



Planning Commission Agenda

Community Development Director:

Tom Boyatt, 541.744.3373

Interim Planning Manager:

Sandy Belson 541.736.7135

Management Specialist:

Brenda Jones 541.726.3610

City Attorney's Office:

Kristina Kraaz 541.744.4061

City Hall

225 Fifth Street

Springfield, Oregon 97477

541.726.3610

Online at www.springfield-or.gov

Planning Commissioners:

Sophie McGinley, Chair

Andrew Landen, Vice Chair

Kuri Gill

Grace Bergen

Michael Koivula

Matthew Salazar

Andrew Buck

Due to State-wide orders regarding social distancing and large gatherings, this meeting will be available via phone and internet using Zoom Meeting. Members of the public wishing to attend this meeting electronically can call in or attend virtually by following the directions below. This information can also be found on the City's website.

From your computer, tablet or smartphone

<https://zoom.us/j/99650109398?pwd=dIYzQVI0OUJwNmhzS2VicXQ0U0NaUT09>

Meeting ID: 996 5010 9398; Passcode: 980449

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November 2, 2021

6:00 p.m. Planning Commission Work Session

Virtual

CALL TO ORDER**ATTENDANCE:**

Chair McGinley____, Vice Chair Landen____, Koivula____, Gill____,
Bergen____, Salazar____, and Buck____.

WORK SESSION ITEM(S)**1. Main Street Safety Project- Draft Facility Plan**

Staff: Molly Markarian, Senior Planner

60 Minutes

- ☐ Commission members declaration of potential conflicts of interest

2. Development Code Update Project – Draft Code Sections

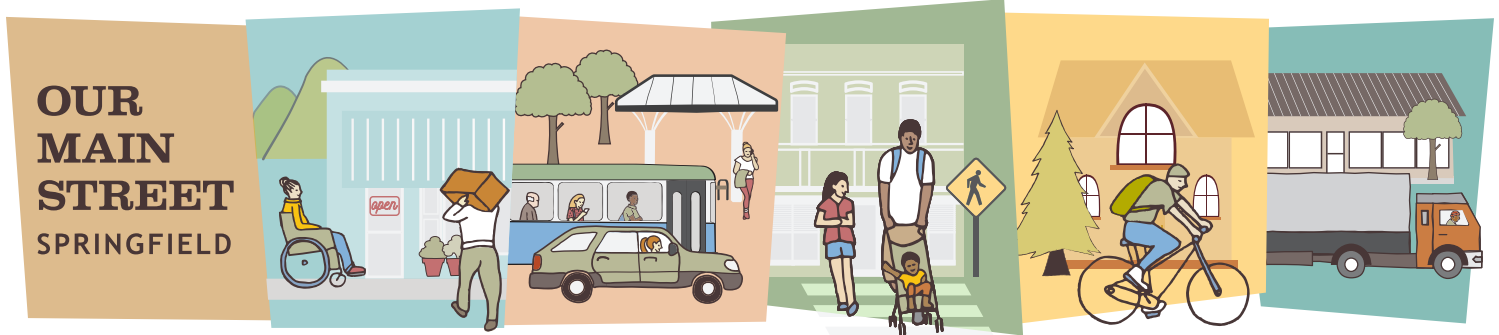
Staff: Mark Rust, Current Planning Supervisor

60 Minutes

- ☐ Commission members declaration of potential conflicts of interest

ADJOURNMENT

AGENDA ITEM SUMMARY	Meeting Date: 11/2/2021 Meeting Type: Work Session Staff Contact/Dept.: Molly Markarian/DPW Staff Phone No: 541.726.4611 Estimated Time: 60 Minutes Council Goals: Maintain and Improve Infrastructure and Facilities
PLANNING COMMISSION (PC)	
ITEM TITLE:	MAIN STREET SAFETY PROJECT – DRAFT FACILITY PLAN
ACTION REQUESTED:	Review draft Facility Plan, community feedback and recommended Springfield policy and code amendments and respond to discussion questions to inform finalizing the Main Street Facility Plan for public hearings starting in early 2022.
ISSUE STATEMENT:	Since the April 2021 Planning Commission Work Session, the project team developed and sought feedback from advisory bodies and the broader community on the draft Main Street Facility Plan. The purpose of this Work Session is to: discuss the draft Facility Plan and recommended Springfield policy and code amendments; and seek Planning Commission feedback to inform finalizing the Main Street Facility Plan for public hearings starting in early 2022.
ATTACHMENTS:	Attachment 1: Fact Sheet #6 – Draft Facility Plan Attachment 2: Technical Memorandum #19 (Local Policy & Ordinance Amendments) Attachment 3: Draft Work Session Slideshow Attachment 4: Discussion Questions
DISCUSSION:	<p>At their April 6, 2021 Work Session, the Planning Commission provided feedback on an infrastructure solution ‘toolbox’ and recommendations to improve safety for Main Street. At their May 10, 2021 Work Session, the City Council confirmed that the toolbox recommendations met their expectations and direction to date and directed the project team to proceed with drafting the Main Street Facility Plan.</p> <p>This summer, the project team drafted the plan in coordination with the project’s Technical Advisory Committee. Attachment 1 highlights the main points and overall recommendations and links to the draft Facility Plan. Attachment 2 provides an overview of the key steps needed to implement the Facility Plan, including proposed amendments to the Development Code.</p> <p>This fall, the project team sought feedback on the draft Facility Plan from the project’s Strategic Advisory Committee and the broader community. Attachment 3 provides an overview of the Draft Facility Plan and summarizes community outreach efforts, including a Spent the Rent podcast episode, and feedback themes on the draft Facility Plan.</p> <p>During the Work Session, staff will review the draft Facility Plan and recommended policy and ordinance amendments. Staff will also review community feedback in more detail and seek Planning Commission responses to the discussion questions outlined in Attachment 4 to inform finalizing the draft Facility Plan for public hearings starting in early 2022.</p>



MAIN STREET SAFETY PROJECT | 20th Street to 72nd Street

What is the Main Street Safety Project?

Springfield's Main Street is consistently ranked as one of the most unsafe city streets in Oregon based on the severity and frequency of traffic crashes. The Oregon Department of Transportation (ODOT) and the City of Springfield must address this problem to save lives, reduce injuries, and lessen property damage due to crashes.

The purpose of the Main Street Safety Project

Planning Phase is to select infrastructure solutions that will make Main Street safer for people walking, biking, driving, and taking transit.

The selected safety improvements will provide for the movement of goods and people, support the economic viability of the corridor, accommodate current bus service and future transit solutions, and complement traffic safety education and enforcement.

Draft Facility Plan

The main points and overall recommendation of the Draft Facility Plan are on the back of this fact sheet. You can also review the Draft Facility Plan and give feedback at mainstreetsafety.org.

Project Area



How to Give Feedback

- **Email:** info@ourmainstreetspringfield.org
- **Website Comment Form:** mainstreetsafety.org then select "Contact Us"
- **Public Meetings:** times and dates to be posted on mainstreetsafety.org
- **Mail:** City of Springfield, Attn. Main Street Safety Project, 225 Fifth Street, Springfield, OR

Timeline

- **Fall 2021:** Draft Facility Plan will be shared with the Technical Advisory Committee and Strategic Advisory Committee, adjacent business and property owners, and the community at-large to give feedback.
- **Fall 2021/Winter 2022:** The Planning Commission, Main Street Governance Team and City Council will review the Draft Facility Plan and community feedback.
- **2022:** Adoption hearings.

<https://mainstreetsafety.org>

Project contact: Molly Markarian *City of Springfield*
541-726-4611 | info@ourmainstreetspringfield.org



: **Draft Facility Plan**

: The community has reiterated that there
 : really is a serious safety problem on Main
 : Street. Community input and values shaped
 : the goals, objectives, analysis of potential
 : solutions, and final recommendations that
 : address the specific type of crashes that occur
 : on Main Street. **The recommended safety
 : solution toolbox approach responds to
 : community desire for simplicity, flexibility,
 : and phase ability, as outlined below.**

Plan is Ready for Your Review

Visit mainstreetsafety.org to review the entire plan and then provide your feedback.

How to Give Feedback

- **Email:** info@ourmainstreetspringfield.org
- **Website Comment Form:** mainstreetsafety.org then select “Contact Us”

More options listed on front page.

Tools include:

Raised medians can do the most to reduce conflicts and move turns to safer locations. They can also make pedestrian crossings safer.

The recommended use of raised medians would:

- Reduce crashes by nearly half, and limit out-of-direction travel for business access to about 30 seconds, on average (when combined with roundabouts).
- Reduce turning conflicts by moving turns to safer locations and create more opportunities for safer pedestrian crossings.

Roundabouts instead of intersection signals would:

- Improve safety at major intersections.
- Reduce congestion.
- Make U-turns easier when raised medians are present.
- Enable freight trucks to make U-turns.

Street cross-section upgrades would balance improvements for walking and biking with property impacts. For most of Main Street, the long-term cross-section would be four feet wider on each side.

Approach includes:

Adjustability: Most of Main Street would get raised medians, but we will adjust their locations to meet the needs of all users. Some of the Guiding Principles we’ll use include:

- Keep openings at major intersections.
- Allow left turns and U-turns at minor streets where possible.
- Keep left-turn access to major traffic generators.
- Allow for emergency vehicle access.

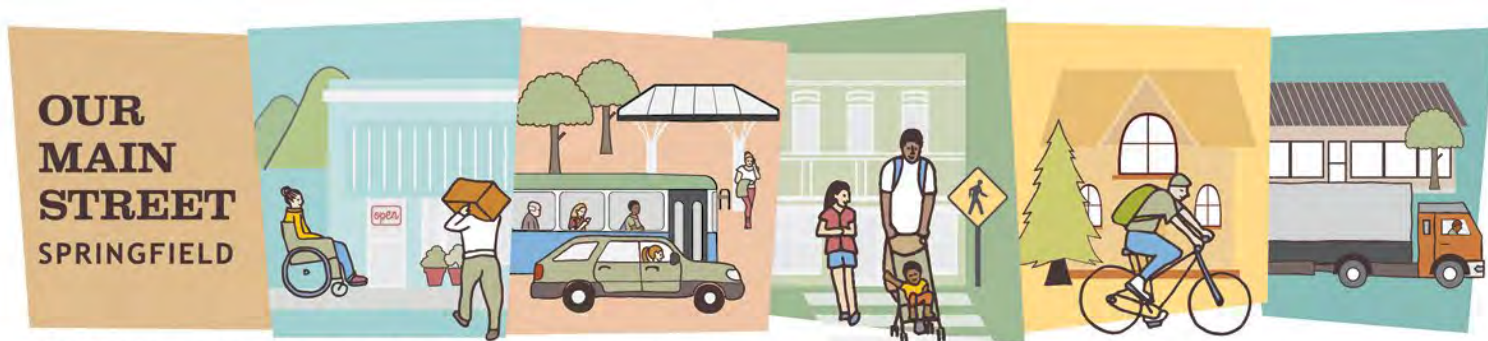
Gradual change: As we secure funding, solutions such as roundabouts, raised medians, and street cross section upgrades will be added in phases. Chapter 5 of the Draft Facility Plan provides an implementation plan with guidance for which intersections and segments of Main Street to prioritize for safety upgrades based on the project goals and objectives.

Location: The plan includes cross-section variations for location-specific constraints and property impacts—not “one size fits all.” Also, the plan recommends constrained cross-section upgrades at first, with minimal widening.

- Additional recommended upgrades include low-cost systemic safety upgrades, such as better street lighting and fewer driveways, and accommodating Enhanced Corridor transit.

In Summary, the community has reiterated that:

There really is a serious safety problem on corridor. It’s ODOT’s and the City’s duty to tackle the problem. Our approach is sensible and responsible. We do listen and we do care. ODOT and the City will continue to listen to stakeholders and make adjustments in future design phases to ensure the safety, business community, mobility, transportation choices, vital community, and feasibility goals and objectives are met.



MAIN STREET SAFETY PROJECT | 20th Street to 72nd Street

TECHNICAL MEMORANDUM #19: LOCAL POLICY AND ORDINANCE AMENDMENTS

DATE: October 19, 2021

TO: Molly Markarian | City of Springfield
Bill Johnson | ODOT Region 2

FROM: Darci Rudzinski and Clinton "CJ" Doxsee | Angelo Planning Group

SUBJECT: Task 9.2: Policy & Ordinance Amendments
Tech Memo #19: Final

DKS Project 14180-023

INTRODUCTION

This memorandum builds on regional and local plan amendments identified in Technical Memorandum #18, Implementation Overview, and summarizes the policy and ordinance amendments necessary for the City of Springfield to incorporate the goals, objectives, and recommendations identified during the Planning Phase of the Main Street Safety Project. The City has land use authority to approve development along the corridor. The City of Springfield must amend its land use regulations to ensure development provides the right-of-way necessary for transportation improvements as envisioned in the Springfield Main Street (OR 126) Facility Plan and to achieve the project's goals and objectives. Project outcomes are achieved through a variety of measures, including additional and refined development requirements related to street design standards, setback requirements, and right-of-way dedications.

The consultant team evaluated the City's Comprehensive Plan, Transportation System Plan, and Springfield Development Code to ensure that policies and standards reflect the recommendations of the Springfield Main Street (OR 126) Facility Plan.

The following documents are recommended to be amended to implement the Springfield Main Street (OR 126) Facility Plan:

- Springfield Comprehensive Plan/Springfield 2035 Transportation System Plan
- Springfield Development Code





SPRINGFIELD COMPREHENSIVE PLAN & SPRINGFIELD 2035 TRANSPORTATION SYSTEM PLAN

In order to ensure City policy is consistent with the Springfield Main Street (OR 126) Facility Plan, the Springfield Comprehensive Plan should be updated to incorporate the Facility Plan's vision and goals and reflect the proposed corridor design and related design elements. Recommended amendments include modifications to the Comprehensive Plan and the 2035 Springfield Transportation System Plan (TSP), which serves as the transportation element of the Comprehensive Plan. By legislatively adopting the Facility Plan as a refinement of the TSP, the City will have the policy framework and recommended improvements on which to base compliance-related development requirements and seek public financing. Adopting the Facility Plan as a refinement to the TSP will make the design elements therein the controlling TSP elements for development and redevelopment in the corridor.

The following elements in Chapter 5 of the TSP that are recommended to be amended:

- Add a new *Refinement Plans* section describing the purpose of refinement plans and summarizing the Springfield Main Street (OR 126) Facility Plan.¹
- Modify the *Intersection Performance Standards* section to reference volume-to-capacity ratios in the Facility Plan as applicable.
- Modify the *Safety* section to summarize the Facility Plan's purpose related to improving safety.

Attachment A provides recommended adoption-ready language depicted in legislative formatting.

The preface of the Comprehensive Plan and the Transportation System Plan should also be updated simultaneously with the recommended amendments to make the documents ready to publish.² The prefaces provide contextual information about the document including a history of amendments. The list of local actions in *Preface* to the Comprehensive Plan and the Transportation System Plan should be updated to include a brief summary of the City's action to adopt the Springfield Main Street Facility Plan. See Attachment C.

The following sections of the TSP currently apply to the corridor and are consistent with the recommendations in the Springfield Main Street (OR 126) Facility Plan. No additional amendments to these elements were identified as necessary to implement the Facility Plan.

- Goals and Policies (Chapter 2). No changes to the goals and policies are recommended in Chapter 2. The project recommendations are consistent with existing goals, policies, and actions.

¹ The new Refinement Plans section describes how refinement plans relate to the TSP and summarizes the Springfield Main Street (OR 126) Facility Plan. The new section can be expanded to describe previous or future refinement plans, including graphics as appropriate.

² Updates to the prefaces in both documents are not legislative amendments to adopted plans. They are administrative in nature and are intended to provide readers an up-to-date record of amendments.



- Functional classifications of roadways (Figure 2, Chapter 5). The Main Street corridor will continue to be classified as a Minor Arterial west of OR 126 Expressway/Bob Straub Parkway and as a Major Arterial east of OR 126 Expressway/Bob Straub Parkway.
- Truck routes (Figure 3, Chapter 4). No changes to the recommended truck route figure are needed. The Facility Plan identifies improvements that are intended to accommodate freight movement.
- Table 3 (Priority Projects in the 20-year Project List) and 4 (Opportunity Projects in the 20-year Project List) identify transportation projects that are located on Main Street and within the project study area. The improvements generally address traffic control improvements (R-52) and mid-block crossings with rapid rectangular flashing beacons (PB-33, PB-34, PB-35, PB-39, PB-40, and PB-41) or pedestrian hybrid beacons (PB-42). The Facility Plan was designed to accommodate crossing improvements throughout the corridor and does not conflict with identified projects. No changes are recommended to these Tables, the Facility Plan will incorporate these projects during the design phase.

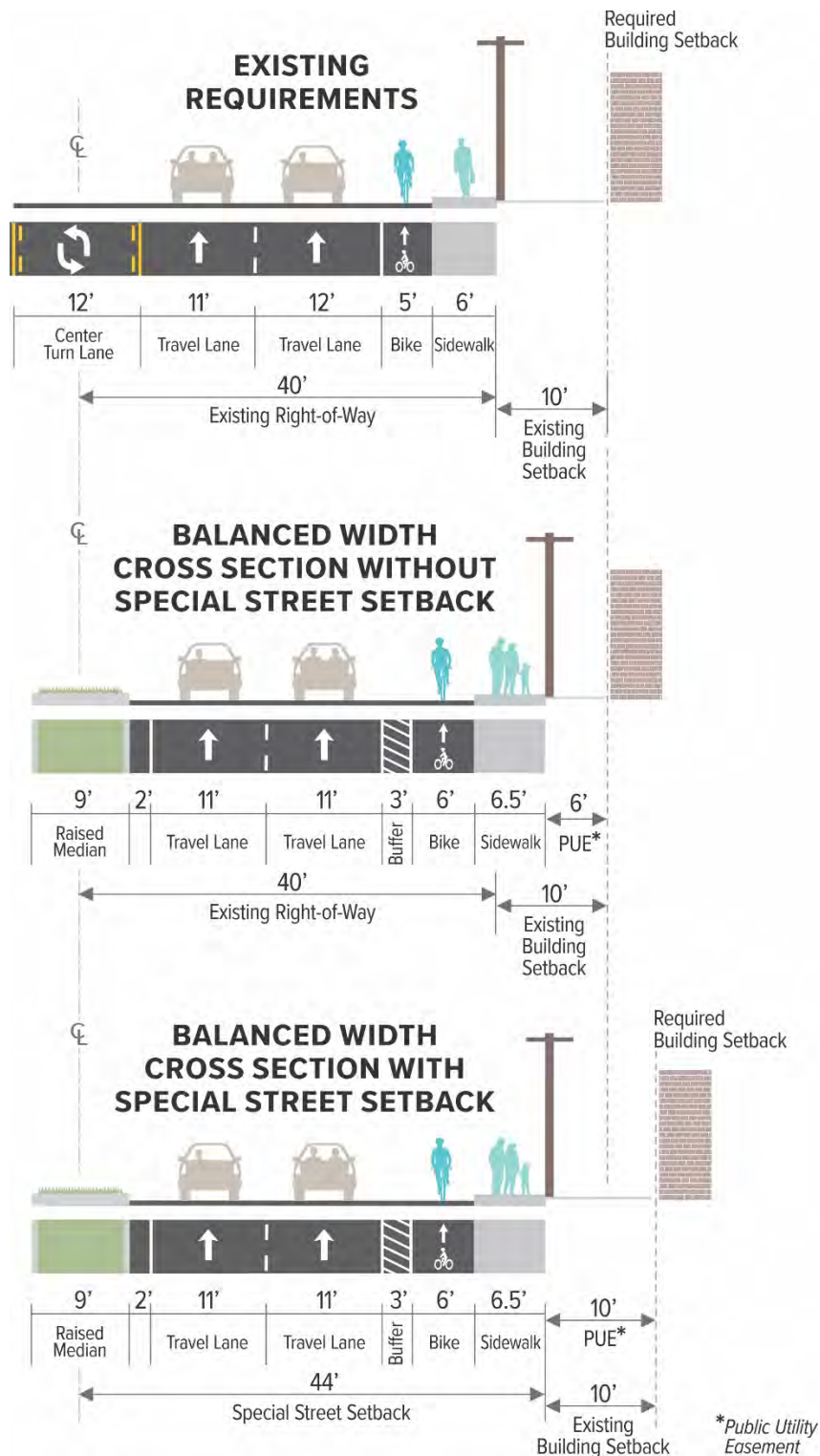
SPRINGFIELD DEVELOPMENT CODE

It is recommended that targeted modifications to the Springfield Development Code be completed and legislatively adopted to ensure consistency with, and to implement, the Springfield Main Street (OR 126) Facility Plan. Table 1 contains a summary of recommended amendments to the City's development ordinances to implement the Facility Plan; Attachment B provides adoption-ready language depicted in legislative formatting. In particular, the special street setbacks amendment would ensure that no new buildings are constructed within the future right-of-way and help provide adequate space for public utility easements (PUEs), as shown in the example in Figure 1.

