that was previously discussed with the Council at the October 5, 2020 work session.

Staff will continue to work on Phase 1, Housing, and Phase 2, Employment Lands, of the Development Code Update Project. The city's Technical Advisory Committee for Phase 2 has been meeting virtually and will continue meeting to review new draft code for employment lands.

Staff will continue working on planning for the public outreach efforts to engage the community to receive feedback and input on the draft code sections. Staff is considering combining the community engagement efforts on both the housing and employment lands phases. Staff anticipates releasing public review drafts of the code sections for Phase 1 and Phase 2 in June 2021. As part of the public outreach staff is planning a virtual open house that will provide information and receive input from the community. Additionally, staff is working on other public outreach efforts.

Staff will provide the next regularly planned quarterly check in to the Council in June 2021.

Quarterly Check In Code Update Project



City Council
Work Session

March 15, 2021



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Purpose

- The purpose of the Development Code Update project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield's economic development priorities and will honor Springfield's home town feel now and in the future.

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Objectives

1. Quick review of development applications
2. Easy to understand, clear, and user-friendly format
3. Straight forward processing path
4. Supports/further economic development
5. Beautiful city, encourage investment, and improve image
6. Complies with mandatory regulatory requirements
7. Implement the City's adopted policies

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House Bill (HB) 2001- Middle Housing

- Bill passed in 2019
- Department of Land Conservation and Development (DLCD) – Rule advisory committee (RAC), drafted rules (2020)
- Land Conservation and Development Commission (LCDC) – Adopted new rules December 9, 2020

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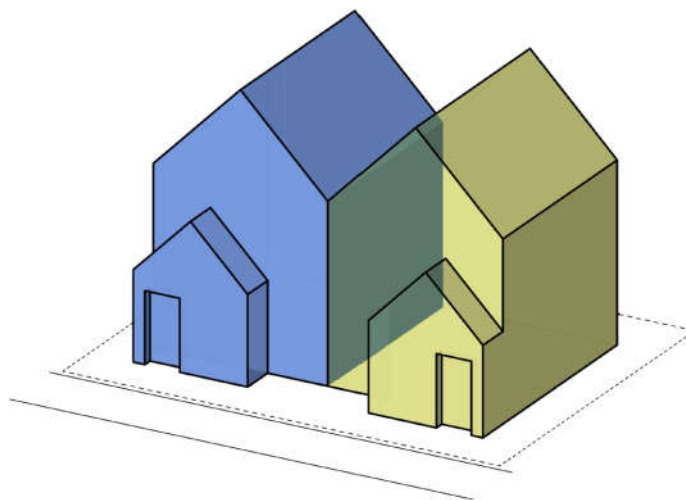
What is Middle Housing

- Duplex, Triplex, Fourplex, Townhomes, and Cottage Clusters
- Large City – must allow duplexes on every lot and allow the other middle housing types “in areas”.