Table 1: Springfield Development Code Amendment Summary

Section	Summary
4.2-105C Minimum street curb-to-curb widths and minimum street right-of-way widths	Amend Section 4.2-105C and footnote 5 to Table 4.2-1 to expand applicability provisions and include standards in "Facility Plans."
4.2-105M Special Street Setbacks	Amend subsection 1.b. (Special Street Setbacks) to include specified special setback distances for the Main Street Corridor. The special setback distances correspond to individual segments.

Figure 1. Special Street Setback Example





ATTACHMENT A: SPRINGFIELD 2035 TRANSPORTATION SYSTEM PLAN RECOMMENDED AMENDMENTS

The following proposed modifications implement the recommendations of Technical Memorandum #19. Recommended changes are shown in adoption-ready format; text that is recommended to be added is shown with underline formatting, and text recommended to be removed is shown with ~~strikeout~~ formatting.

CHAPTER 5: TRANSPORTATION PLAN

Related Plans and Policies

City of Springfield staff reviewed relevant plans and policies in current state, regional, and local documents that could affect transportation planning in Springfield. This review highlighted guidelines and procedures relevant to the development of the 2035 TSP and provided a baseline to begin forming policies for the 2035 TSP. In addition to reviewing relevant state and regional plans such as TransPlan and the Metro Plan (2004 update), the following local plans (including refinement plans) were reviewed:

Local

- Lane County Transportation Plan (2004)
- Springfield Bicycle Plan (1998)
- Springfield Capital Improvement Program (2014-2018 – updated annually)
- Springfield Development Code (2010-2013 – periodically updated)
- Willamalane Park and Recreation Plan (2013)

Refinement plans

- East Kelly Butte Neighborhood (1982)
- East Main (1988)
- Gateway (1995)
- Glenwood Refinement Plan (1999)
- Glenwood Refinement Plan Phase I Update (2012)
- Mid-Springfield (1986)
- Q Street (1987)
- Springfield Downtown District Urban Design Plan and Implementation Strategy (2010)



- Springfield Main Street (OR 126) Facility Plan (2022)³

Refinement Plans

Refinement plans play a role in implementing the City's TSP, providing more detailed information regarding a specific transportation mode or corridor than what is included in the adopted TSP. These plans provide detailed information and are necessary when a transportation need exists, but a range of alternatives still must be considered before the appropriate solution - mode, function, and/or specific location of a transportation improvement - can be determined.

The Transportation Planning Rule allows for a refinement plan to be incorporated by reference (in whole or in part) into a TSP. The refinement plan must be consistent with, and can implement, the adopted TSP.

In 2022, Springfield adopted the Springfield Main Street (OR 126) Facility Plan. The Facility Plan is a refinement plan that applies to Main Street from mile point (MP) 2.98 to MP 7.88, which roughly corresponds to S 20th Street and S 72nd Street. It identifies infrastructure solutions to make Main Street safer for people walking, biking, driving, and taking transit. It identifies solutions that will provide for the movement of goods and people, support the economic viability of the corridor, and accommodate current bus service and future transit solutions. Once constructed, infrastructure solutions will be supplemented with traffic safety education and enforcement.

Intersection performance standards

Although most intersections in Springfield are under the City's jurisdiction, many of the larger volume intersections are under state jurisdiction. Some unincorporated area intersections are under Lane County jurisdiction, as are some intersections within the City that are at least partially under the County's jurisdiction (e.g., Glenwood Boulevard and 17th Avenue).

Policy 2.9 of this TSP (Chapter 2) notes that the City of Springfield will use motor vehicle LOS standards to evaluate for acceptable and reliable performance on the roadway system. Lane County facilities in Springfield use the volume to capacity ratio (v/c) as the peak hour performance standard for evaluation. LOS analysis may also be required pursuant to Lane Code 15.696. Under peak hour traffic conditions, acceptable and reliable performance is defined as LOS D.

The Oregon Highway Plan (OHP) outlines specific performance measures to be maintained along ODOT facilities in the Springfield metropolitan area as part of adopted Highway Mobility Standards.

³ Note, the Springfield Main Street (OR 126) Facility Plan is a Refinement Plan but did not exist prior to the initial development of the 2035 TSP in 2014 and subsequently was not reviewed to highlight policies and guidelines that would inform its development.



These standards are aimed at maintaining mobility along important road corridors and vary according to functional classification, location, posted speed, and role within the National Highway System (NHS). The mobility standards are based on a calculated volume to capacity (v/c) ratio.

Per the OHP, the following intersection performance measures are applicable for facilities within Springfield (subject to change with any future ODOT planning effort):

- For I-5, v/c ratio of 0.80 because of its classification as an interstate facility within a Metropolitan Planning Organization (MPO). For the I-5 ramp terminals, the applicable v/c ratio is dependent on the crossroad standard. If the crossroad requires a v/c less than 0.85, then the crossroad dictates the ramp terminal standard; otherwise the applicable ramp terminal standard is a v/c of 0.85.
- For OR 126 Expressway, v/c of 0.80 given its classification as a statewide Expressway within a MPO.
- ~~For the OR 126 ramp termini and OR 126 Business (McKenzie Highway, ODOT Highway No. 15, Main Street), v/c ratio of 0.85.~~
- For the OR126/OR 126B corridor from S. 20th Street to S. 72nd Street, v/c ratios as discussed in the Springfield Main Street (OR 126) Facility Plan.
- For OR 528 (Pioneer Parkway) and OR 225 (McVay Highway), v/c ratio of 0.90 given their classification as District Highways within a MPO.

Safety

The ability to move safely throughout the City on foot, by bike, and in a vehicle is critical to providing a well-planned and designed transportation system for the future of Springfield.

As part of 2035 TSP development, safety and operational information was collected at 44 specific locations throughout the City (Volume 3, Appendix D: 20-year Needs Analyses). This data was supplemented with information about the operational and safety performance at intersections along Gateway Street, Main Street and OR 126, as summarized in the OR 126 Main Street Safety Study, the I-5/Beltline Interchange Area Management Plan, and the Draft OR 126 Expressway Management Plan. The Main Street (OR 126B) corridor has been a focal point of safety concerns for many years.

Because of the continued occurrence of pedestrian/vehicle collisions between 20th Street and 73rd Street (including nine pedestrian fatalities within the last 10 years), there is particular public concern for pedestrian safety. The 2011 OR 126 Main Street Safety Study completed by ODOT, City of Springfield, and LTD outlines multiple strategies to improve safety along this vital transportation and land use corridor. Pedestrian safety improvements such as mid-block pedestrian crossings, vehicular speed reduction, and improved street lighting were just some of the many recommendations from the study. In 2022, the City, in coordination with ODOT, adopted the Springfield Main Street (OR 126) Facility Plan, which identifies access management key principles and safety solutions that will govern future



transportation investments in the corridor. The City of Springfield is working closely with ODOT to implement the ~~study~~ Facility Plan's recommendations.

In addition to the Main Street safety issues, analysis of recent crash history at key collector/arterial intersections throughout Springfield helped identify potential improvement projects for the 2035 TSP. The Oregon Department of Transportation and City of Springfield will continue to monitor the safety of the system and will plan and prioritize transportation system improvements with safety as a priority.



ATTACHMENT B: SPRINGFIELD DEVELOPMENT CODE AMENDMENT RECOMMENDATIONS

The following proposed modifications implement the recommendations of Technical Memorandum #19. Recommended changes are shown in adoption-ready format; text that is recommended to be added is shown with underline formatting and text recommended to be removed is shown with ~~strikeout~~ formatting.

CHAPTER 4 DEVELOPMENT STANDARDS

Section 4.2-100 Infrastructure Standards

4.2-105 Public Street

- C. Minimum street curb-to-curb widths and minimum street right-of-way widths are as specified in Table 4.2-1, unless otherwise indicated in the Springfield Transportation System Plan, an applicable Facility Plan or Refinement Plan, Plan District, Master Plan, Conceptual Development Plan, or the adopted bicycle and pedestrian plan; where necessary to achieve right-of-way and street alignment; or as needed to meet site-specific engineering standards, including but not limited to requirements for multi-way boulevard and/or modern roundabout designs. Example street layouts meeting minimum street standards are provided in Figures 4.2-B through 4.2-V for illustrative purposes only. These Figures are intended to demonstrate potential street configurations that meet the requirements.

Table 4.2-1 Minimum Street Right-of-Way and Curb-to-Curb Standards

[changes to Table 4.2-1 are limited only to table footnotes.]

- (1) Minimum right-of-way widths and curb-to-curb widths are listed in this order: Streets with parking on both sides of street/Streets with parking on one side of street/Streets with no on-street parking. Where indicated, parking width is 8' per side of street. Minimum right-of-way widths and curb-to-curb widths listed above do not include additional right-of-way width and curb-to-curb width required to accommodate a center turn lane or center median.
- (2) When a center turn lane or center median is required to address a significant volume of left-turn traffic or other safety or site-specific engineering concerns, additional right-of-way width and curb-to-curb width is required to accommodate the turn lane and/or center median. Width of the turn lane will be not less than the standard provided in Table 4.2-1 above.



- (3) Bike lanes on one-way streets must be on the right side of the street, except in the case where a left-side bike lane would cause fewer conflicts, and people riding bicycles can return to the right safely.
- (4) The planting strip and curb includes 4.5' planting strip and 6" curb on both sides of the street, unless otherwise indicated in Table 4.2-1.
- (5) Arterial streets that are Oregon Department of Transportation (ODOT) facilities are not subject to the standards in Table 4.2-1, but must meet ODOT design standards or the standards of an applicable Facility Plan of the Transportation System Plan.
- (6) Residential zoning districts are those listed in Section 3.2-205. All other zoning districts are non-residential for the purposes of Table 4.2-1. Where opposite sides of the street are zoned with residential and non-residential uses, the non-residential standards apply.
- (7) Slope is the average slope of the development area per the calculation in SDC 3.3-520.A. Minimum right-of-way width for local streets includes 6" behind the sidewalk for property pins.

M. Special Street Setbacks.

1. A special street setback is established in the following circumstances:
 - a. A special street setback is established as provided in Table 4.2-1A wherever there is: (i) partially-improved or unimproved street or alley right-of-way of inadequate width abutting a property; (ii) right-of-way that terminates at a property line; or (iii) right-of-way that terminates at a T-intersection with a local street abutting the property line.
 - b. A special street setback is established wherever future right-of-way is shown in the Springfield Transportation System Plan, an applicable ~~refinement plan~~ Facility Plan or Refinement Plan, or on an adopted Master Plan, Site Plan, Conceptual Development Plan, Subdivision, or Partition for the width of the street shown on said plan, or as provided in Table 4.2-1A if no width is specified. Notwithstanding the foregoing, the following special street setbacks are established for development abutting Main Street (OR 126/OR 126B) from S. 20th Street to S. 72nd Street, as measured from the centerline of Main Street:
 - i. From S. 20th Street to S 52nd Place: 44'



ii. From S. 52nd Place to 58th Street): 48'

iii. From 58th Street to S. 72nd Street): 44.5'

2. Buildings are not permitted within the special street setback specified in this section. Any portion of a building lawfully established within a special street setback prior to adoption of this ordinance is considered a non-conforming building subject to Section 5.8-100 of this Code.
3. The special street setbacks provided in Table 4.2-1A are based on the functional classification of the street as shown in the Springfield Transportation System Plan, including the Conceptual Street Map and applicable Refinement Plans. Where a street is not shown in the Springfield TSP, including the Conceptual Street Map, the special setback for local streets applies.
4. The special setback provided in Table 4.2-1A is measured from the centerline of the existing or future street right-of-way as follows:
 - a. Where partially-improved or unimproved right-of-way of inadequate width abuts a property line, the setback is measured from the location where the centerline would be if the street was fully improved.
 - b. Where right-of-way terminates at the property line or at a T-intersection on only one side of a property, the centerline is the straight line continuation of the centerline of the abutting right-of-way until it reaches the property line on the opposing side.
 - c. Where right-of-way terminates at the property boundary on two sides, the centerline is the straight line between the points where the right-of-way centerlines intersect the property lines on each side.
 - d. Where right-of-way terminates at the property line on one side and at a T-intersection on the other side, the centerline is the straight line from the right-of-way centerline intersection with the property line to the intersection of the existing street centerlines at the T-intersection.
 - e. Where right-of-way terminates at T-intersections on two sides of a property, the centerline is the straight line between the intersections of the existing street centerlines at each T-intersection.
5. Other yard or building setbacks are in addition to the special setbacks required by this section. Those setback distances must be measured at right angles to the street centerline specified above.



Table 4.2-1A Special Street Setbacks

[no changes recommended to Table 4.2-1A]



ATTACHMENT C: SPRINGFIELD COMPREHENSIVE PLAN AND 2035 TRANSPORTATION SYSTEM PLAN UPDATE RECOMMENDATIONS

The following proposed modifications implement the recommendations of Technical Memorandum #19. Recommended changes are shown in adoption-ready format; text that is recommended to be added is shown with underline formatting, and text recommended to be removed is shown with ~~strikeout~~ formatting.

SPRINGFIELD COMPREHENSIVE PLAN

PREFACE

Local

The Springfield Comprehensive Plan not only implements legal requirements set by the State—it is the foundation for shaping Springfield's future. The Elements of this Plan reflect a deep understanding of Springfield's conditions at the time of their development and an extensive effort to seek public input prior to Plan adoption. The result is a set of goals, policies, and implementation actions that chart a course for Springfield's future. Creating a city-specific comprehensive plan followed a multi-year, multi-part timeline:

- 2011: Springfield 2030 Residential Land Use & Housing Element and separate UGB for Springfield adopted by City of Springfield and Lane County⁴
- 2013: 2012 Willamalane Park and Recreation Comprehensive Plan adopted as a refinement to the Metro Plan by City of Springfield and Lane County⁵ and Metro Plan Boundary made coterminous with the Springfield UGB as adopted by City of Springfield, City of Eugene, and Lane County⁶
- 2014: City of Springfield 2035 Transportation System Plan adopted to serve as Springfield's local Transportation System Plan as adopted by City of Springfield and Lane County⁷
- 2016: Springfield 2030 Economic and Urbanization Elements adopted by City of Springfield and Lane County and Springfield UGB expanded by City of Springfield and Lane County designating land for employment, public facilities, parks/open space, and natural resources⁸
- 2020: City of Springfield 2035 Transportation System Plan amended⁹

⁴ Springfield Ord. 6268 and Lane County Ord. PA 1274 pursuant to ORS 197.304

⁵ Springfield Ord. 6303 and Lane County Ord. PA 1302

⁶ Springfield Ord. 6288, Eugene Ord. 20511, and Lane County Ord. PA 1281

⁷ Springfield Ord. 6314 and Lane County Ord. PA 1303

⁸ Springfield Ord. 6361 and Lane County Ord. PA 1304

⁹ Springfield Ord. 6413 and Lane County Ord. PA 1359



- 2022: Springfield Main Street (OR 126) Facility Plan adopted as a refinement to the Springfield 2035 Transportation System Plan¹⁰

SPRINGFIELD 2035 TRANSPORTATION SYSTEM PLAN

2020 Update

In 2016 the City of Springfield started the Transportation System Plan (TSP) Implementation Project to update the Springfield Development Code to reflect relevant policies and actions established in the TSP, adopt the Conceptual Street Map as a new TSP Figure, and update some of the other TSP Figures and project lists.

The TSP Implementation Project was initiated before the City and Lane County co-adopted an expansion of Springfield's Urban Growth Boundary (UGB). Thus the TSP Implementation Project did not include transportation planning for the expanded UGB areas since they were not acknowledged when the project began. Transportation planning for those areas will be completed in the future and result in a future amendment to the TSP.

On January 21, 2020 the Springfield City Council adopted Ordinance No. 6413 that amended the TSP by revising project Tables 3, 4, 5, 6, and 7 and Figures 2, 4, 5, 6, 7, 8, 10, and 11. Ordinance 6413 also added a new TSP Figure 12: Conceptual Street Map. On March 10, 2020 the Lane County Board of Commissioners adopted the same TSP amendments with Ordinance No. PA 1359. On January 21, 2020 the City of Springfield also adopted Ordinance No. 6412 and on March 10, 2020 Lane County adopted Ordinance No. 19-05 concurrently with the TSP amendments, to amend the Springfield Development Code and Lane Code, respectively, to implement the policy direction in the adopted TSP.

2022 Update

The purpose of the Planning Phase of the Springfield Main Street Safety Project was to develop infrastructure solutions to make Main Street safer for people walking, biking, driving, and taking transit. The safety improvements identified in the Main Street Facility Plan will provide for the movement of goods and people, support the economic viability of the corridor, accommodate current bus service and future transit solutions, and compliment traffic safety education and enforcement.

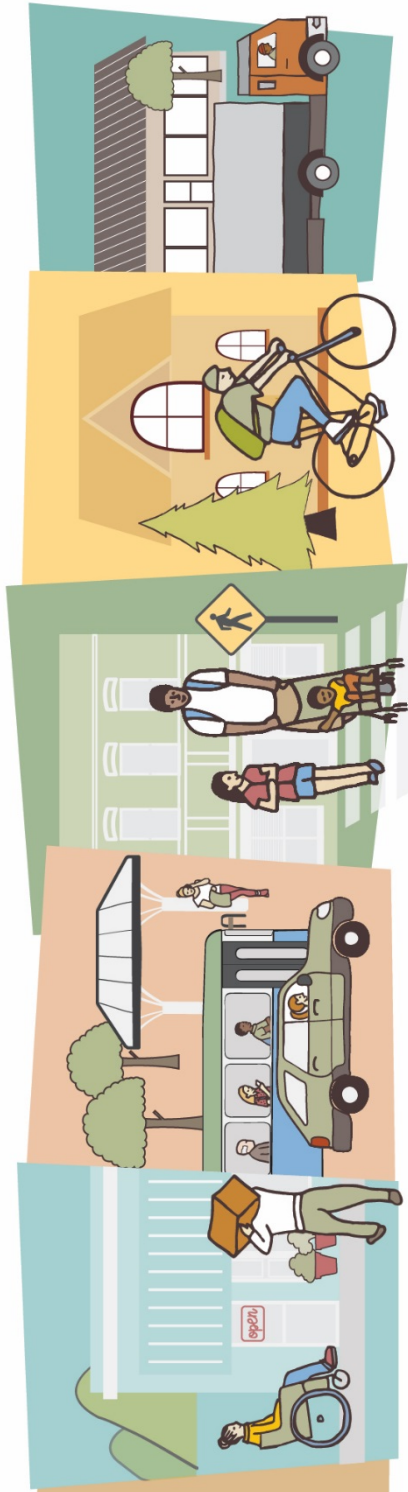
On **month date**, 2022, the Springfield City Council adopted Ordinance No. **XX** that amended the TSP. The amendments adopted the Springfield Main Street (OR 126/OR 126B) Facility Plan as a refinement plan to the TSP. On **month, date**, 2022, the City of Springfield also adopted Ordinance No. **XX**

¹⁰ Springfield Ord. **##**



concurrently with the TSP amendments, to amend the Springfield Development Code to implement the policy direction in the adopted TSP, as amended.

OUR MAIN STREET SPRINGFIELD



MAIN STREET SAFETY PROJECT | 20th Street to 72nd Street

PLANNING COMMISSION

November 2, 2021



Oregon
Department
of Transportation

OUTLINE

❖ Project Context

- Purpose, timeline and milestones

❖ Draft Facility Plan

- Overview with emphasis on chapters 4 & 5
- What we heard

❖ Discussion

- Key question

❖ Next Steps

PROJECT PURPOSE STATEMENT



Springfield's Main Street is consistently ranked as one of the most unsafe city streets in Oregon based on the severity and frequency of traffic crashes. ODOT and the City must address this problem to save lives, reduce injuries, and lessen property damage due to crashes. *The purpose of the Main Street Safety Project is to select infrastructure solutions that will make Main Street safer for people walking, biking, driving, and taking transit.*

The selected safety improvements will provide for the movement of goods and people, support the economic viability of the corridor, accommodate current bus service and future transit solutions, and complement safety education and traffic enforcement.