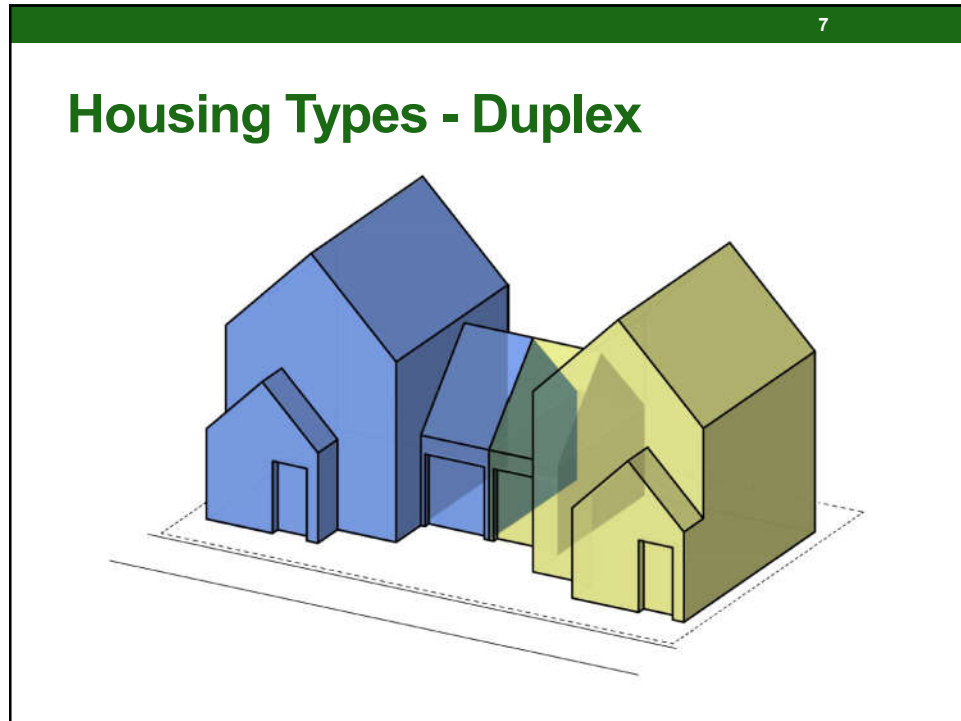
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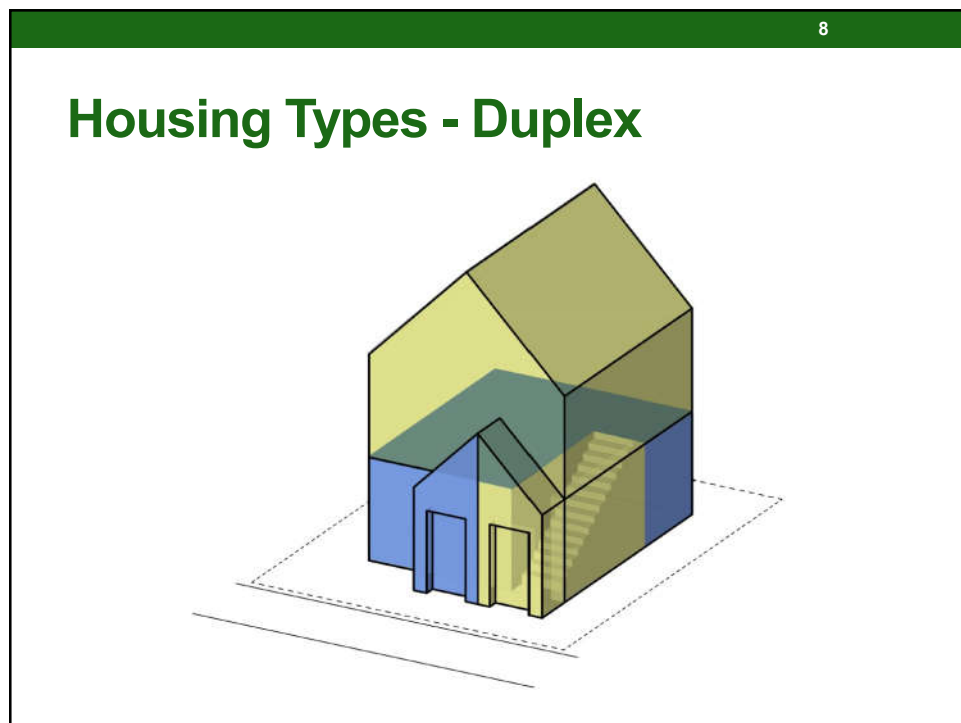
Housing Types - Duplex