PROJECT CONTEXT



Safety

Increase the safety of Main Street for all users

Business Community

Support the viability of existing and future businesses

Mobility

Ensure people and goods travel efficiently and reliably through the corridor

Transportation Choices

Create a multimodal environment that connects people and destinations

Vital Community

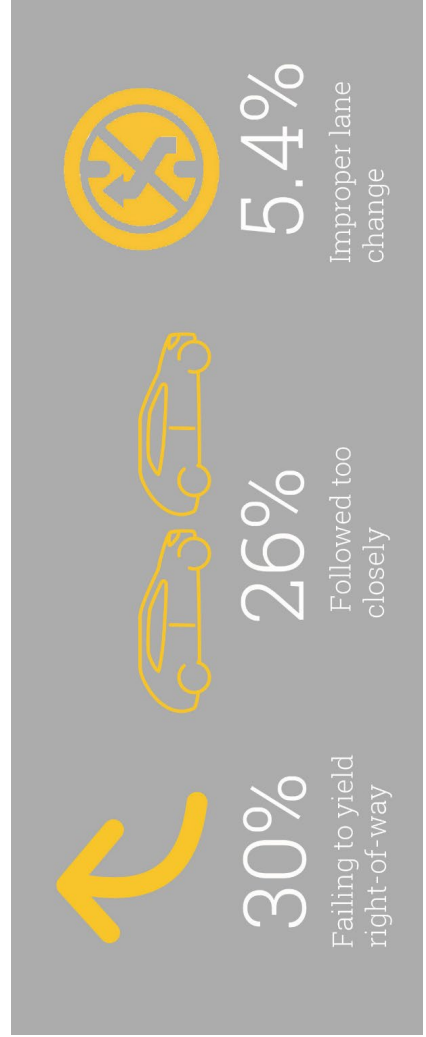
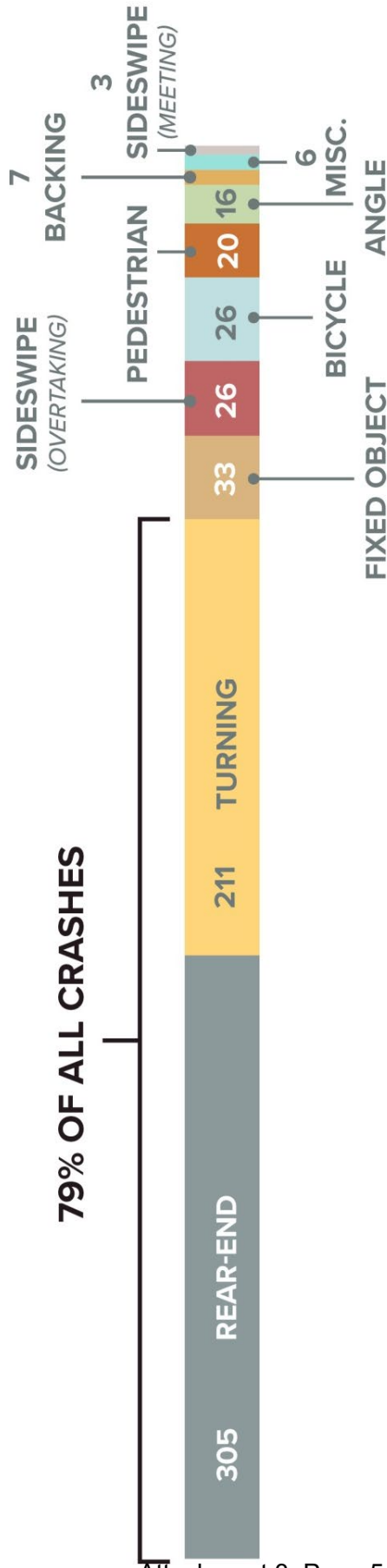
Support the vitality of the community and its vision for Main Street

Feasibility

Develop a plan with a clear and achievable approach to implementation

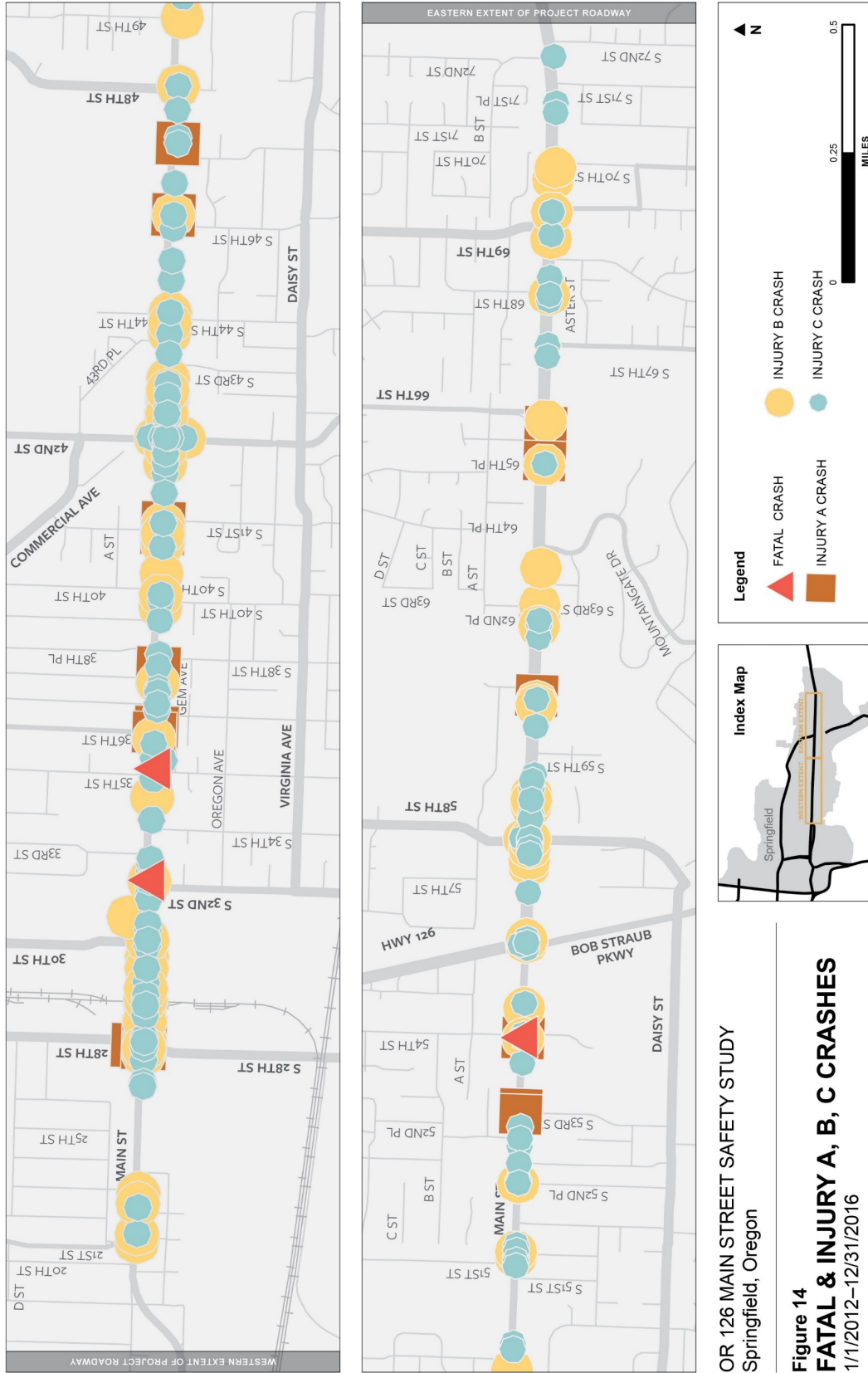
PROJECT CONTEXT:

Why are we doing this?



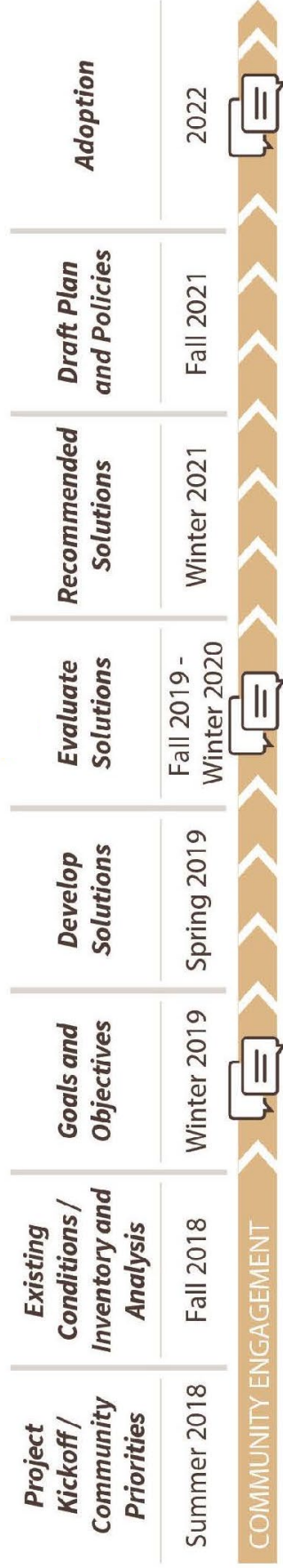
PROJECT CONTEXT:

Why are we doing this?

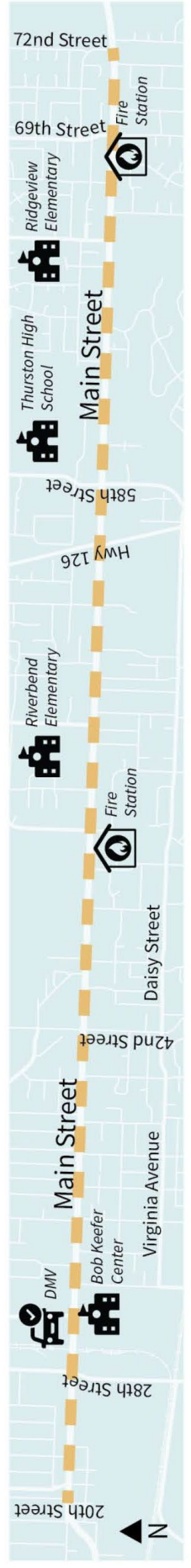


PROJECT CONTEXT

Target Schedule



Project Area



PROJECT CONTEXT

Project has evolved. Here is what the project is NOT:

- It's *not* a Lane Transit District project
- It's *not* EmX
- It would *not* prevent all left turns
- It would *not* need extensive new right-of-way
- It's *not* one size fits all
- It would *not* be built all at once

DRAFT FACILITY PLAN

The Facility Plan:

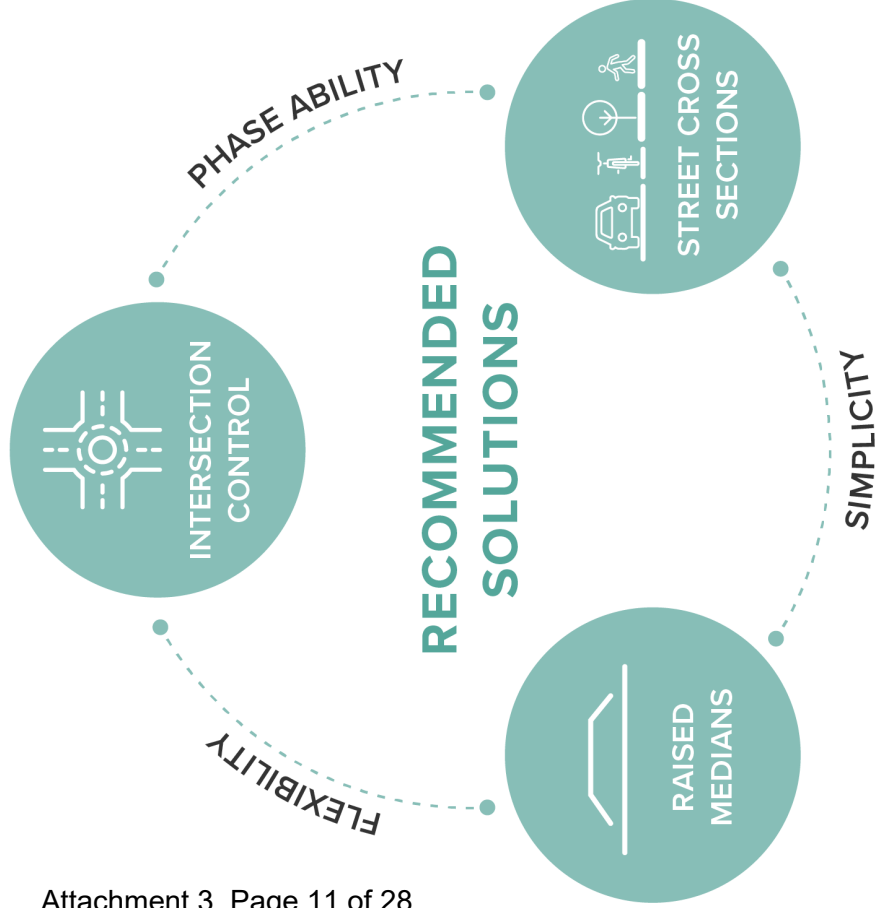
- Pulls together analysis, outreach and design concepts
- Expresses community values
- Designs a *framework* for the project.
- Signals agencies to begin detailed design and construction.
- Refines the Springfield Transportation System Plan.

DRAFT FACILITY PLAN

Divided into 5 chapters, with roadmap to guide readers at beginning

- Chapter 1 – Introduction
- Chapter 2 – Main Street Needs
- Chapter 3 – Solutions Development & Evaluation Process
- Chapter 4 – Recommended Toolbox of Solutions
- Chapter 5 – Implementing the Toolbox of Solutions

Chapter 4 – Recommended Toolbox of Solutions



- **Adjustability** – does not promote a “one size fits all” approach but allows for accommodation of site-specific constraints during design.
- **Gradual Change** – solutions must allow for a phased approach for implementation (see Ch. 5).

DRAFT FACILITY PLAN

Chapter 4 – Recommended Toolbox of Solutions

- Roundabouts align with project goals better than traffic signals
 - Better at relieving congestion
 - Better for improving safety
 - Complement raised medians by facilitating U-turns
 - Opportunity for landscaping to enhance corridor appearance



DRAFT FACILITY PLAN

Chapter 4 – Recommended Toolbox of Solutions

- Raised medians will be greatest contributor to improved safety on Main Street – expected to reduce crashes by 35%
- The recommended approach balances safety with accessibility, limiting out-of-direction travel to 30-60 seconds, on average



DRAFT FACILITY PLAN

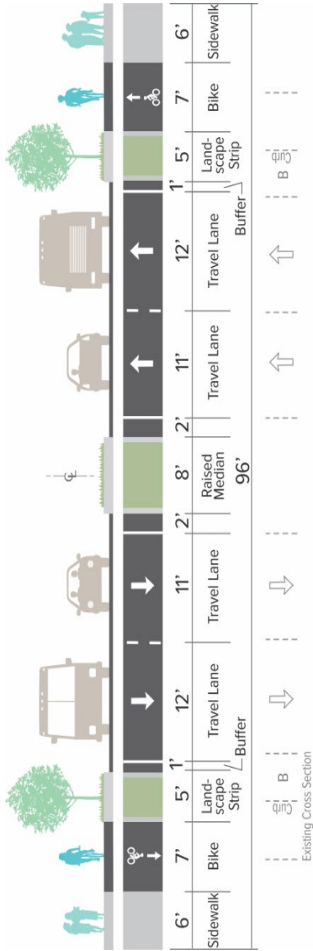
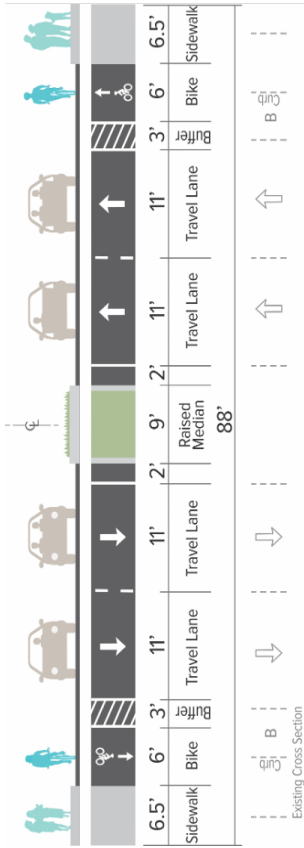
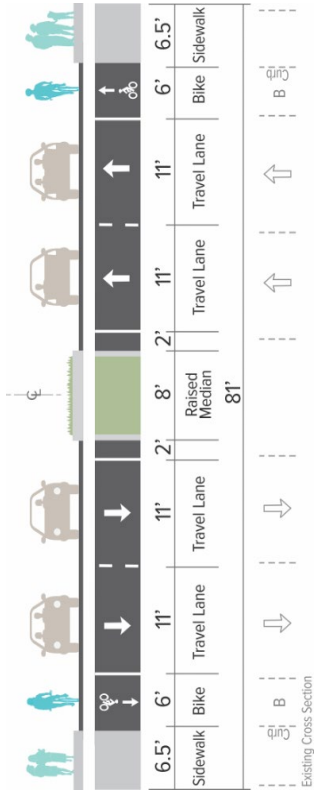
Chapter 4 – Recommended Toolbox of Solutions

- Guiding principles included to guide future implementation
 - Keep full access to arterials and collectors at intersections
 - Limit out-of-direction travel time
 - Pair raised medians with roundabouts
 - U-turns at major intersections and unsignalized intersections
 - Avoid overlapping turn lanes
 - Consider left-in access to large traffic generators
 - Emergency vehicle access
 - Access to streets with no outlets
 - Crossing for people walking and biking
 - Provide two-stage lefts where feasible
 - Avoid freight routing through neighborhoods

Chapter 4 – Recommended Toolbox of Solutions

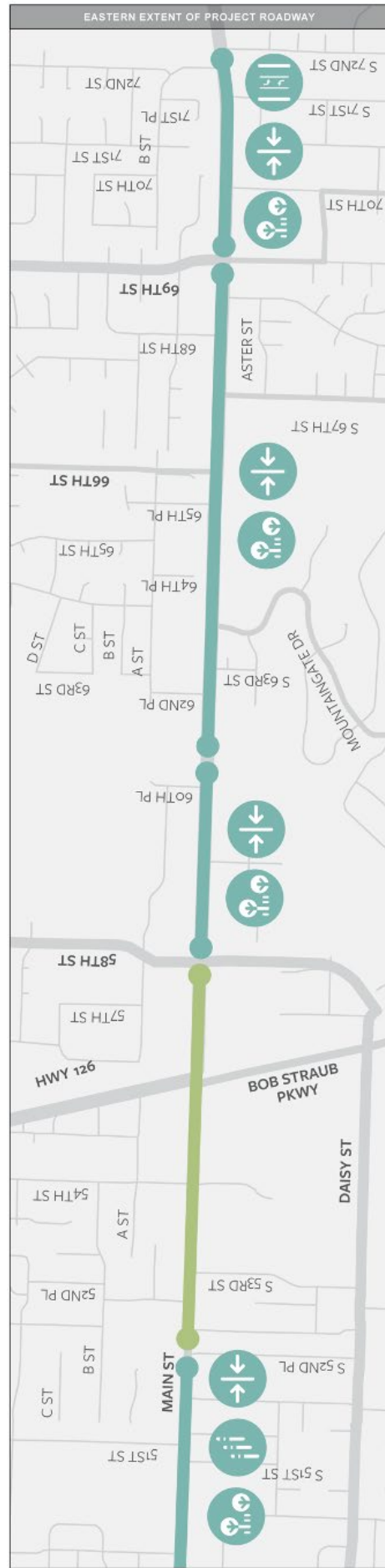
Three base cross section designs:

- Constrained Width
- Balanced Street Width
- Active Transportation Enhanced



DRAFT FACILITY PLAN

Chapter 4 – Recommended Toolbox of Solutions

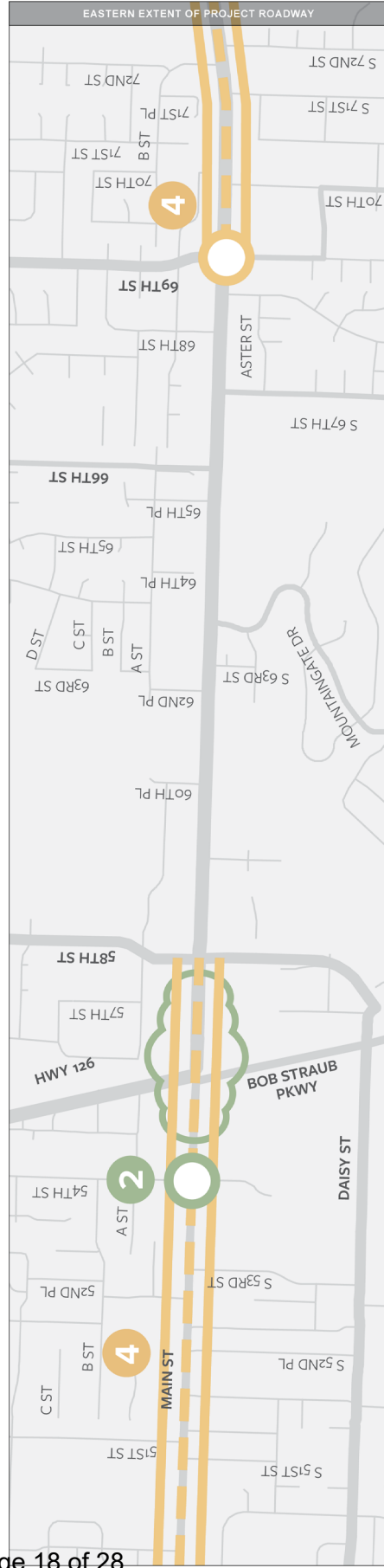
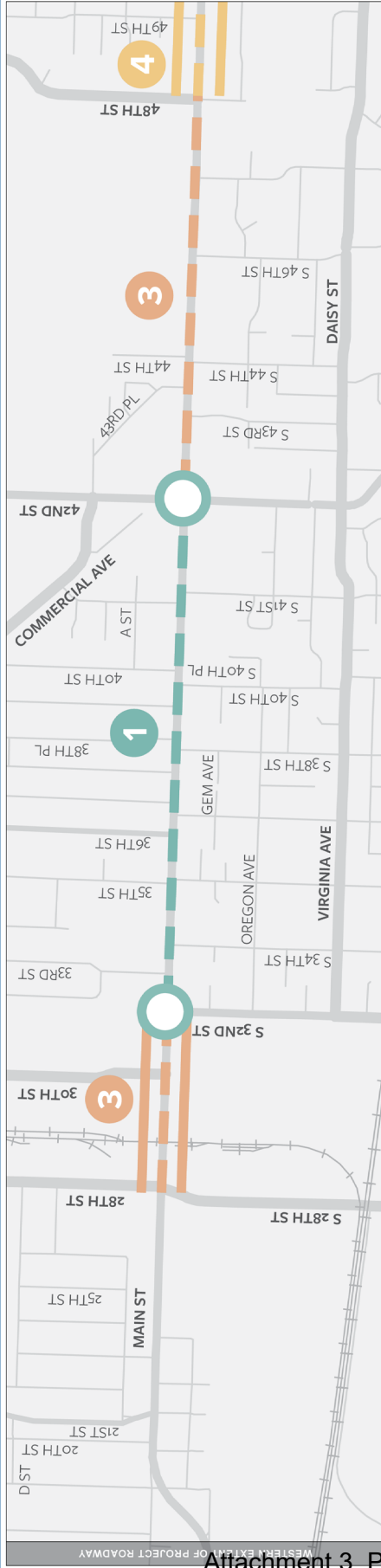


DRAFT FACILITY PLAN

Chapter 5 – Implementing the Toolbox of Solutions

- Funding Strategy
- Project Development
- Policy and Plan Coordination
- Adoption Process
- Phasing
- Future Steps (Funding, Design, Construction)

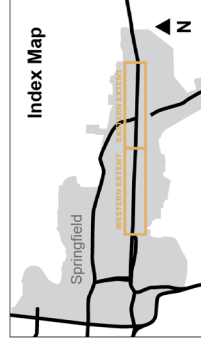
DRAFT FACILITY PLAN



OR 126 MAIN STREET SAFETY PROJECT
Springfield, Oregon

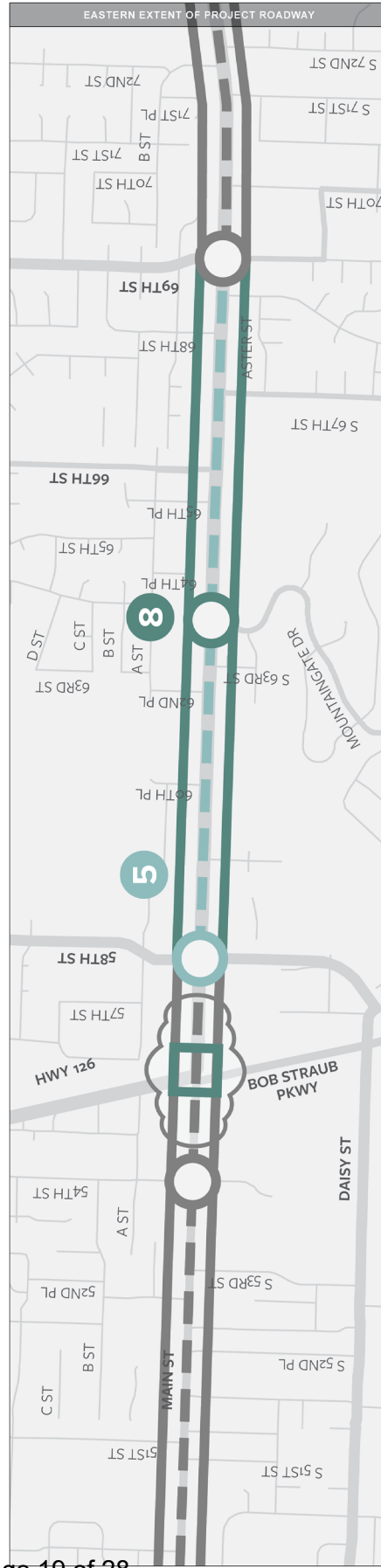
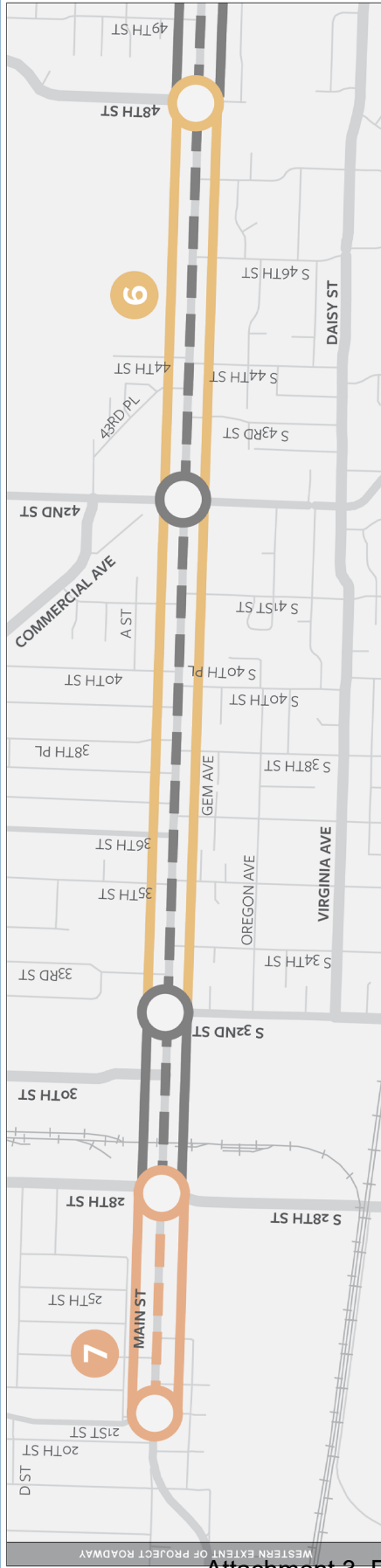
Figure 36

PHASING MAP: PHASES 1-4



PHASE NUMBER	INTERCHANGE STUDY AND INTERIM SAFETY IMPROVEMENTS
#	
○	
	SHORT-TERM CROSS SECTION (MEDIAN ONLY - CONSTRAINED WIDTH)
	LONG-TERM CROSS SECTION (BALANCED WIDTH OR ACTIVE TRANSPORTATION ENHANCED)

DRAFT FACILITY PLAN



OR 126 MAIN STREET SAFETY PROJECT
Springfield, Oregon

Figure 37
PHASING MAP: PHASES 5-8

Index Map

#	PHASE NUMBER	INTERCHANGE STUDY AND INTERIM SAFETY IMPROVEMENTS	PREVIOUSLY COMPLETED PHASES 1-4
○	ROUNDABOUT	SHORT-TERM CROSS SECTION (MEDIAN ONLY - CONSTRAINED WIDTH)	☐
◻	INTERCHANGE IMPROVEMENT	LONG-TERM CROSS SECTION (BALANCED WIDTH OR ACTIVE TRANSPORTATION ENHANCED)	≡

LOCAL POLICY AND ORDINANCE AMENDMENTS

Tech Memo #19 (Local Policy & Ordinance Amendments) builds upon **Tech Memo #18** (Implementation Overview)

- Recommends specific City policy and ordinance amendments to implement Main Street Facility Plan
 - ✓ Springfield Comprehensive Plan/Springfield 2035 Transportation System Plan (TSP)
 - ✓ Springfield Development Code

LOCAL POLICY AND ORDINANCE AMENDMENTS

Transportation System Plan, Chapter 5

- Add section describing role of refinement plans
- Include reference to Main Street Facility Plan as a relevant refinement plan
- Modify intersection performance standards for Main Street to reference Facility Plan
- Add reference to Facility Plan in the Safety discussion

Springfield Development Code

EXISTING REQUIREMENTS

12' Center Turn Lane, 11' Travel Lane, 12' Travel Lane, 5' Bike Lane, 6' Sidewalk

40' Existing Right-of-Way

10' Existing Building Setback

BALANCED WIDTH CROSS SECTION WITHOUT SPECIAL STREET SETBACK

9' Raised Median, 2' Travel Lane, 11' Travel Lane, 11' Travel Lane, 3' Buffer, 6' Bike Lane, 6.5' Sidewalk, 6' PUE*

40' Existing Right-of-Way

10' Existing Building Setback

BALANCED WIDTH CROSS SECTION WITH SPECIAL STREET SETBACK

9' Raised Median, 2' Travel Lane, 11' Travel Lane, 11' Travel Lane, 3' Buffer, 6' Bike Lane, 6.5' Sidewalk, 10' PUE*

44' Existing Right-of-Way

10' Existing Building Setback

*Public Utility Easement

COMMUNITY ENGAGEMENT

➤ [Strategic Advisory Committee](#)

➤ [Web Updates](#)

➤ [Fact Sheet](#)

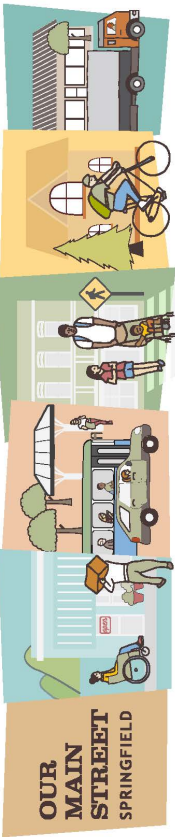
➤ [Postcard](#)

➤ [E-Update](#)

➤ [Spent the Rent Podcast](#)

➤ [Chamber of Commerce:](#)
[Government Issues Committee](#)

Attachment 3, Page 23 of 28



OUR
MAIN
STREET
SPRINGFIELD

MAIN STREET SAFETY PROJECT | 20th Street to 72nd Street

Dear Neighbor,

The Main Street Safety Project has released its Draft Facility Plan for Main Street. **You can review it and give feedback through October 25, 2021 at mainstreetsafety.org.**

Also available on the website is *Fact Sheet #6: Draft Facility Plan* that highlights the main points and take-a-ways of the Draft Facility Plan.



We appreciate your feedback!

How to Give Feedback:

- Email: info@ourmainstreetspringfield.org
- Website Comment Form: mainstreetsafety.org then select "Contact Us"
- Public Meetings: Times with dates to be posted on mainstreetsafety.org
- Mail: City of Springfield, Attn: Main Street Safety Project, 225 Fifth Street, Springfield, OR 97477

<https://mainstreetsafety.org>

Project contact: Molly Markarian *City of Springfield*
541-726-4611 | info@ourmainstreetspringfield.org



COMMUNITY FEEDBACK:

Common Themes – Project & Process

Largely heard -

- **Positive** reception for project, enthusiasm for community benefit
- **Appreciation** for project engagement, information, responsiveness
- **Questions** regarding deliverables, stages, outcomes

Some shared -

- **Skepticism** that effort and potential corridor impacts worth community benefits
- **Lower confidence** in corridor awareness of project, feedback not addressed as desired
- Last minute circumstances, lack of interest, other priorities, online format, general agency distrust influenced decision to not engage

COMMUNITY FEEDBACK:

Common Themes – Draft Facility Plan

Largely heard –

- **Positive** feedback overall, support for specific tools
- **Toolbox good**, allows for a **flexible approach** to implementation
- **Concerns** for implementation impacts to site access/usage and out of direction travel for residents, customers, freight

Some shared –

- **Doubt** that tools address project goals as presented
- **Suggestions** for alternative solution approaches
- **Reflections** on existing out of direction travel for bicyclists and pedestrians, economic impact of bicycle and pedestrian trips

DISCUSSION

- Does the draft Facility Plan:
 - address Planning Commission questions and concerns?
 - incorporate community feedback as envisioned?
 - meet your expectations?
- Questions or concerns regarding Tech Memo #19?
- Any additional reflections as we prepare the draft Plan for public hearings?

NEXT STEPS

**Nov/
Dec**

**ODOT Mobility Advisory
Committee**

**Main Street Governance Team
Springfield City Council**

Dec

**Adoption Draft Facility Plan and
Policy/Code recommendations**

**Early
2022**

Public Hearings

**THANK
YOU!**

Contact

Molly Markarian

Project Manager

info@ourmainstreetspringfield.org

Comments

Project Website

www.mainstreetsafety.org

Discussion Questions

- Does the draft Facility Plan:
 - address Planning Commission questions and concerns?
 - incorporate community feedback as envisioned?
 - meet your expectations?
- Do you have any questions or concerns regarding Tech Memo #19?
- Do you have any additional reflections as we prepare the draft Plan for public hearings?

AGENDA ITEM SUMMARY**SPRINGFIELD
PLANNING COMMISSION**

Meeting Date: 11/2/2021
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 60 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

ITEM TITLE: DEVELOPMENT CODE UPDATE PROJECT – DRAFT CODE SECTIONS

ACTION REQUESTED: Staff is asking the Planning Commission to provide input on the draft code sections for Phase 1 of the Development Code Update Project.

ISSUE STATEMENT: 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.

At this meeting staff will be asking the Planning Commission to provide input and direction on making changes to the code sections to prepare the final public hearing drafts. Staff anticipates making changes to the code sections based on the Planning Commission feedback and incorporating the changes into the draft code sections for the next work session review.

ATTACHMENTS: Attachment 1: Memo on housing survey questions
Attachment 2: Draft of New Code 3.2.200 Residential Zones
Attachment 3: Draft of New Code 4.7.300 Special Standards for Certain Uses
Attachment 4: Draft of New Code 6.1.100 Definitions
Attachment 5: House Bill (HB) 2583

DISCUSSION: **Background**
Staff last presented to the Planning Commission on October 19, 2021 when we completed discussion on implementation of middle housing.

Discussion

The Phase 1, Housing, draft code sections need to be revised and finalized based on the community engagement and Planning Commission input. Staff will be asking for the Planning Commission’s recommendation as to any changes to the draft code sections prior to releasing them for public hearing. There are areas of the code sections that staff wants to brief the Planning Commission on and receive input. Receiving the Planning Commission input and recommendation now for the public hearing code sections will facilitate a smoother public hearings process.

Next Steps

Staff plans to conduct one more work session, on November 16th, with the Planning Commission prior to finalizing the public hearing drafts of the code sections with the goal of completing the public hearing drafts by the end of November. The Planning Commission is scheduled to hold a joint public hearing with the Lane County Planning Commission on January 4 . If helpful to the Commission, additional work sessions could be added in December to further discuss the public hearing drafts of the code sections.

MEMORANDUM**City of Springfield****Date:** 11/2/2020**To:** Planning Commission**BRIEFING****From:** Mark Rust, AICP, Interim Current Planning Supervisor**MEMORANDUM****Subject:** Development Code Update Project–Phase 1, Middle Housing

ISSUE

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.

At this meeting staff will be asking the Planning Commission to provide input and direction on making changes to the code sections to prepare the final public hearing drafts. Staff anticipates making changes to the code sections based on the Planning Commission feedback and incorporating the changes into the draft code sections for the next work session review.

BACKGROUND

Staff last presented to the Planning Commission on October 19, 2021 when we completed discussion on implementation of middle housing.

DISCUSSION

At this work session, the Planning Commission will discuss areas of the residential code sections, other than the middle house standards, on which we have received comments or are seeking Planning Commission input. Staff have made edits to the attached drafts in response to various comments that came up during the public review phase – so these proposed code sections are not the same versions of the drafts that have been included in your previous packets. Commissioner Koivula has provided several comments and suggestions on the draft code language. Many of these comments have been added as into the draft code sections to be discussed by the Commission during the work session.

One specific area is a result of new state legislation, House Bill 2583 (attachment 5). This new legislation impacts the definition of the term “family” in chapter 6 of the Development Code and has implications on how the code currently regulates occupancy limits for housing.

The second area that staff will specifically focus on in the work session is how the code addresses Bed and Breakfast uses, Boarding and Rooming houses, and other short-term rental uses.

The new HB 2583 legislation prohibits local governments from establishing or enforcing maximum occupancy limits in residential dwellings based on familial or nonfamilial relationships among occupants. The effective date is January 1, 2022. In response to this legislation staff proposes the following recommended steps for implementation.

1. Incorporate changes into code update project. During gap between effective date (Jan 1) and residential code update adoption (June 2022), do not take enforcement action based on current occupancy limits, which are based upon relationship status.
 2. In code update draft, adopt definition of a single dwelling to have occupancy limit of 2 persons per bedroom, plus one additional person.
-

-
3. Adopt new definition of “bedroom” based loosely on building code requirements, accounting for fact that existing homes’ bedrooms may not meet current egress requirements (because window heights too high, etc.).
 4. Remove special regulations for “boarding houses” and regulate under occupancy limits of the dwelling only. Consider combining “rooming house” and “bed & breakfast” regulations.

The proposed occupancy limit of two persons per bedroom plus one additional person that is proposed to be added to the definition of “dwelling unit” in the Definitions section, 6.1.100, is based on the Federal Housing Council of Oregon (FHCO), (link provided below), which is based on federal guidance. It is also worth noting that the proposed definition for “bedroom” is pretty flexible in that it only specifies a room with a door that closes, that has at least 70 square feet, and has a second point of egress like a window. It does not require the room to be marketed or intended as a bedroom, or that it have a closet.

<http://fhco.org/index.php/discrimination-in-oregon/protected-classes/familial/occupancy>

Lastly staff will be seeking additional input from Planning Commissioners regarding any other provisions of the residential house codes sections for adjustment prior to finalizing the public hearing draft of the code sections.

RECOMMENDED ACTION

This meeting is an opportunity for the Planning Commission to provide input and direction on the draft housing code sections to inform the development of the public hearing drafts of the code sections.

NEXT STEPS

Staff plans to conduct one more work session, on November 16th, with the Planning Commission prior to finalizing the public hearing drafts of the code sections with the goal of completing the public hearing drafts by the end of November, to facilitate starting the formal public hearing process after the first of the year. Additional work sessions may be held with the Planning Commission after the release of the public hearing drafts, prior to the public hearing, to have further discussion about what is in the public hearing drafts of the code sections.