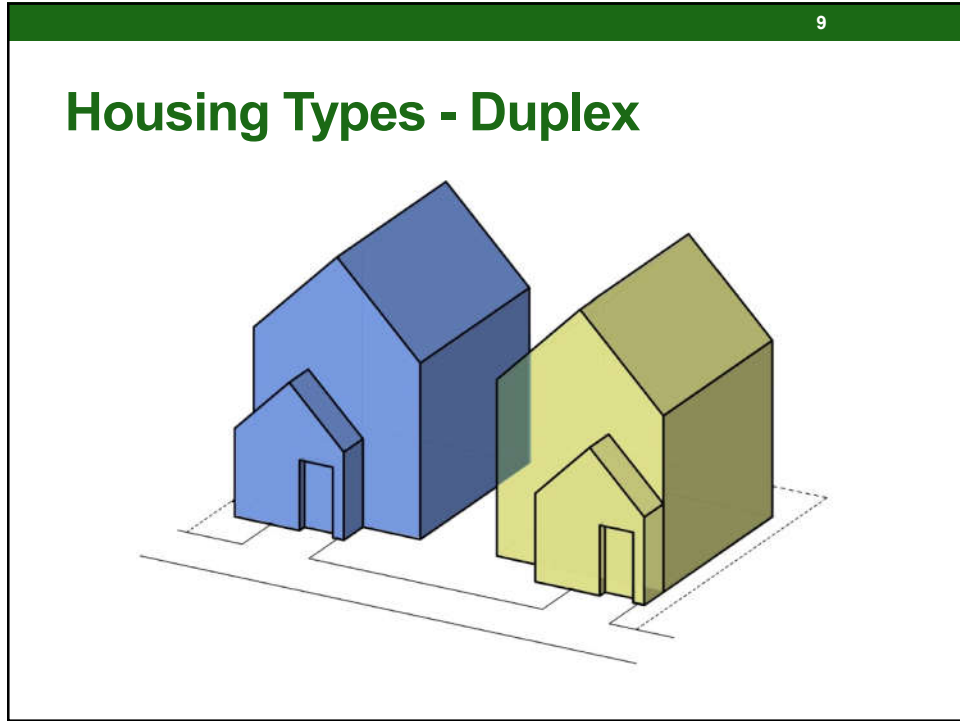
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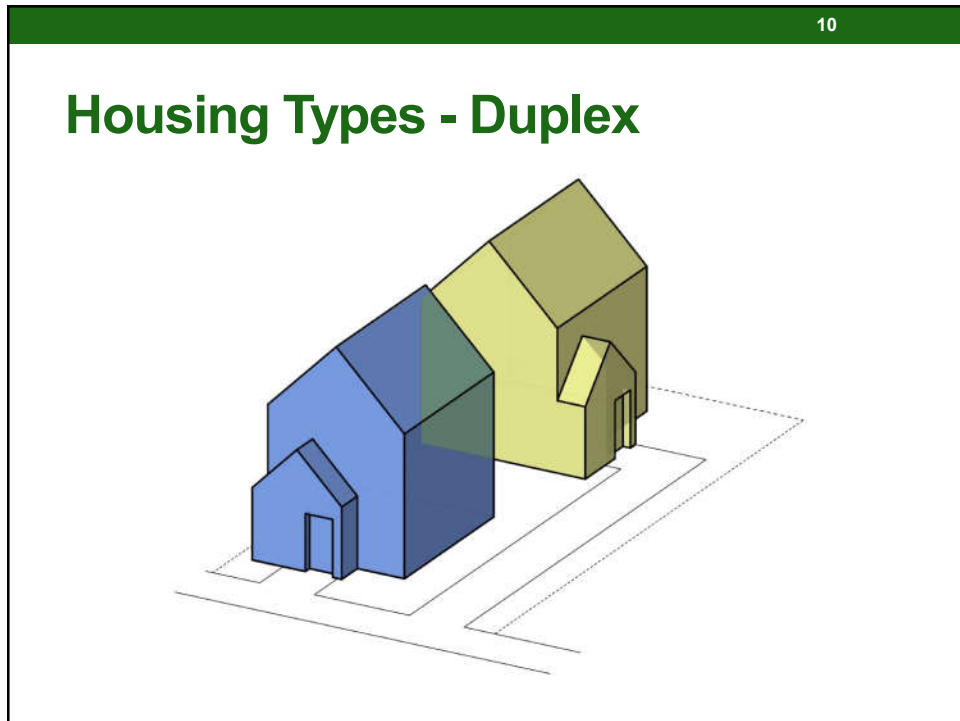
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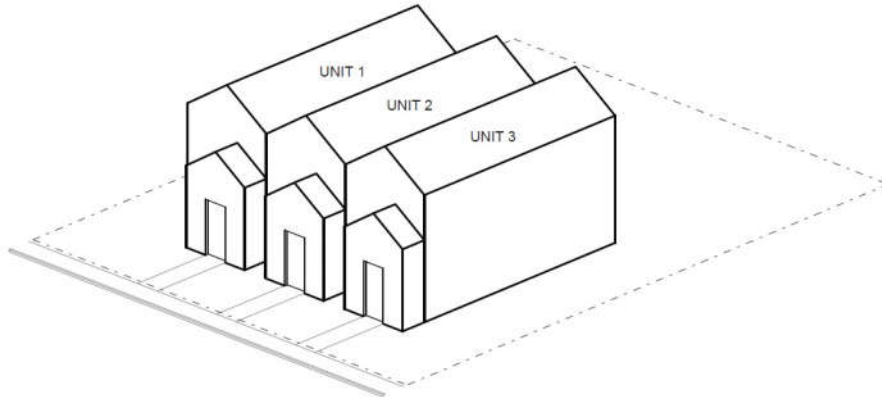
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Housing Types – Triplex