**Section 3.2.200 – Residential Districts
(R-1, R-2, R-3)**

Subsections:

- 3.2.205 Purpose, Applicability, and Location**
- 3.2.210 Permitted Land Use**
- 3.2.215 Lot Area and Dimensions**
- 3.2.220 Setbacks**
- 3.2.225 Impervious Surface Coverage Standards**
- 3.2.230 Height**
- 3.2.235 Density**
- 3.2.240 Panhandle Lot or Parcel Development Standards**

3.2.205 Purpose, Applicability, and Location

(A) Purpose. The purposes of the Residential Land Use Districts are to:

- (1) Accommodate a full range of housing types.
- (2) Implement the policies of the Springfield Comprehensive Plan and Metro Plan.
- (3) Make efficient use of land and public services.
- (4) Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling.
- (5) Provide convenient access to Neighborhood Activity Centers.

(B) Applicability. The standards in this section apply to development in the R-1, R-2, and R-3 Land Use Districts. These districts are identified on the City's official Zoning Map.

Where there is a conflict between the Special Use Standards SDC 4.7.300 - 4.7.400 and the development standards in this SDC 3.3.200, the Special Use Standards prevail.

3.2.210 Permitted Land Uses

(A) Permitted Uses. The land uses listed in Table 3.2.210 are permitted in the Residential Districts, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 3.2.210, land uses that are incidental and subordinate to a permitted use, and land uses that are approved as "similar" to those in Table 3.2.210 are permitted.

(B) Determination of Similar Land Use. Similar use determinations must be made in conformance with the procedures in SDC 5.11.100, Interpretations.

(C) Exceptions. Existing uses and buildings lawfully established under previously effective land use regulations can continue subject to SDC 5.8.100, Non-Conforming Uses – Determination, Continuance, Expansion and Modification, except as otherwise specified in this section.

Table 3.2.210 Permitted Uses

Uses	Districts			Special Use Standards
	R-1	R-2	R-3	
<u>Residential</u>				
Single-unit Dwelling; detached (SD-D)	P	N	N	
Duplex	P*	P*	N	SDC 4.7.310
Triplex/Fourplex	P*	P*	P*	SDC 4.7.315 and 4.7.320
Townhomes (Single Dwelling attached; e.g., row houses, etc.)	P*	P*	P*	SDC 4.7.315 and 4.7.330
Cottage Cluster Housing	P*	P*	P*	SDC 4.7.315 and 4.7.325
Recreational Vehicle for an Emergency Medical Hardship	P	P	P	SDC 4.7.400
Accessory Dwelling Units (ADUs)	P*	P*	P*	SDC 4.7.340
Single Room Occupancy (SROs)	P	P	P	See def???
Manufactured Dwelling Park	P, S*	P, S*	N	SDC 4.7.350
Multiple Unit Housing on one lot or parcel, 5 units or more	N	P*	P*	SDC 4.7.380 thru 4.7.390
Family Child Care Home	P	P	P	
Residential Care Facility; 5 or fewer people	P*	P*	P*	SDC 4.7.355
Residential Care Facility; 6 or more people	P, S*	P, S*	P, S*	SDC 4.7.355
<u>Public and Institutional*</u> (Sec. 4.7.380)				
Automobile Parking, Public Off-street Parking	N	D	D	
Club (see definition 6.1.110(F))	N	N	N	
Community Service; includes Governmental Offices	N	D	D	
Community Garden	D	D	D	
Educational facilities: elementary and middle schools	D*	D*	D*	SDC 4.7-195 and 5.9.110
Emergency Services; Police, Fire, Ambulance	D, S	D, S	D, S	
Parks and Open Space, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, and similar uses	P/D*	P/D*	P/D*	SDC 4.7.200
Place of worship	D, S*	D, S*	D, S*	SDC 4.7.375

Commented [BS1]: I think adding RV to this would be helpful = "RVs as emergency medical hardship" unless you're wanting to allow things other than RVs for this purpose.

Deleted: Boarding or Rooming House

Deleted: P*

Deleted: P*

Deleted: P*

Deleted: SDC 4.7.395

Commented [RM3]: These need to be allowed as an outright permitted use in all residential and commercial zones? Specified in ORS 329A.440

Commented [KK4]: See my comment on 4.7.405 section. Recommend deleting special standards since they are just restating state certification requirements.

Commented [RM5R4]: I agree

Deleted: Registered or Certified

Deleted: *

Deleted: *

Deleted: *

Deleted: SDC 4.7.405

Deleted: Child care facility

Deleted: P

Deleted: P

Deleted: P

Commented [BS6]: As I recall, typically we've allowed elementary schools in residential zones, but the middle and high schools are generally on public land. Are you intending to change that?

Commented [BS7R6]: I had time to check, and the Metro Plan calls out residential land as being available for elementary and junior high schools. Education as a category of public and semi-public is for high schools and colleges. In order to maintain that distinction in the policy, I think you need to be more specific in the types of educational facilities (schools) that are allowed in residential zones.

Table 3.2.210 Permitted Uses				
Uses	Districts			Special Use Standards
	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	
<u>Commercial</u>				
<u>Rooming House</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	SDC 4.7.355
Home Business	P*	P*	P*	SDC 4.7.370
Professional Office	S*	S*	S*	SDC 4.7.190
Mixed Use Buildings	S*	S*	S*	SDC 4.7.385

P = Permitted Use; S = Site Plan Review Required; D = Discretionary Use permit required;

N = Not Allowed;

* = Permitted with Special Use Standards.

3.2.215 Lot Area and Dimensions

- (A) In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section apply to all development in residential districts. In cases of conflicts, standards specifically applicable in the residential land use district apply. In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards apply.

Lot area and lot dimension standards for residential uses are listed in Table 3.2.215. For other residential uses listed in Table 3.2.210, the lot area and dimensions are subject to the type of residential structure being occupied. Lot development must be in conformance with SDC 3.2.235, Density.

The following Table 3.2.215 sets forth residential land use district development standards, subject to the special development standards in SDC 4.7.300-4.7.400.

Table 3.2.215-A: Residential District Density Standards			
Density (see 3.2.235 below)	R-1	R-2	R-3
Single unit dwelling, detached	6 units per net acre minimum 14 units per net acre maximum	N/A	
Duplex	6 units per net acre minimum No maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Triplex and fourplex	6 units per net acre minimum No maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Townhome	6 units per net acre minimum 25 units per net acre maximum	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum

Deleted: Bed and Breakfast

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Commented [BS8]: Do we really require a site plan for all home businesses? What if it's entirely contained within the home – is that a home occupation rather than a home business? Again, I'm just speaking without having looked at the definitions or standards, just my initial reactions.

Commented [BS9]: My understanding is that middle housing is to be allowed similar to the single-unit dwelling. If that's true, why are there special use standards for the middle housing types? Instead of including this with an asterisk, maybe you just have the column with the standards (no special use).

Commented [RM10R9]: We can have standards for middle housing types, we just have to allow duplexes everywhere that SFD's are allowed. The duplex standard is just reflecting state allowances/requirements. I would rather reference the special standards section rather than add footnotes to this table.

Commented [BS11R9]: OK, makes sense.

Commented [RM12]:

Since we aren't required to allow middle housing provisions here since we aren't allowing SFD's in R-2 and R-3 any longer we can have a max density. We could consider a higher density threshold to incentivize affordable housing or for alley loaded development, or along transit corridors, or???

Commented [BS13R12]: I think given the density policy in the Metro Plan, we leave this as is now. When we update policies, we can consider some "bonuses" or changes to the approach.

Table 3.2.215-A: Residential District Density Standards			
Density (see 3.2.235 below)	R-1	R-2	R-3
Cottage cluster	4 units per net acre minimum No maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Multiple unit housing	N/A	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Density fractions will be rounded up to the next whole number.			

Table 3.2.215-B: Residential District Lot or Parcel Area Guidelines			
Lot or Parcel Area			
Minimum lot or parcel area for single unit dwellings, detached, is based on meeting the maximum net density in the zoning district. Approximate example lot sizes are shown below. Maximum lot or parcel area is based on meeting the minimum net density in the zoning district. Some approximate example lots sizes are shown below. Lot or parcel areas for some uses/housing types are not reflective of the density range above due to density not being applicable to certain middle housing types. Where the density standards and these lot or parcel area examples conflict, the density standards prevail.			
Housing type	R-1	R-2	R-3
Single unit dwelling, detached	3,000 sq. ft. minimum 7,260 sq. ft. maximum	N/A	
Duplex	3,000 sq. ft. minimum 7,260 sq. ft. maximum	3,000 sq. ft. minimum 6,000 sq. ft. maximum	2,000 sq. ft. minimum 4,000 sq. ft. maximum
Triplex	5,000 sq. ft. minimum 21,000 sq. ft. maximum	4,500 sq. ft. minimum 9,000 sq. ft. maximum	3,000 sq. ft. minimum 4,500 sq. ft. maximum
Fourplex	7,000 sq. ft. minimum 29,000 sq. ft. maximum	6,000 sq. ft. minimum 12,000 sq. ft. maximum	4,000 sq. ft. minimum 6,000 sq. ft. maximum
Townhome	1,000 sq. ft. minimum 7,260 sq. ft. maximum		
Cottage Cluster	5,000 sq. ft. minimum Maximum based on number of units and density		
Multiple Unit Housing	N/A	1,500 sq. ft. per unit minimum 3,000 sq. ft. per unit maximum	1,000 sq. ft. per unit minimum 1,500 sq. ft. per unit maximum

Commented [RM14]: Comment from MK, except where abutting R-1, should meet R-1 lots sizes. Response: Wouldn't allow the city to meet density requirements.

Commented [RM15]:
Should we limit the minimum size of the lots that a cottage cluster can be developed on?

Staff is recommending allowing cottages to be in individual lots within a cottage cluster development. Staff is envisioning that the individual lots for each unit could be as small as the footprint of the cottage. The 7,000 square feet is from the OAR's, should be limit the overall size of the property for a Cottage Cluster development to a minimum of 7,000?

3.2.220 Setbacks

- (A) **Setback Standards.** The following table summarized the minimum setback standards. The setback standards of this section apply to all structures, except as otherwise provided by this section.

Table 3.2.220 Setbacks	R-1	R-2	R-3
Front	10 feet, except for a garage or carport		
Garage or carport	18 feet from any property line or back of sidewalk, whichever is closer		
Side	5 feet	10 feet when abutting an R-1 district 5 feet when not abutting an R-1 district	
Rear	5 feet	10 feet when abutting an R-1 district 5 feet when not abutting an R-1 district	
Notes: Setbacks for certain housing types or uses are reduced as specified in SDC 4.7.300-4.7.400. (Ex. Zero-foot side setback for property line where townhome units attach.)			

Commented [RM16]: Comment from MK. Increase side setbacks to 7 feet and rear to 10. Response. Increasing side setbacks from the existing 5 feet would create measure 49 claims. We could leave the rear yard setback at the existing 10 feet.

(B) Front Setbacks

- (1) **R-1, R-2, and R-3 Districts.** The front setback requirement is a minimum of ten feet from the property line abutting the street used for address purposes or the back of sidewalk, whichever is closer, or for a panhandle lot, from the property line forming the pan portion of the lot.
- (2) **Garage or carport.** The front of a garage or carport must be set back a minimum of 18 feet from any property line or the back of sidewalk, whichever is closer.
- (3) **Special setbacks.** The Special Street Setbacks apply in conformance with SDC 4.2.105(M).

Commented [RM17]:
Setback for garage from any property line, not just front.

(D) Side Setbacks

- (1) **R-1 District.** The side setback requirement is a minimum of five feet.
- (2) **R-2 and R-3 Districts**
 - (a) The side setback requirement is a minimum of ten feet from any property line abutting the R-1 district.
 - (b) The side setback requirement is a minimum of five feet from any property line not abutting the R-1 district, or the edge of sidewalk for a corner lot or parcel, whichever is closer.
- (3) **For courtyard housing,** side setbacks must be in conformance with SDC 4.7.335.

(E) **Rear Setbacks**

- (1) **R-1, R-2, and R-3 Districts.** The rear setback requirement is a minimum of five feet from any property line.

Commented [RM18]: MK comment. Should be 10. Response. Could leave at 10.

(F) **Special Setback Requirements**

- (1) **Alley.** Where an existing alley is less than 20 feet in width, the setback requirement is 20 feet from the property line abutting the alley, notwithstanding any other setback requirement that is less.

Commented [RM19]: MK comment. Shouldn't alley setback be zero or 6 feet? Potentially wouldn't provide adequate backing distance. But could be reduced.

- (2) **Townhomes.** Common wall setbacks where units are attached is zero feet from the property line abutting the next attached unit, in conformance with SDC 4.7.330.

- (3) **Vision Clearance Areas.** All structures must comply with SDC 4.2.130, Vision Clearance, notwithstanding any other setback requirement that.

- (4) **Bridges.** Bridges that form a driveway or pedestrian access from the abutting street or alley are permitted within the setbacks.

- (5) **Setback Encroachments.** An encroachment into a setback that meets the following standards is permitted in the R-1, R-2, and R-3 Districts. No portion of the structures and architectural features listed in this section can encroach closer than size feet to the front property line or edge of sidewalk, whichever is closer. No other encroachments into a setback are permitted unless approved through a variance.

Commented [RM20]:
Still allow a variance?

- (a) **Architectural Features.** Eaves, chimneys including fireplace enclosures and chimney chases, bay windows up to eight feet in width, and window wells are allowed to encroach into the front, side, and rear setbacks by no more than two feet, provided there is a minimum setback of three feet from the property line.
- (b) **Front Porches.** An unenclosed covered or uncovered porch, patio, deck, or stoop with a maximum floor height not exceeding 18 inches is allowed to be set back a minimum of six feet from the front property line, as long as it does not encroach into a public utility easement.
- (c) An uncovered and unenclosed porch, patio, deck, or stoop located above finished grade with a maximum floor height not exceeding 18 inches must be set back a minimum of 18 inches from the side and rear property lines. Additionally, it must not encroach into a public utility easement.
- (d) Uncovered patios at finished grade are exempt from setbacks as long as it does not encroach into a public utility easement.
- (e) Stairs, ramps, and landings that are uncovered may be in the front setback.

Commented [RM21]: MK comment. Should not be allowed in setbacks. Response, many of these are allowed in current code. Would allow for more design flexibility and to address slope issues etc.

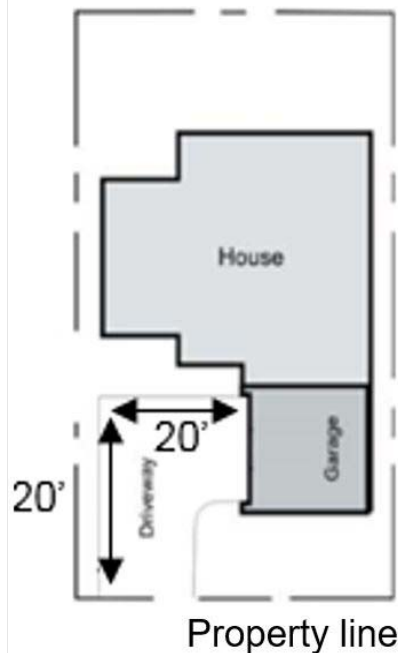
(6) **Garage and Carport Setback**

- (a) The 20-foot setback requirement for the front of a garage or carport is measured along the centerline of the driveway from the property line or back of

sidewalk, whichever is closer, to either the garage door or to the support post at the vehicle entry of a carport closest to the property line.

- (b) For a garage on a corner lot or parcel that is accessed from an alley, or a garage where the side or rear wall of the garage faces the street, the setback for the garage side or rear wall is a minimum of ten feet from the property line. In this case, the garage must have at least one window in the side or rear wall facing the street that is a minimum of six square feet. As shown in Figure 3.2-A, a side entry garage must have a driveway with a minimum length of 20 feet from the front and side property lines.

Figure 3.2-A Garage or Carport Setback



Commented [RM22]:
Michael comment

Michael would like to see a figure showing setback from curb return for driveways on corner lots.

Discuss with Kristina and Michael. Where is the standard for this?
Can we apply to middle housing?

(G) **Prohibited in Setbacks.** In addition to structures, the following are prohibited within the following setbacks:

- (1) **Front Setbacks.** Satellite dishes greater than 18 inches in diameter, and other similar above ground objects except heat pumps which are allowed.
- (2) **Side and Rear Setbacks.** Satellite dishes greater than 18 inches in diameter, and other similar objects, unless screened for visual and noise abatement by a solid enclosure two feet higher than the object/use being screened, except heat pumps which are allowed.

Deleted: heat pumps

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Commented [RM24]:
Standards for this??? Refer screening and fencing section of code??

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October 22, 2021

Page 7 of 12

(3) **All Setbacks.** Balconies.

3.2.225 Impervious Surface Coverage Standards

- (A) The amount of impervious surface may not exceed the standards listed in this section 3.2.225. Stormwater treatment facilities required under SDC 4.3.110 or other development standards may result in less impervious surface area than these maximums.
- (B) The following Impervious Surface standards apply to all development in Residential Districts.
- (1) On lots or parcels with more than average 15 percent slope or above 670 feet in elevation, as determined in SDC 3.3.500, the impervious surface area must not exceed 35 percent.
 - (2) On lots or parcels of less than 4,500 square feet in size, the impervious surface area must not exceed 60 percent of the lot or parcel area.
 - (3) On lots or parcels of 4,500 square feet or larger in size, the impervious surface area must not exceed 65 percent of the lot or parcel area.

Table 3.2.225 Impervious Surface Coverage	R-1	R-2	R-3
Lots or parcels with more than 15% slope or above 670 feet in elevation	35% maximum		
Lots or parcels of less than 4,500 square feet in size	60% maximum		
Lots or parcels of 4,500 square feet or larger in size	65% maximum		

Commented [RM25]:

KSK comment. Is this an average slope across the lot/parcel or any portion of the lot that has more than 15% slope?

Commented [RM26]:

These are existing standards in 3.2.215, footnote (3). Keep? Or modify amounts? Should lot coverage in general be switched to a total impervious surface area standard?

Commented [RM27]: MK comment. Too large. Should be 10-15% less. Response. These are propose to be calculated differently than existing. regulate all impervious rather than just structures. Will likely be limited by stormwater requirements anyway.

Commented [RM28R27]: Existing is 45% for just structures, not including other impervious surfaces. Would now count driveways, patios, etc.

Commented [RM29]: MK comment. Too high. Should be 40' for R-2, and 75' for R-3. Response, not sure 75 would allow meeting R-3 density.

3.2.230 Height

- (A) The following building height standards are intended to facilitate allowed residential densities while promoting land use compatibility.

Table 3.2.230 Height	R-1	R-2	R-3
All Lots, except where specifically addressed below	35 feet	50 feet	none

- (B) Incidental equipment, as defined in SDC 6.1.110 may exceed the height standard.
- (C) Within the Hillside Development Overlay District, the maximum Building Height, as defined and calculated in SDC 6.1.110, is 45 feet.

3.2.235 Density

- (A) The following net density standards apply to all new development in the R-1, R-2, and R-3 districts, except as specified in subsection (B) of this section. The net density standards shown in Table 3.2.215 are intended to ensure efficient use of buildable lands and provide

for a range of needed housing, in conformance with the Springfield Comprehensive Plan. Where the density standard apply, the net density must be within the density range for the respective zoning district, except that density fractions 0.5 units per net acre or greater will be rounded up to the next whole number, and less than 0.5 unit per net acre will be rounded down to the preceding whole number.

The density standards may be averaged over more than one development phase (i.e., as in a subdivision or Master Planned Development).

(B) The net density requirements specified in Table 3.2.215 do not apply as follows:

- (1) Residential care homes/facilities.
- (2) Accessory dwelling units (ADUs).
- (3) Duplexes when developed on a lot or parcel that is in a residential land use district and allows a detached single unit dwelling.
- (4) Bed and breakfast inns.
- (5) Nonresidential uses, including neighborhood commercial uses, public and institutional uses, and miscellaneous uses that do not include a dwelling unit.
- (6) Buildings that are listed in the Inventory of Historic Sites within the Springfield Area Comprehensive Plan Exhibit "A" or buildings designated on the Historic National Landmarks Register.
- (7) Manufactured home parks within the R-1 district are exempt from the maximum density standards of the district; as long as the standards of SDC 4.7.355 are met.
- (8) Residential infill, as defined in SDC 6.1.100, is exempt from minimum density standards.
- (9) Partitions on properties that are large enough to be divided into five or more lots are exempt from minimum density standards as long as the size of the resulting parcels and siting of dwellings allow future development on these parcels at minimum densities.

(C) Net density is defined in SDC 6.1.100 as the number of dwelling units for each acre of land in residential use, excluding: dedicated streets; dedicated parks; dedicated sidewalks; and other public facilities.

Commented [RM30]:
Redundant with (D)(3) below.

(D) For the purpose of calculating residential net density:

- (1) Where a property is within multiple zoning districts, the minimum and maximum number of units is calculated based on the acreage in each residential district that is subject to the density standard as specified above multiplied by the applicable minimum and maximum density standards. Areas with nonresidential districts are excluded from the density calculation.
- (2) Except as provided in subsection (D)(3) of this section, the following areas are subtracted from the gross area of the property:
 - (a) Area not in residential use as provided in subsection (D)(4) of this section;
 - (b) Area for dedicated streets;
 - (c) Area for dedicated sidewalks;
 - (d) Area for dedicated parks;
 - (e) Area for other public facilities.

Commented [RM31]:
Redundant with (C) above.

October 22, 2021

Page 9 of 12

After subtracting these areas from the gross area, then the remaining area is the net area used to calculate the net density.

- (3) The following areas are not subtracted from the gross area to calculate net density:
- (a) Area within a public easement less than ten feet in width;
 - (b) Area within a private street;
 - (c) Area within a private park; and
 - (d) Area for other private facilities.
- (4) **Residential use** – Any area not in residential use is subtracted from the gross area. The term “residential use” is considered to mean “of, relating to, or connected with a residence or residences”. Examples of residential use include the following: off street parking and vehicle circulation areas, maintenance or storage areas, and residential leasing offices, if these uses are related to or connected with a residence or residences.

Examples of uses that would not be considered to be in residential use include the following: any commercial uses, accessory uses that are not related to or connected with a residence or residences, and unbuildable areas as described below.

- (a) **Unbuildable.** This category includes land that is undevelopable. It includes tax lots or areas within tax lots with one or more of the following attributes:
- (i) Slopes greater than 25 percent as calculated in SDC 3.3.520(A);
 - (ii) Within the floodway, as designated by the FP Overlay District;
 - (iii) In areas with severe landslide potential as shown on an adopted City of Springfield inventory or map;
 - (iv) Within locally significant wetlands and locally significant riparian areas and their setbacks as specified in SDC 4.3.117;
 - (v) Within the riparian area boundary of a Water Quality Limited Watercourse as specified in SDC 4.3.115;
 - (vi) Within the easement area of a 230 kV or greater transmission line;
 - (vii) Small irregularly shaped lots¹; and
 - (viii) Publicly-owned land as described in (5), (6), (7), and (8) below.
- (5) **Streets** - Any street or roadway dedicated as public right of way is subtracted from the gross area to calculate net density. The area does not take into account to what degree the street or roadway area is improved. This does not include private streets or driveways. The area for any private street would remain in the net area considered to be in residential use.
- (6) **Sidewalks** – Any sidewalk dedicated as public right of way is subtracted from the gross area to calculate net density. A public sidewalk located in an easement is not subtracted from the gross area. Private sidewalks (e.g. for multifamily housing developments, etc.) are not subtracted from the gross area.
- (7) **Parks** – Any public park area including a publicly-owned Regional Park, Community Park, Neighborhood Park, or Linear Park is subtracted from the gross area to calculate

¹ Only lots that were counted as unbuildable in an adopted Housing Needs Analysis, can be subtracted from the gross density as “small irregularly shaped lots”.

Commented [RM32]:

Michael and Emma both commented and have concern. Discuss with Michael, Kristina, Emma, and possibly Jim D.

Commented [RM33]:

Michael comment.

Would this cover accessways and other transportation facilities not specifically labeled as sidewalk?

the net density. Any Private Park, or private open space, if not dedicated would remain in the net area.

- (8) **Other public facilities** – Any area for a public facility dedicated to the City of Springfield or other public agency is subtracted from the gross area to calculate net density. This includes storm water tracts dedicated to the City; however, it does not include private storm water facilities.

Additionally, any area, including easement areas, for a public facility that is adopted into the Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) is subtracted from the gross area. Any other public utility easement (PUE) that contains public utilities that are not adopted into the PFSP are not subtracted from the gross area (except as provided above under unbuildable land for 230 kV transmission lines).

“Public facility projects” adopted in the PFSP include:

- (a) **Water:** Source, reservoirs, pump stations, and primary distribution systems. Primary distribution systems are transmission lines 12 inches or larger for Springfield Utility Board (SUB) and 24 inches or larger for Eugene Water & Electric Board (EWEB).
- (b) **Wastewater:** Pump stations and wastewater lines 24 inches or larger.
- (c) **Stormwater:** Drainage/channel improvements and/or piping systems 36 inches or larger; stormwater detention and/or treatment facilities; outfalls; water quality projects; and waterways and open systems.
- (d) Specific projects adopted as part of the Metro Plan are described in the project lists and their general location is identified in the planned facilities maps in Chapter II of the Eugene-Springfield Metropolitan Public Facilities and Services Plan (Public Facilities and Services Plan).

3.2.240 **Panhandle Lot or Parcel Development Standards**

(A) Special provisions for lots/parcels with panhandle driveways:

- (1) Panhandle driveways are permitted where dedication of public right-of-way is not required to meet the Street Network Standards contained in SDC 4.2.105(D) or (E) or to comply with the density standards in the applicable zoning district. Panhandle driveways are not permitted in lieu of a public street required to meet the Street Network Standards contained in SDC 4.2.105(D) or (E).
- (2) The area of the pan portion does not include the area in the “panhandle” driveway.
- (3) The minimum paving standards for panhandle driveways are:
 - (a) Twelve feet wide for a single panhandle driveway from the front property line to a distance of 18 feet, where there is an unimproved street; and from the front property line to the pan of the rear lot or parcel, where there is an improved street; and

Commented [RM34]:
Michael comment.

Would this cover a tract.

Commented [RM35]:
Dennis Covert on the Res. TAC asked about density related to storm water retention areas. Does this answer the question? Or address the concern?

Commented [RM36]: Michael comment

A diagram explaining showing the general dimensional elements of panhandle for paving and area assumptions for easement and etc. may be helpful.

(b) Eighteen feet wide for a multiple panhandle driveway from the front property line to the pan of the last lot or parcel. This latter standard takes precedence over the driveway width standard for multiple unit dwelling driveways specified in Table 4.2.2.

(B) Buildable lots/parcels do not need to have frontage on a public street when access has been guaranteed via a private street or driveway with an irrevocable joint use/access easement as specified in SDC 4.2.120(A). In the residential districts, when a proposed land division includes single or multiple panhandle lots/parcels and the front lot or parcel contains an existing primary or secondary structure, an irrevocable joint use/access easement is allowed in lieu of the panhandles when the required areas to meet both the applicable panhandle street frontage standard and the required five foot wide side yard setback standard for the existing structure is available. In this case, the irrevocable access easement width standard is as follows:

- (1) Fourteen feet wide for a single panhandle lot or parcel in the R-1 District; or
- (2) Twenty feet wide for a single panhandle in the R-2 and R-3 District, or where multiple panhandles are proposed in any residential district.

Section 4.7.300 – 4.7.400 - Special Standards and Regulations for Certain Uses in Residential Districts

Subsections:

- 4.7.310 Duplex
- 4.7.315 Middle Housing
- 4.7.320 Triplex or Fourplex
- 4.7.325 Cottage Cluster Housing
- 4.7.330 Townhomes
- 4.7.335 Courtyard Housing
- 4.7.340 Accessory Dwelling Units (ADU's)
- 4.7.345 Manufactured Dwelling Parks
- 4.7.350 Residential Facility
- 4.7.355 Rooming Houses
- 4.7.360 Accessory Structures and Uses
- 4.7.365 Home Business
- 4.7.370 Place of Worship
- 4.7.375 Architectural Design Standards
- 4.7.380 Multiple unit housing (Clear and Objective Standards)
- 4.7.385 Multiple unit housing (Discretionary option)
- 4.7.390 Multiple unit housing Variances
- 4.7.395 Boarding and rooming houses
- 4.7.400 Emergency Medical Hardship

Deleted: Bed and Breakfast

4.7.310 Duplex

- (A) In instances where a development can meet the definition of a duplex and also meets the definition of a primary single unit dwelling with an Accessory Dwelling Unit (ADU), the applicant must specify at the time of application whether the development is a duplex or a primary single unit dwelling with an ADU. The application will be reviewed according to the standards and criteria applicable to the applicant's election.
- (B) Additions to or conversion of an existing detached single-unit dwelling to a duplex is allowed provided that the conversion does not increase nonconformance with applicable clear and objective standards.
- (C) A duplex in the R-2 or R-3 district must be within the minimum and maximum density range for the applicable district.

Deleted: 4,7,405 Registered or Certified Family Child Care Home¶

4.7.315 Middle Housing

(A) Relationship to Other Code Standards

- (1) **Conflicts.** In the event of a conflict between middle housing code provisions in this section and other code standards applicable to middle housing, the standards in this section prevail.
- (2) **Public Works Standards.** Clear and objective exceptions to public works standards granted to detached single-unit dwellings (SD-Ds) must also be granted to duplexes.

May 24, 2021

Page 1 of 61

(B) **Sufficient Infrastructure.** For all middle housing types (except duplexes) in the R-1, R-2, and R-3 districts applicants must demonstrate that Sufficient Infrastructure is provided or will be provided. The applicant must provide the information to demonstrate that Sufficient Infrastructure will be provided with the submittal of the development application for the proposed middle housing. The sufficient infrastructure must be provided prior to occupancy of the proposed middle housing. Sufficient Infrastructure must meet the established service levels as specified below.

- (1) **Sanitary Sewer.** The subject property and any existing and proposed dwellings must be connected to sanitary sewer. The sanitary sewer must be designed and constructed in conformance with SDC 4.3.105, and Chapter 2 of the *Engineering Design Standards and Procedures Manual* (EDSPM).
- (2) **Stormwater.** The subject property and any existing and proposed dwellings must have a Stormwater management system that is sufficient to detain, on the lot or parcel of origin,

any increase in on-site surface water drainage, including roof drainage or other impervious surface drainage, to not increase flows from the lot or parcel above the flow levels that existed from the lot or parcel prior to the development of new middle housing.

- (3) **Water.** The subject property as well as any existing and proposed dwellings must be connected to a public water system. The public water system must be capable of meeting established service levels as determined by the Springfield Utility Board (SUB). Documentation must be submitted from SUB with the development application demonstrating that the water system meets the established service levels or what improvements must be completed by the applicant prior to occupancy of the proposed middle housing to ensure established service levels are met.
- (4) **Streets.** The subject property must have access via public or private streets that meet the fire apparatus access road standards as required by and in compliance with the Oregon Fire Code.

(C) **Master Planned Areas.** Middle housing may be regulated or limited within development areas that are subject to an adopted Master Plan, as follows:

- (1) If a Master Plan has been adopted by the city after January 1, 2021, all middle housing types must be allowed as provided in this code.
 - (a) The City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 15 dwelling units per net acre.
 - (b) If proposed middle housing development exceeds the planned public service capacity of a master plan, the City may require the applicant to demonstrate, through amended public plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.
 - (c) The city may require a mix of two or more middle housing types within a master plan or portions of a master plan.

Commented [KK2R1]: SDC 4.3.110 is highly discretionary/unclear - I would combine so that (a) is the only standard. We can use the EDSPM to provide an option/guidance on how to meet the standard.

Deleted: <#>Stormwater. The subject property and any existing and proposed dwellings must have a Stormwater management system that is sufficient to detain, on the lot or parcel of origin,

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A

Deleted: <#>associate with new middle housing units

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Commented [KK3]: I have tried to revise this language so that it just states that you compare the on-site surface water drainage before the development and after the development. I think the "associated with new middle housing" raises unclear questions about whether other site improvements have to detain runoff. For example, parking spaces not required but built at the developer's option should be included in the stormwater calcs but someone might argue it isn't "associated with" the housing units themselves.

Deleted: <#>increase in on-site surface water drainage associated with

Commented [RM4]: Michael comment

Assuming private streets include access easements? Do we need to better match similar language in the driveway section of the code? SDC 4.2-120 A

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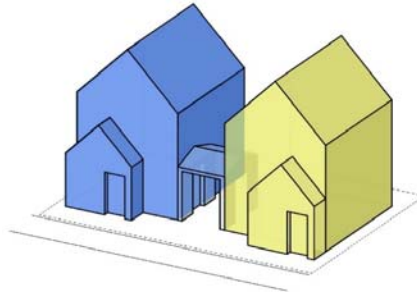
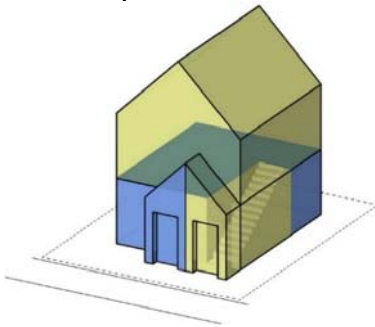
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(d) The city may designate areas within the master plan exclusively for other types of housing, such as multiple unit housing residential structures or manufactured dwelling parks.

(2) If a master plan has been adopted by the city before January 1, 2021, it may limit the development of middle housing other than duplexes provided ~~that the Master Plan~~ authorizes in the entire master plan area a net residential density of at least eight dwelling units per net acre and allows all dwelling units, at minimum, to be detached single-unit dwellings or duplexes. ~~This restriction applies to portions of the area not developed as of January 1, 2021.~~

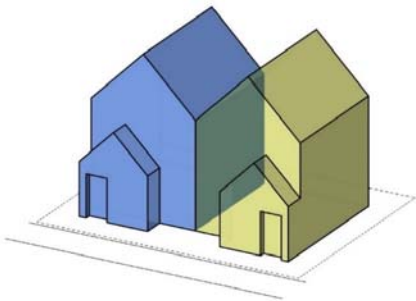
(D) **Examples of Duplex, Triplex, and Fourplex configurations.** The following figures illustrate examples of possible configurations for duplexes, triplexes, and fourplexes. Other configurations are also possible and acceptable, provided the development meets the definitions and development standards for middle housing.

Stacked duplex



Detached duplex units side-by-side

Side-by-side duplex



Duplex attached by garage wall

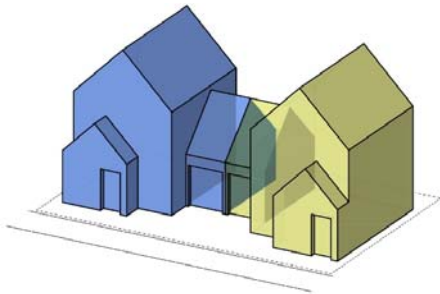
Duplex attached by breezeway

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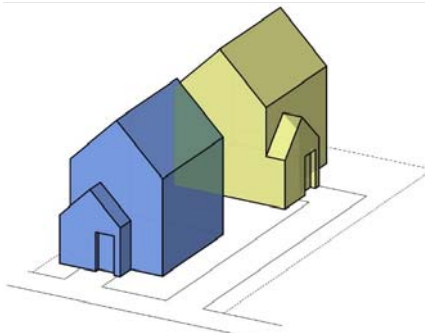
Deleted: The city may only apply t

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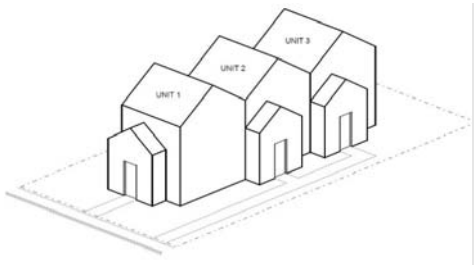
Deleted: and may not apply this restriction after initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that the city may prohibit redevelopment of other housing types, such as multiple unit housing residential structures and manufactured dwelling parks.



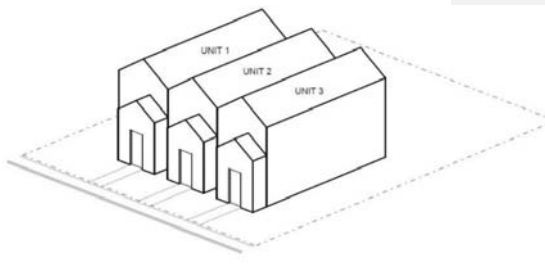
Attached triplex front and back



Attached triplex side-by-side



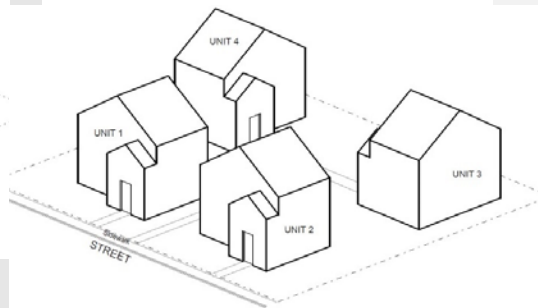
Stacked fourplex



Detached fourplex



Detached duplex units front and back



New triplexes and fourplexes, including those created by adding building square footage on a site occupied by an existing dwelling, must comply with the standards listed below. These standards do not apply to creation of a triplex or fourplex through conversion of a detached single-unit dwelling.

Commented [RM5]: OAR 660-046-0225(2)

May 24, 2021

Page 4 of 61

(A) Entry Orientation. At least one main entrance for each triplex or fourplex structure must meet the standards in subsections (1) and (2) below. Any detached structure for which more than 50 percent of its street-facing façade is separated from the street property line by a dwelling is exempt from meeting these standards.

- (1) The main entrance must be within eight feet of the longest street-facing wall of the dwelling unit; and
- (2) The main entrance must either:
 - (a) Face the street. See Figure 4.7-A;
 - (b) Be at an angle of up to 45 degrees from the street. See Figure 4.7-B;
 - (c) Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides. See Figure 4.7-C; or
 - (d) Open onto a porch (see Figure 4.7-D). The porch must:
 - (i) Be at least 25 square feet in area; and
 - (ii) Have at least one entrance facing the street or have a roof.

Figure 4.7-A. Main Entrance Facing the Street

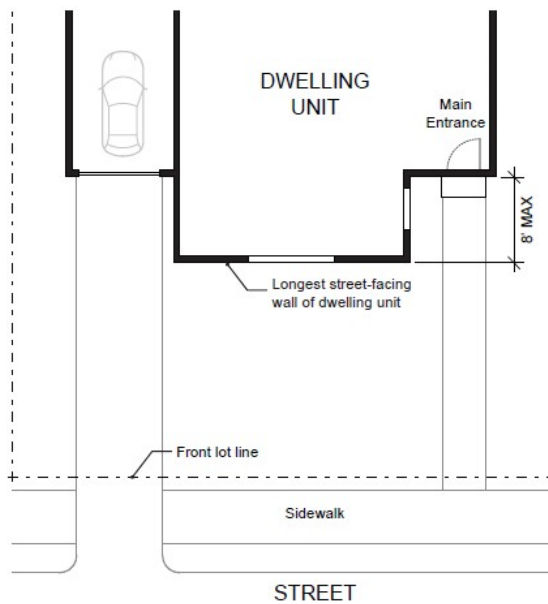


Figure 4.7-B. Main Entrance at 45 Degree Angle from the Street

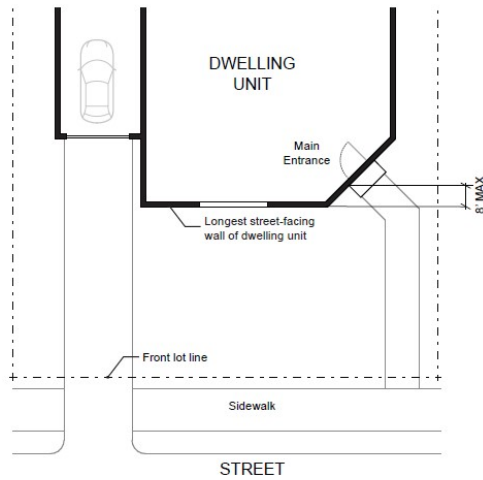


Figure 4.7-C. Main Entrance Facing Common Open Space

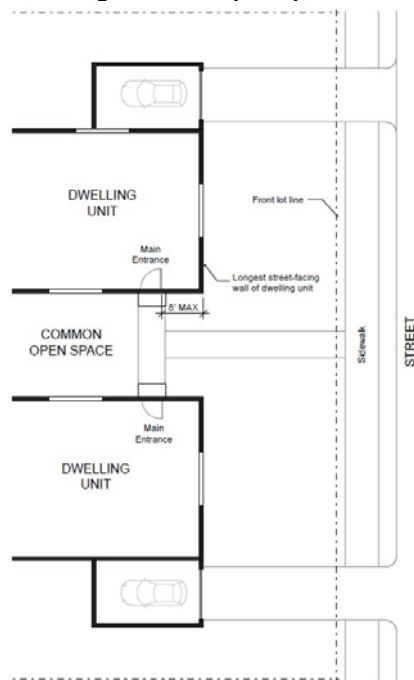
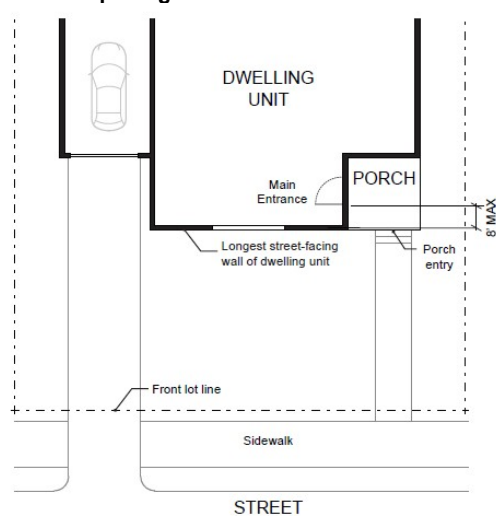


Figure 4.7-D. Main Entrance Opening onto a Porch



(B) Window and Door Coverage. A minimum of 15 percent of the area of all street-facing elevations must include windows or entrance door. Elevations separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 4.7-E.