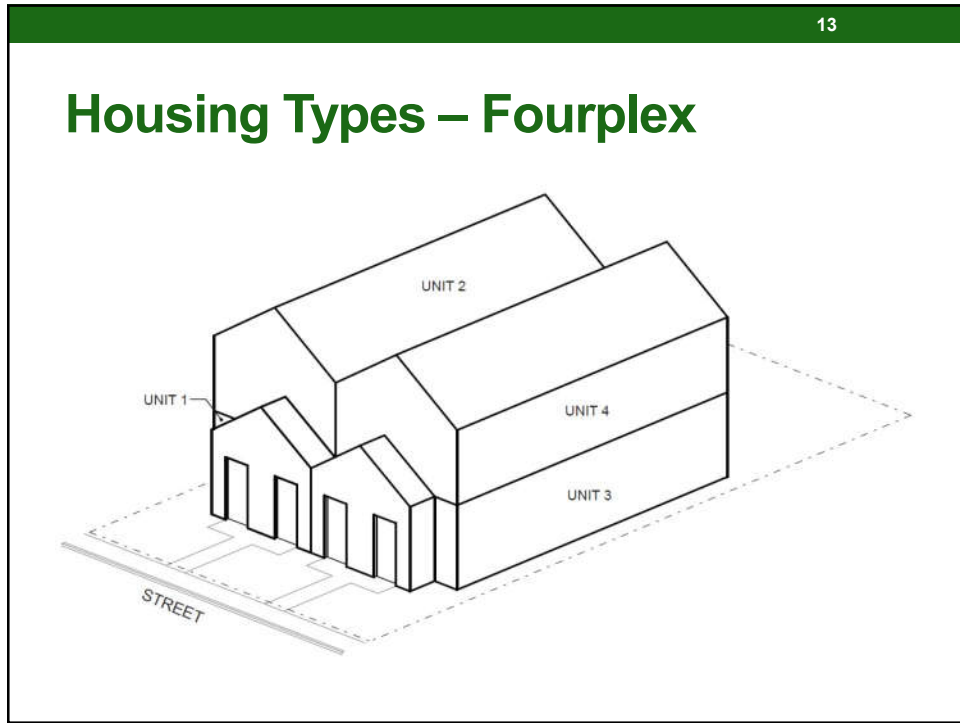
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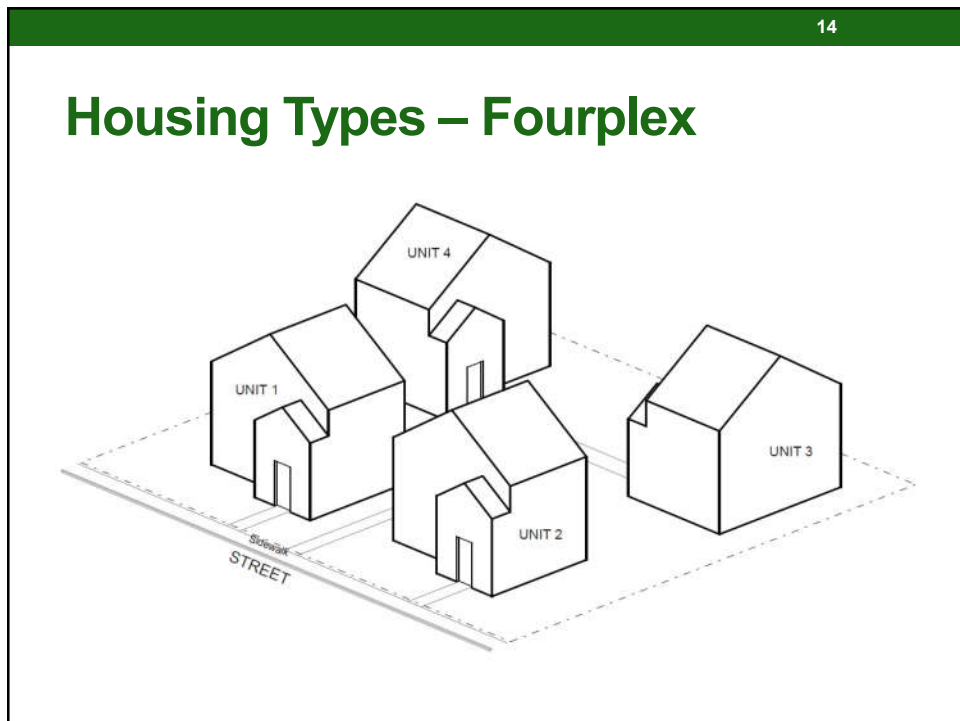
Housing Types – Triplex



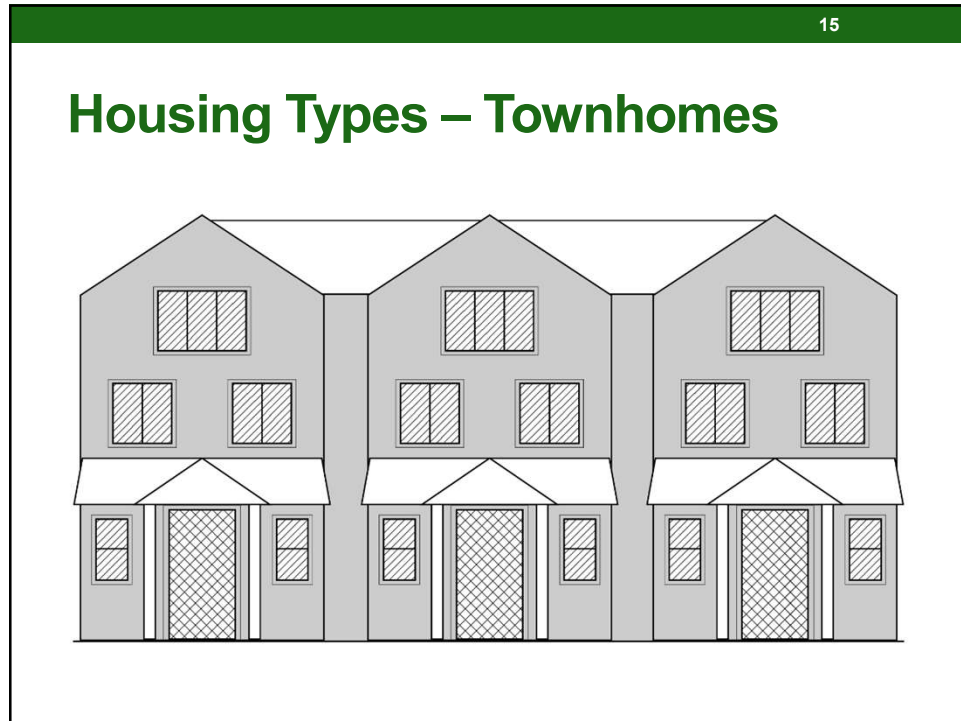
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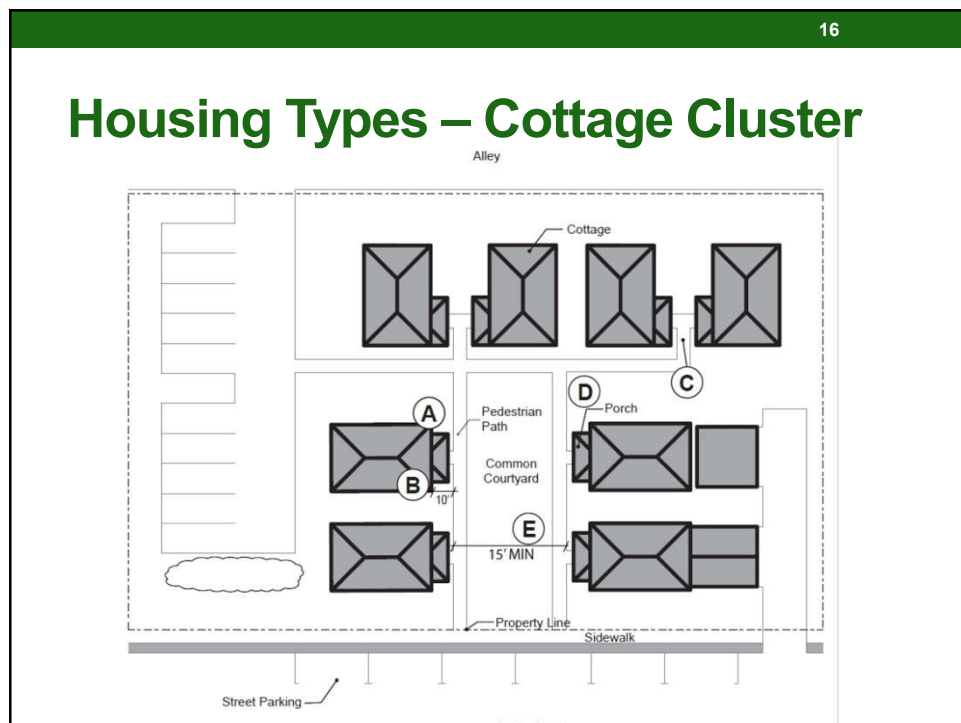
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Minimum Compliance Standards