Figure 4.7-E. Window and Door Coverage

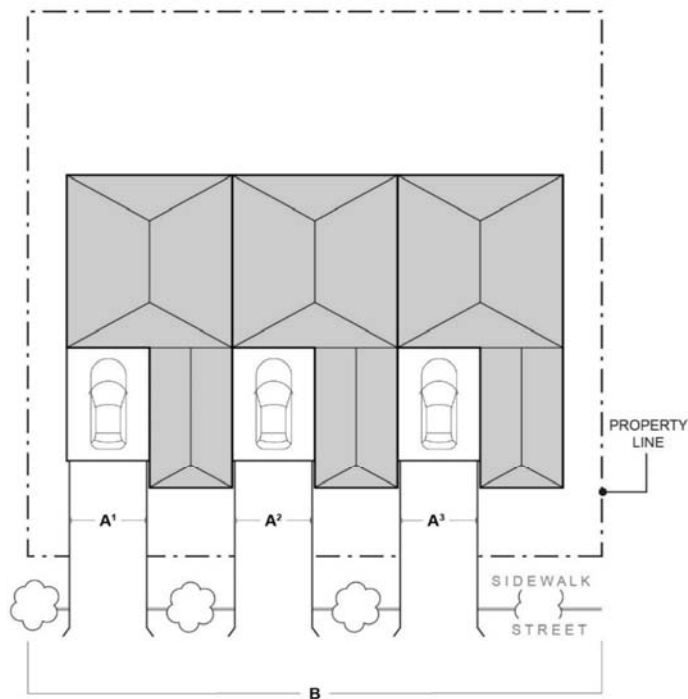


(C) **Garages and Off-Street Parking Areas.** Garages and off-street parking areas must not be located between a building and a public street (other than an alley), except in compliance with the standards in subsection (1) and (2) of this subsection.

(1) The garage of off-street parking area is separated from the street property line by a dwelling; or

(2) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage. See Figure 4.7-F.

Figure 4.7-F. Width of Garages and Off-Street Parking Areas



(A) Garage and on-site parking and maneuvering areas

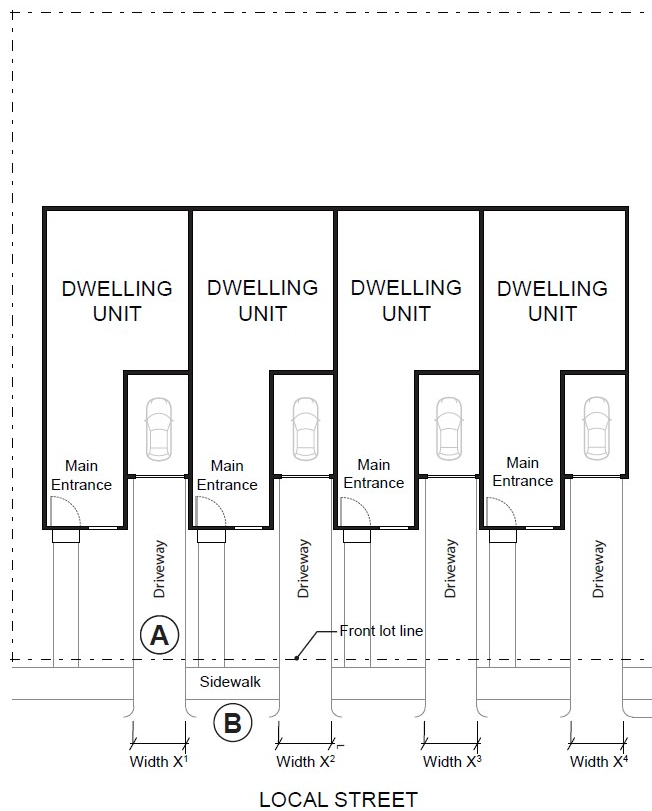
(B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

(D) **Driveway Approach.** Driveway approaches must comply with the following standards.

- (1) The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line. See Figure 4.7-G. For lots or parcels with more than one frontage, see (3) below of this subsection.
- (2) Driveway approaches may be separated when located on a local street. See Figure 4.7-G. If approaches are separated, they must meet the driveway spacing standards of SDC 4.2.120.

Figure 4.7-G. Driveway Approach Width and Separation on Local Street



(A) $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

(B) Driveway approaches may be separated when located on a local street

Commented [RM6]: MK comment. Should encourage or require shared driveways. Response, we have to allow individual driveways.

Commented [RM7R6]: We could look for ways to "encourage" shared driveways.

Commented [RM8]: Comment from Michael L.

Let talk about how we go to this access density standard. I think the figure that is implied would help.

Commented [RM9]: Ask Michael L. about this.

His comment.

Requiring combined driveways on collectors and arterials to minimize conflicts is loosely covered in the code, but we also have issues with these developments getting street trees, streetlights, and other frontage amenities without combining driveways.

Commented [RM10R9]: My read is that we can't require street trees etc. for middle housing types. The emphasis on equity and providing housing for all is overriding livability when it comes things that are nice to have such as street trees, as mandated by the state.

Commented [KK11]: Table 4.2-4 has the driveway spacing standards.

- (3) In addition, lots or parcels with more than one frontage must comply with the following:
- (a) Lots or parcels must access the street with the lowest transportation classification for vehicle traffic.
 - (b) For lots or parcels abutting an improved alley as specified in SDC 4.2.105, access must be taken from the alley. See Figure 4.7-H.
 - (c) Lots or parcels with frontage only on collector and/or arterial streets must meet the Site Access and Driveway Standards in SDC 4.2.120 applicable to collectors and/or arterials.
 - (d) Triplexes and fourplexes on lots or parcels with frontages only on local streets may have either:
 - (i) Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - (ii) One maximum 16-foot wide driveway approach per frontage. See Figure 4.7-I.

Commented [RM12]: Michael L comment

Let's chat about issues with our existing alley width standard as it relates to parking dimensions.

Commented [RM13]: Are there other standards that should be sited here also?

Commented [RM14]: Cite the code section for this.

Commented [RM15]: Comment from Michael.

Code Section 4.2-120 calls out minimizing conflicts when having to take access from arterials or collectors, but we do not have specific access density standards for arterials and collectors.

Commented [RM16]: Comment from Michael

Our current for Duplex is 24 with and Ove width application you can go up to 30. Figure below essentially shows a duplex.

Figure 4.7-H. Alley Access

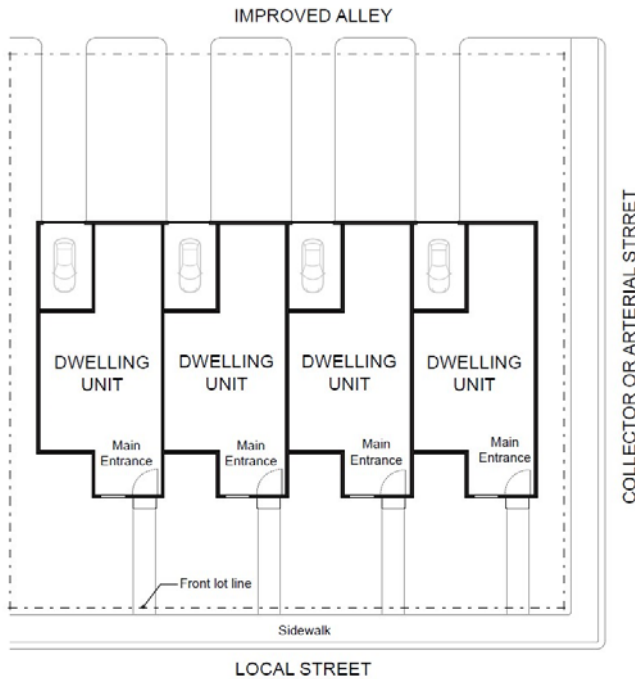
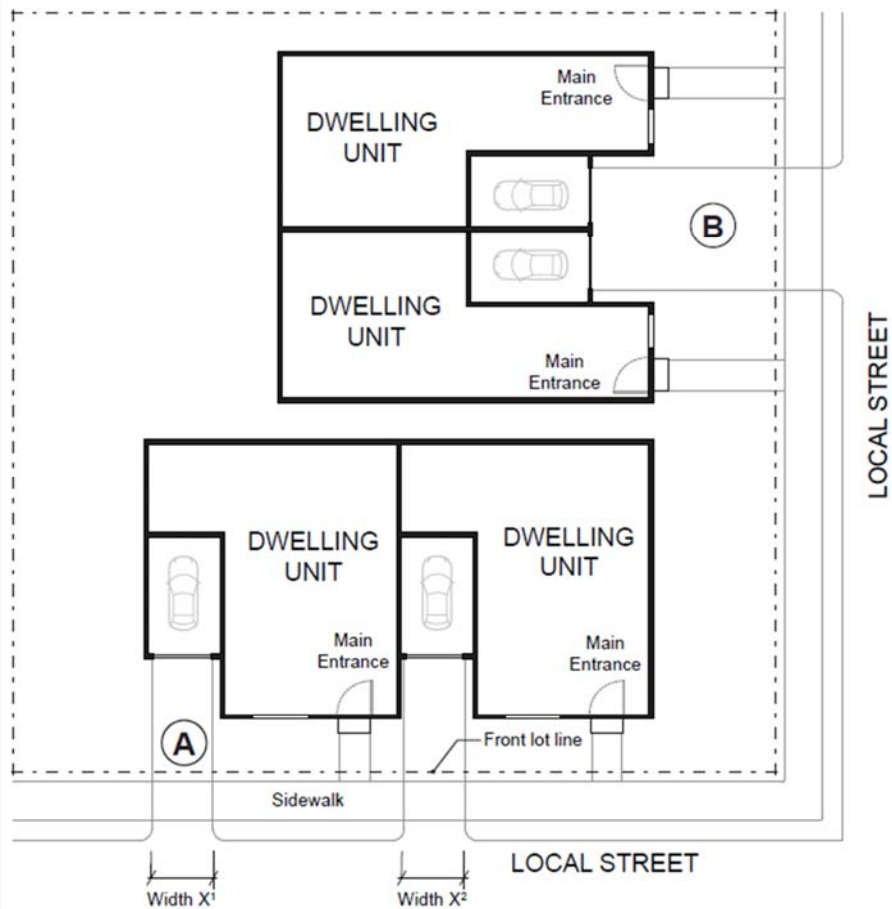


Figure 4.7-I. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

- A** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X_1 + X_2$); or
- B** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

- (E) **Conversions to Triplex and Fourplex.** Internal conversion of an existing detached single unit structure or duplex to a triplex or fourplex is allowed provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted according to SDC 5.8.125.

Commented [KK17]: This section deals with expansion or modification of nonconforming buildings.

Deleted: by the development code

4.7.325 Cottage Cluster Housing

(A) Purpose and Title

Cottage Cluster Housing is a type of flexible site development or subdivision that allows four or more small-scale dwelling units, either attached or detached, grouped together around shared open space.

The Cottage Cluster provisions allow the use as an outright permitted use through a Type 1 ministerial process in the R-1, R-2, and R-3 land use districts if the development meets the following standards in (B) below. However, if the cottage cluster proposes a land division, the land division must also go through the land division process as specified in SDC 5.12.100.

Commented [KK18]: Specify R-1, R-2, and R-3 to remove ambiguity about mixed use zones?

Deleted: all the residential

Commented [KK19]: Flagging that we will need to change this for the middle housing land division bill.

(B) Density

- (1) Minimum density of at least four units per net acre must be met.
- (2) There is no maximum density for a cottage cluster housing project.

Deleted: not

(C) Number of Dwelling Units

- (1) A Cottage Cluster development must include a minimum of four dwelling units.

(D) Lot Size and Dimensions

- (1) The minimum lot or parcel size for a cottage cluster housing development is 5,000 square feet for the entire development area.
- (2) The minimum lot or parcel size for individual cottages in a cottage cluster housing project, when a land division divides the cottages onto their own lots or parcels, may be as small as the footprint of the cottage.
- (3) There are no minimum dimensions for individual cottage lots or parcels.

Commented [RM20]: Could require up to 7,000 square feet.

Deleted: project site

(E) Dwelling Unit Size

- (1) The maximum building footprint size for each dwelling unit is 900 square feet. For each dwelling unit, 200 square feet for an attached garage or carport is exempt from the 900 square foot maximum.
- (2) Detached garages, carports, or other accessory structures are exempt from the 900 square foot maximum footprint.

Commented [KK21]: Is some of this duplicated in the R-1, R-2 and R-3 district standards?

(F) **Accessory Structures.** Accessory structures must not exceed 400 square feet in floor area.

(G) **Setbacks.** The following perimeter setbacks apply to the perimeter of a Cottage Cluster development area.

(1) **Front setbacks:** Ten feet.

(2) **Side setbacks:** Five feet.

(3) **Rear setbacks:** Five feet.

(H) **Building Separation.** The minimum distance between structures must be in accordance with the building code requirements.

(I) **Building Height.** The maximum height of structures in a Cottage Cluster Project is 35 feet.

(J) **Orientation.** Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards. See Figure 4.7-J.

(1) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.

(2) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard by meeting the following:

(a) Have a main entrance facing the common courtyard;

(b) Be within ten feet from the common courtyard, measured from the elevation of the cottage nearest the courtyard to the nearest edge of the common courtyard; and

(c) Be connected to the common courtyard by a pedestrian path.

(3) Cottages within 20 feet of a street property line may have their entrances facing the street.

(4) Cottages not facing the common courtyard, or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

(K) **Common Courtyard Design Standards.** Each cottage cluster must share a common courtyard to provide a sense of openness and community of residents. Common courtyards must meet the following standards. See Figure 4.7-J.

(1) The common courtyard must be a single, contiguous piece.

(2) Cottages must abut the common courtyard on at least two sides of the courtyard.

Deleted: Project site

Commented [RM22]: Could be a max of 10 feet.

Commented [RM23]: Needed? Regulated by building code. Not checked through planning?

Commented [RM24]: Could be lower. Rules are silent on this. We have to allow at least 25 feet or two story (from model code).

Commented [KK25]: Same comment as above - duplicative?

Commented [KK26]: Changed to be consistent with your change from "facade" to "elevation" for triplexes and quadplexes

Deleted: façade

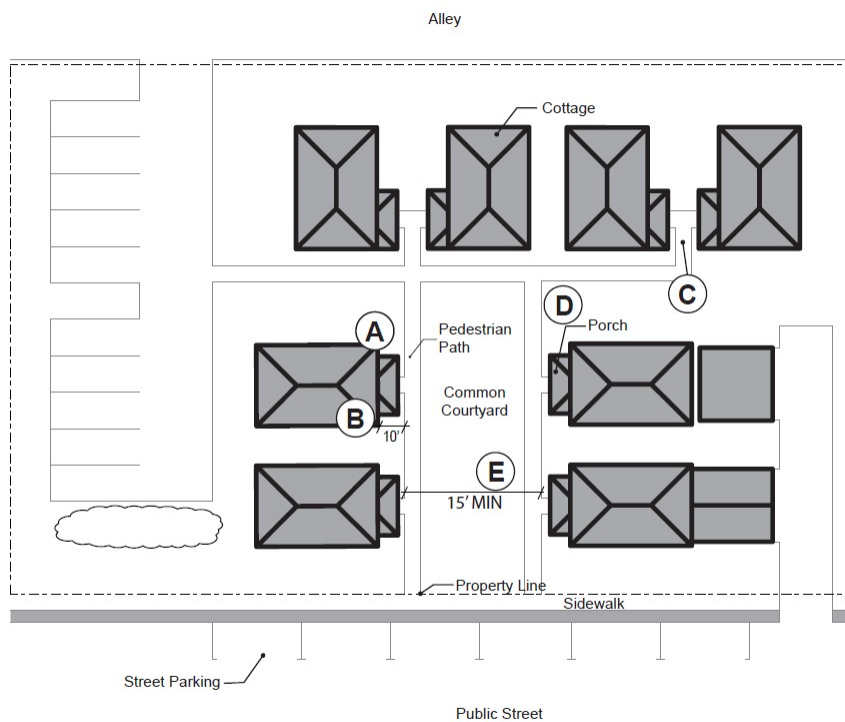
- (3) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (4) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (5) The common courtyard must be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard must not exceed 75 percent of the total common courtyard area.
- (6) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard count toward the courtyard's minimum dimension and area. Parking areas, and driveways do not qualify as part of a common courtyard.

(L) **Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day cares, or community eating areas. If community buildings are provided, they must meet the following standards.

- (1) Each cottage cluster is permitted one community building.
- (2) A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a dwelling.

Deleted: primary

Figure 4.7-J. Cottage Cluster Orientation and Common Courtyard Standards



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

(M) Pedestrian Access

- (1) An ADA accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - (a) The common courtyard;
 - (b) Shared parking areas;
 - (c) Community buildings; and
 - (d) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are not sidewalks.
- (2) The pedestrian path must be hard-surfaced and a minimum of four feet wide.

(N) Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single-unit dwellings in the same residential land use district.

(O) Parking

- (1) The minimum number of required off-street parking spaces for a cottage cluster project is one space per dwelling unit.
- (2) Off street parking spaces may be provided in a garage or carport.
- (3) Off street parking space credits are allowed in conformance with the standards of SDC 4.6.110.

(P) Parking Design. See Figure 4.7-K.

- (1) **Clustered parking.** Off-street parking may be arranged in clusters, subject to the following standards.
 - (a) A cottage cluster project with fewer than 16 cottages is permitted to have parking clusters of not more than five contiguous spaces in each parking cluster.
 - (b) A cottage cluster projects with 16 cottages or more is permitted to have parking clusters of not more than eight contiguous spaces in each parking cluster.
 - (c) Parking clusters must be separated from other spaces and other parking clusters by at least four feet of landscaping.
 - (d) Clustered parking areas may be covered.
- (2) **Parking location and access.**
 - (a) Off-street parking spaces and vehicle maneuvering areas must not be located:

Commented [RM27]: Question from Emma.

ADA accessible?

Commented [KK28R27]: Yes, I think this is intended to mean ADA accessible.

Add definition to 6.1.110: "ADA accessible" means (1) a site, building, facility, or portion thereof that complies with the 2010 ADA Standards for Accessible Design, or (2) a facility within a public right of way that complies with the Public Rights-of-Way Accessibility Guidelines.

Commented [RM29]: ADA?

Commented [RM30]: MK comment. Zero parking for 4 cottages or less, then 3 for 6 units, 4 for 8 etc. Response, could consider reduced parking for cottage clusters.

Commented [RM31]: Emma asked about editing this language. To what? We can be more permissive but not more restrictive. We can reword if the requirement stays the same.

Commented [RM32]:
Clayton comment

This can cause some difficulties with stormwater treatment since a bunch of widely dispersed parking areas are much more expensive to treat than a single larger area-and more expensive to build also. It can result in a much larger paved area as the driveways between these dispersed parking areas also take up a lot of space.

May 24, 2021

Page 16 of 61

(i) Within five feet from any street property line, except alley property lines; or

(ii) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.

(b) Off-street parking spaces must not be located within five feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within ten feet of other property lines.