- Large Cities must allow duplexes on every residentially zoned lot that a single-family home is allowed.
- Large Cities must allow triplex, fourplex, townhomes, and cottage clusters on all lots that single-family homes are allowed, except:
 - Goal protected lands (floodplain, landslide hazard, etc.)
 - Master Planned communities
 - Federally regulated lands

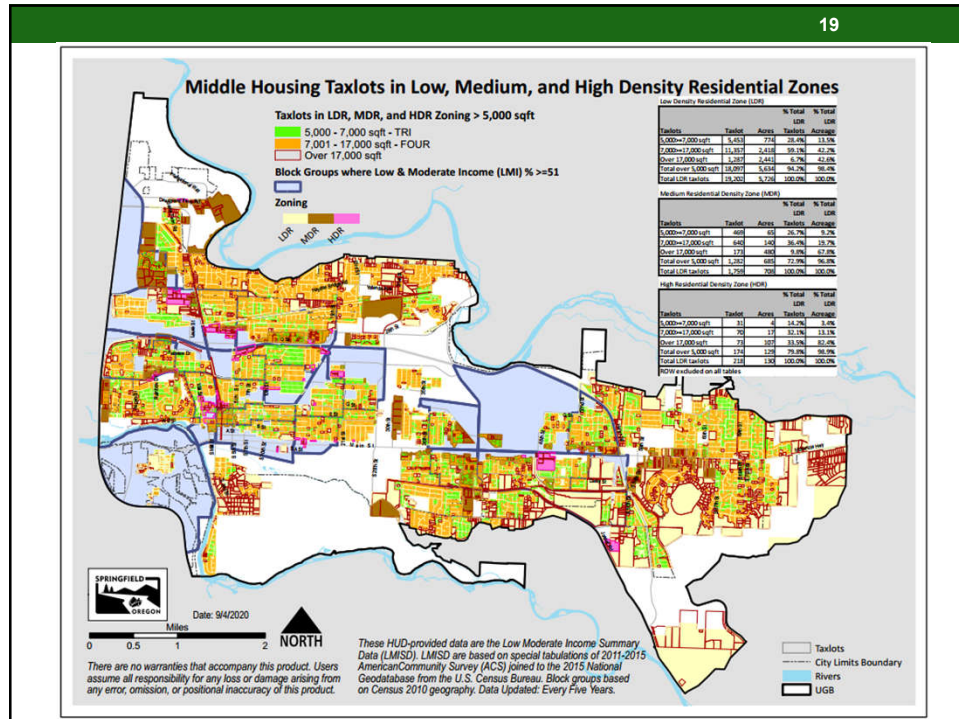
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Performance Standards

- Allows analysis by cities
 - Triplexes – 80% of lots
 - Fourplexes – 70% of lots
 - Townhomes – 60% of lots
 - Cottage Clusters – 70% of lots
- Equitable distribution test
 - Allowed on 75% or more of all lots in each census tract

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Model Code

- Stand alone code that cities can adopt.
- Will be directly applied if a large city doesn't adopt its own standards by June 30, 2022.

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Siting Standards

- Related to position, bulk, scale
 - Setbacks
 - Bulk/scale (FAR)
 - Lot coverage
 - Height
 - Parking requirements
 - Utilities
 - Public Facilities

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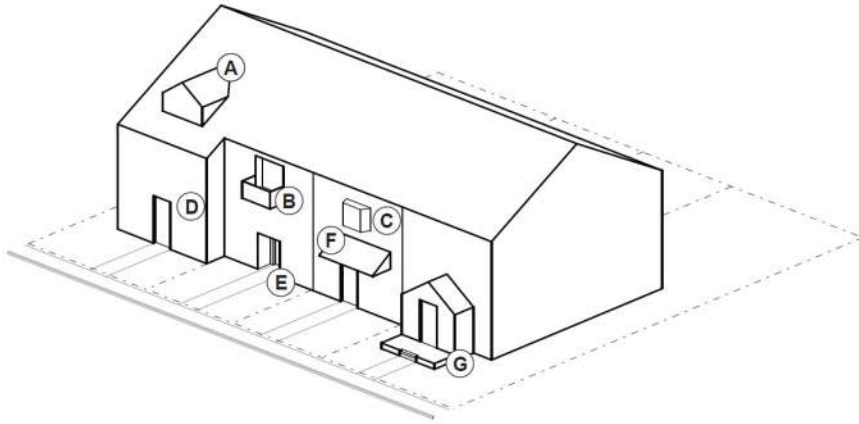
Design Standards

- Related to arrangement, orientation, materials, appearance, articulation, or aesthetics
 - Entry treatment
 - Façade orientation
 - Window coverage
 - Driveways

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Design Standards



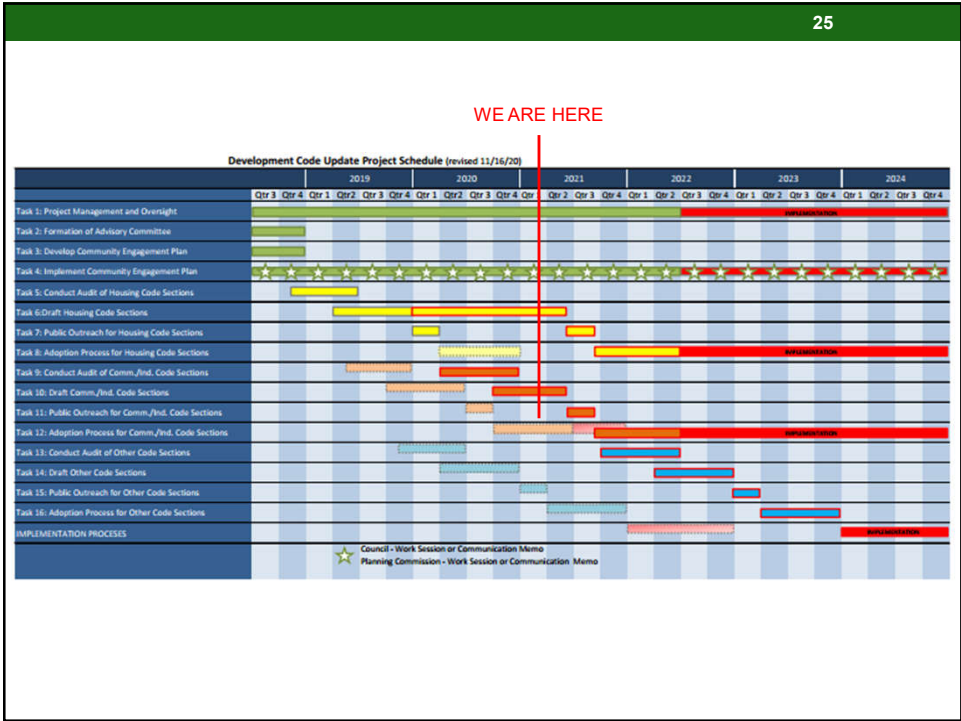
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Alternative Siting or Design Standards

- Must not individually or cumulatively cause unreasonable cost or delay to the development of middle housing
 - The total time and cost of construction.
 - The total cost of the land.
 - The availability and acquisition of land.
 - The total time and cost of permitting and fees.
 - The cumulative livable floor area that can be produced.
 - The proportionality of cumulative time and cost of the proposed standard in relationship to the public need or interest the standard fulfills.

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QUESTIONS

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Spectrum of Options for Implementation of Siting and Design Standards

<div> <div>More Restrictive</div> <div>More Permissive</div> </div>			
Standard	<u>Option 1</u> Allow	<u>Option 2</u> Encourage	<u>Option 3</u> Incentivize
Defining Housing Types			
Duplex, Tri/fourplex	Limit to attached only	--	Allow attached or detached
Cottage Cluster	Only allow multiple units on one lot	--	Allow individual units on lots
Siting Standards			
Lot sizes	Use OAR minimums	Lesser minimum	No minimum
Triplex	5,000 sq. ft. lot	Lesser minimum	No min.
Fourplex	7,000 sq. ft. lot	Lesser minimum	No min.
Townhome	1,500 sq. ft. lot	Lesser minimum	No min.
Cottage Cluster	7,000 sq. ft. lot	Lesser minimum	No. min.
Building Height	Use OAR maximum	Higher maximum	No maximum
Tri/fourplex	25 feet or 2 stories	30-50 feet (depending on zone)	No max. (certain zones)
Townhomes	Same as SFD (30 ft.) or 2 stories	35-50 feet (depending on zone)	No max. (certain zones)
Cottage Cluster	None specified	--	--
Lot Coverage/FAR	Use OAR standard	Higher maximum	No maximum*
Tri/fourplex	Same as SFD (45%)	50-60% (depending on zone)	No max.
Townhomes	Same as SFD (45%)	50-60% (depending on zone)	No max.
Cottage Cluster	No limit/not allowed	--	--
*Limited by other development standards (ex. stormwater, setbacks, parking, etc.)			

More Restrictive

More Permissive

Design Standards	Use OAR standards	Lesser standards	No Standards
Duplex	None allowed (or same as SFD)	--	--
Tri/fourplex	Entry orientation, windows, garage width, driveway.	Lesser standards	No standards
Townhomes	Entry orientation, unit definition, windows, driveway access and parking	Lesser standards	No standards
Cottage Cluster	Cottage orientation, courtyard design, community building, pedestrian access, windows, parking design, screening, garages and carports, accessory structures, existing structure.	Lesser standards	No standards
Parking	Use OAR standards	Lesser standards (ex. Allow on street parking credit)	No parking standard (along corridors?)
Triplex	3 spaces total	Ex. 1-2 spaces total	No requirement
Fourplex	4 spaces total	Ex. 1-3 spaces total	No requirement
Townhome	1 space per unit	--	No requirement
Cottage Cluster	1 space per unit	.5 space per unit	No requirement
Solar Setbacks	Require Solar Setbacks for only SD-D and Duplex	Require Solar Setbacks only for SD-D	No Solar Setbacks

Development Code Update Project Schedule (revised 3/16/21)