(3) **Screening.** Landscaping, fencing, or walls at least three feet tall must separate clustered parking areas and parking structures from common courtyards and public streets.

(4) **Garages and carports**

(a) Garages and carports (whether shared or individual) must not abut common courtyards.

(b) Individual attached garages up to 200 square feet in size are exempt from the calculation of maximum building footprint for cottages.

(c) Individual detached garages must not exceed 400 square feet in floor area.

(d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

(Q) **Existing Structures.** On a lot or parcel to be used for a cottage cluster project, an existing detached single unit dwelling on the same lot or parcel at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:

(1) The existing dwelling may be nonconforming with respect to the requirements of this code.

(2) The existing dwelling may be expanded up to the maximum height in (I) above or the maximum building footprint in (E) above; however, existing dwellings that exceed the maximum height and/or footprint of this code cannot be expanded.

(3) The floor area of the existing dwelling does not count towards the maximum average floor area of a cottage cluster.

(4) The existing dwelling is excluded from the calculation of orientation toward the common courtyard.

Commented [RM33]:

This seems excessive. Parking in a driveway should be allowed similar to a SFD??? We could reduce this dimension.

Comment from Michael

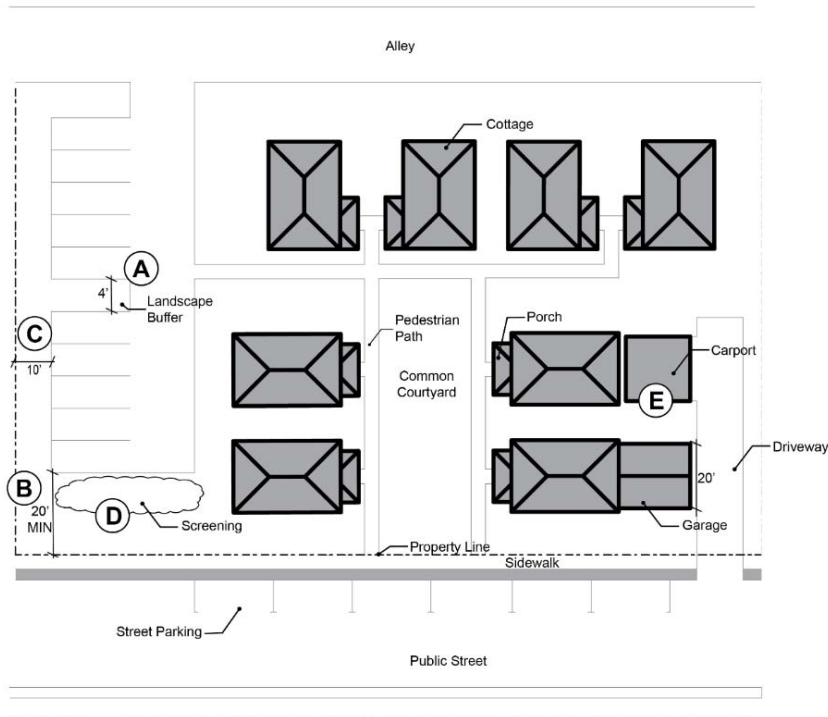
Is this driveway throat depth. Should it match our Table 4.2-2 language and dimension?

Commented [RM34]:

Comment from Michael

Are we okay on corners having parking between the street and a Side Façade? Looks like we account for that with the screening requirement below?

Figure 4.7-K. Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

(R) Accessory Structures. Accessory Structures must not exceed 400 square feet in floor area.

(S) Home Types

- (1)** Detached or attached dwelling unit types containing one to four dwelling units are allowed.

Commented [RM35]: This is optional. Could limit size of detached garage.

- (2) Accessory dwelling units (ADUs) (either within, attached, or detached) are allowed for any detached or attached dwelling in a cluster housing development.

4.7.330 Townhomes

- (A) New townhome units must comply with the requirements in subsections (A)(1) through (4) of this section.

For purpose of this section, a "Townhome" means (as defined in SDC 6.1.100) 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 dwelling unit. Single unit attached homes may have detached garages or ADUs that share a common wall between the two lots or parcels.

- (1) **Areas Owned in Common.** Common areas must be maintained by a homeowner's association or other legal entity. A homeowner's association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions, and conditions must be recorded and provided to the City prior to issuance of building permits.
- (2) **Entry Orientation.** The main entrance of each townhouse must:
- (a) Be within eight feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - (b) Either:
 - (i) Face the street. See Figure 4.7-A;
 - (ii) Be at an angle of up to 45 degrees from the street. See Figure 4.7-B;
 - (iii) Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - (iv) Open onto a porch. See Figure 4.7-C. The porch must:
 - (aa) Be at least 25 square feet in area; and
 - (bb) Have at least one entrance facing the street or have a roof.
- (3) **Windows.** A minimum of 15 percent of the area of all street-facing elevations on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 4.7-E.
- (4) **Driveway Access and Parking.** Townhouses with frontage on a public street must meet the following standards:

Deleted: jurisdiction

Deleted: ~~<#>~~ **Unit Definition.** Each townhouse must include at least one of the following on at least one street-facing façade. See Figure 4.7-L:

Deleted: ~~<#>~~ ¶

A roof dormer a minimum of four feet in width;

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A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room;

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A bay window that extends from the façade a minimum of two feet; or ¶

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An offset of the façade that is a minimum of two feet in depth, either from the neighboring townhouse or within the façade of a single townhouse;

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An entryway that is recessed a minimum of three feet;

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A covered entryway with a minimum depth of four feet; or ¶

A porch meeting the standards of subsection (A)(21)(b)(iv) of this section

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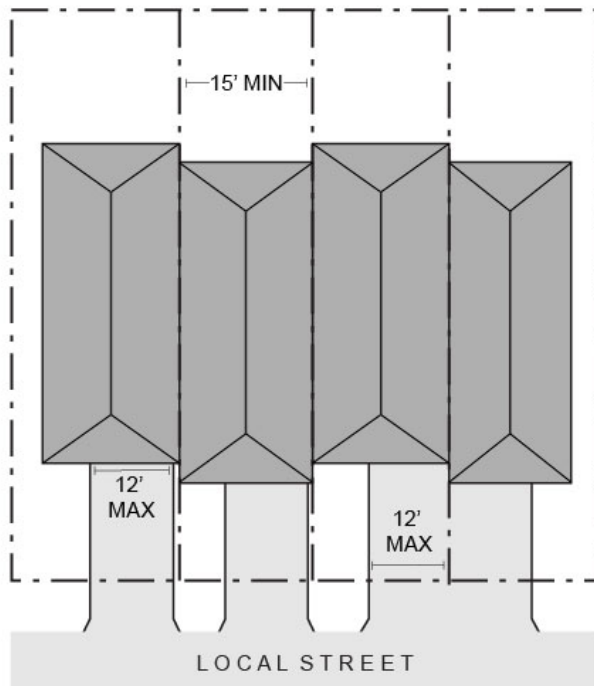
Deleted: ~~<#>~~ C). ¶

Deleted: Balconies and bay windows may encroach into a required setback area. ¶

Deleted: Figure 4.7-L. Townhouse Unit Definition ¶ ... [1]

- (a) Garage on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards. See Figure 4.7-M.
- (i) Each townhouse lot has a street frontage of at least 15 feet on a local street.
 - (ii) A maximum of one driveway approach is allowed for each townhouse. Driveway approaches and/or driveways may be shared.
 - (iii) Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
 - (iv) The garage width must not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 4.7-M. Townhouses with Parking in Front Yard



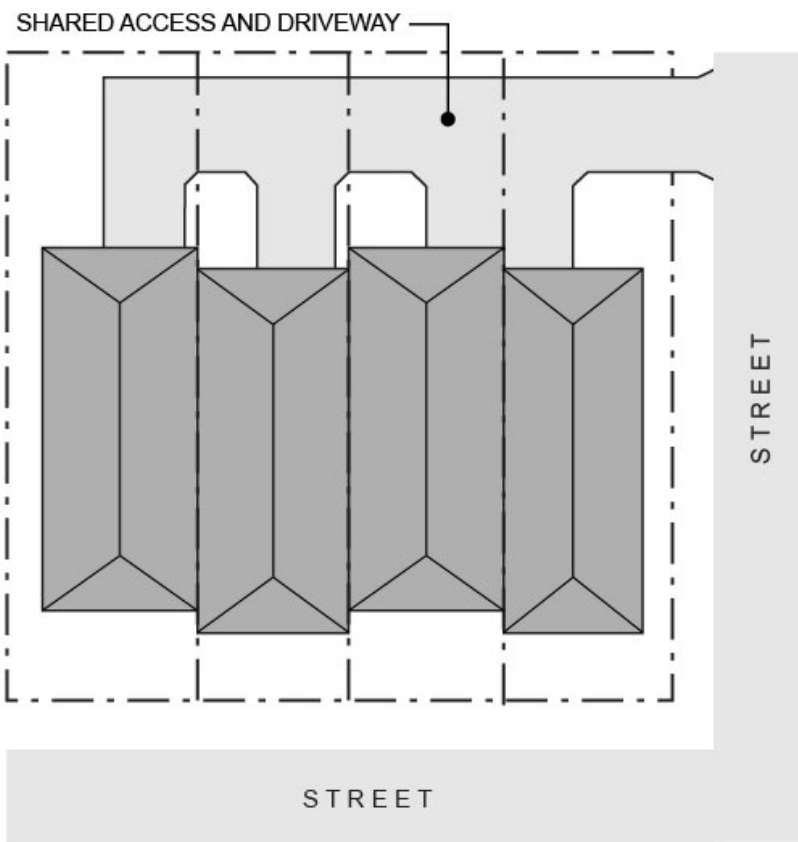
Commented [RM37]:

Michaels comment

Need to show on a corner for driveway setback from curb return.

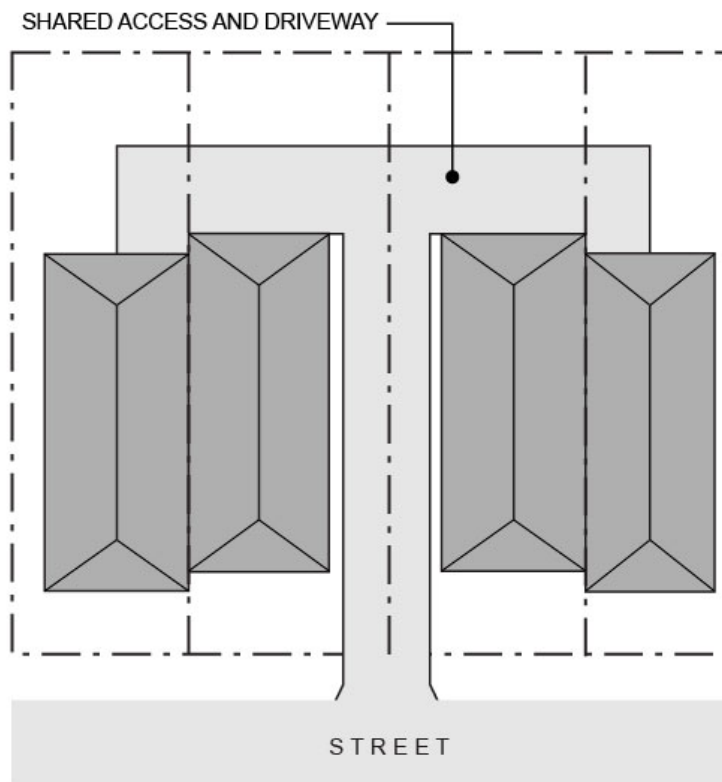
- (b) The following standards apply to driveways and parking areas for townhouse projects that do not meet all the standards in subsection (a) in this section.
- (i) Off-street parking areas must be accessed on the back façade or located in the rear yard. No off-street parking is allowed in the front yard or side yard of a townhouse.
 - (ii) A townhouse project that includes a corner lot must take access from a single driveway approach on the side of the corner lot. See Figure 4.7-N.

Figure 4.7-N. Townhouses on Corner Lot with Shared Access



- (iii) Townhouse projects that do not include a corner lot must consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 4.7-O.

Figure 4.7-O. Townhouses with Consolidated Access



- (iv) A townhouse project that includes consolidated access or shared driveways must grant access easements to allow normal vehicular access and emergency access.
- (c) Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b) of this section.

4.7.335 Courtyard Housing

(A) Detached courtyard houses on individual lots are subject to the same standards as single unit detached housing, except that a three foot minimum side yard setback is allowed on one side of a typical lot and a seven foot setback is required on the other side of the lot. As shown in Figure 4.7-P, this type of housing is permitted to allow development on narrow lots and still provide usable outdoor living area in side-oriented courtyards. The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance.

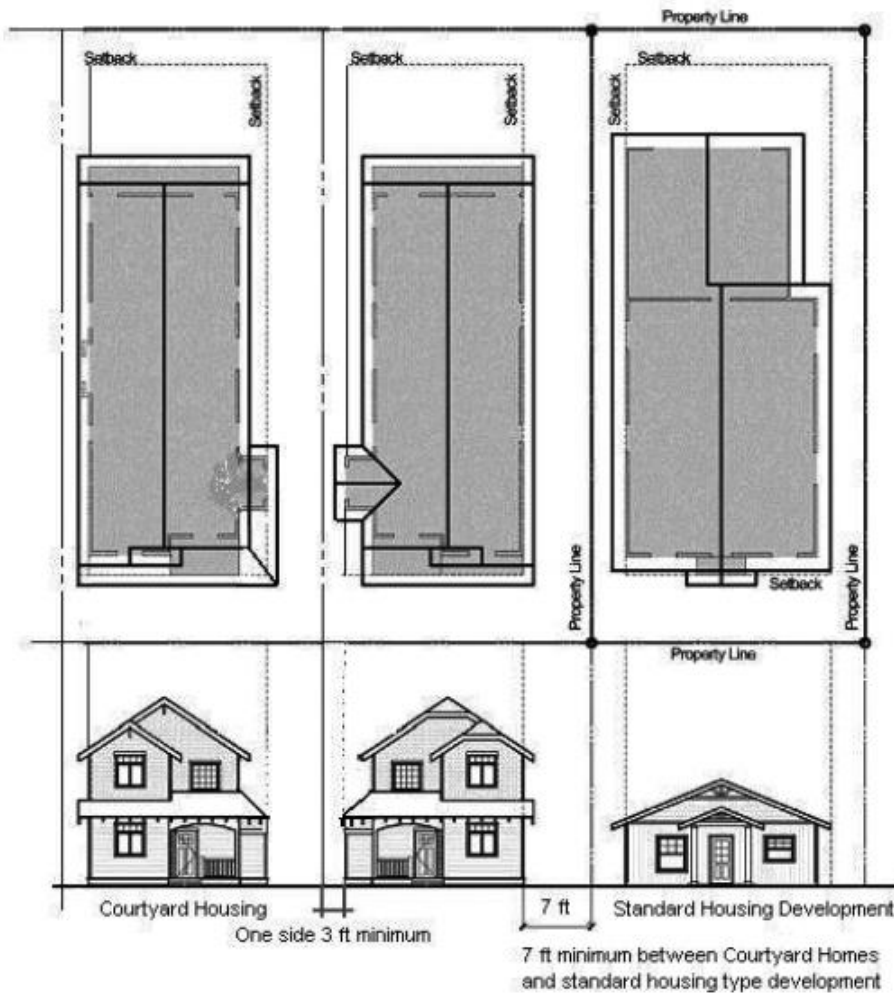
- (1) **Setbacks Adjacent to Non-Courtyard Housing Development.** When a courtyard house shares a side property line with a non-courtyard development (including vacant lots), the courtyard building must be set back from the common property line by a minimum of seven feet.
- (2) **Construction and Maintenance Easement.** Prior to building permit approval, the applicant must submit a copy of a recorded easement for every courtyard house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement must stipulate that no fence or other obstruction can be placed in a manner that would prevent maintenance of structures on the subject lot.
- (3) **Buffering.** The building placement and design of windows must provide a buffer for the occupants of abutting courtyard lots. This standard is met by:
 - (a) Placing ground-floor windows along the courtyard side of the house where views are directed into the yard(s) for the subject house;
 - (b) By directing views away from neighboring lots yards (e.g., bay window); or
 - (c) By using frosted glass or other permanent window covering that obscures any view to the exterior but allows light into the interior.

These standards do not apply to adjoining non-zero lot line lots.

Commented [RM38]: MK comment. 10 feet instead of 7 feet.

Commented [RM39R38]: Response. Typical would be 5, so requiring 7 is larger than the typical 5 foot side already.

Figure 4.7-P – Courtyard Housing



4.7.340 Accessory Dwelling Unit (ADU)

(A) **Purpose.** An accessory dwelling unit is intended to:

- (a) Provide the opportunity to add accessible and affordable units to existing neighborhoods and new residential areas;

- (b) Provide flexibility to accommodate changes in household size or composition over the course of time, allowing for intergenerational living and on-site caretakers or assistants;
- (c) Make efficient use of residential land; and
- (d) Fit into the neighborhood while maintaining stability, property values.

(B) An accessory dwelling unit may be established by:

- (1) Converting an attic, basement, or garage or any other portion of the primary dwelling;
- (2) Adding floor area to the primary dwelling, including a second story;
- (3) Constructing a detached accessory dwelling unit on a lot or parcel with a primary single unit dwelling; or
- (4) Converting an existing dwelling unit to the accessory dwelling unit (if it is less than 800 square feet) and building a primary dwelling unit.

(C) Applicability

- (1) Accessory dwelling units are permitted on R-1 properties with a primary dwelling.
 - (a) In instances where a development can meet the definition of a duplex and also meets the definition of a primary single unit dwelling with an Accessory Dwelling Unit (ADU), the applicant must specify at the time of application whether the development is a duplex or a primary single unit dwelling with an ADU.
- (2) Accessory dwelling units are permitted on R-2 properties with a primary dwelling, according to the following standards.
 - (a) On a lot or parcel with area 6,650 square feet or less, one or two accessory dwelling units are permitted.
 - (b) On a lot or parcel with area greater than 6,650 square feet but not greater than 10,000 square feet, a minimum of two accessory dwelling units must be constructed..
 - (c) An accessory dwelling unit is not permitted on a lot or parcel with area greater than 10,000 square feet.
 - (d) If two accessory dwellings are constructed, at least one must be detached from the primary dwelling.
- (3) Accessory dwelling units are permitted on R-3 properties with a primary dwelling, according to the following standards.
 - (a) On a lot or parcel with area 3,200 square feet or less, one or two accessory dwelling units are permitted.

Commented [RM40]: MK comment. Could ADU be allowed as primary? Response, addressed by SB in email.

(b) On a lot or parcel with area greater than 3,200 square feet but not greater than 4,800 square feet, a minimum of two accessory dwelling units are permitted.

Commented [RM41]: See same comment above. Must be provided/constructed????

(c) An accessory dwelling unit is not permitted on a lot or parcel with area greater than 4,800 square feet.

(d) If two accessory dwellings units are constructed, at least one must be detached from the primary dwelling.

(4) Accessory dwelling units are permitted within the Historic Overlay District subject to the provisions of SDC 3.3.910 through SDC 3.3.945.

(D) Review

(1) An accessory dwelling unit is reviewed under Type 1 procedure except in the Historic Overlay District or except as provided in SDC 4.7.340(F) and SDC 4.7.340(H)(3) when the accessory dwelling unit is reviewed under a Type 2 procedure.

(E) Submittal Requirements

(1) A plan drawn to scale and dimensioned showing:

(a) The proposed accessory dwelling unit and its relation to the property lines;

(b) The primary dwelling and other structures on the lot or parcel including fences and walls;

(c) Existing and proposed trees and landscaping;

(d) Lot or parcel area and dimensions, percent of lot or parcel coverage, building height, entrance locations; location of utilities and meters, curb cuts, sidewalks (public and private) and off-street parking area;

(e) Stormwater destination and/or facility;

(f) A detailed floor plan of the accessory dwelling unit, drawn to scale with labels on rooms indicating uses or proposed uses; and

(g) A separate written response demonstrating how the required development standards listed in SDC 4.7-340(G) can be met.

(F) **Development Standards.** An accessory dwelling unit must meet the following standards:

(1) The accessory dwelling unit must meet all applicable clear and objective standards in this Code that apply to the primary dwelling including, but not limited to setbacks, height, lot or parcel coverage,

Deleted: ;

Deleted: , and building codes in effect at the time of construction...

(2) The accessory dwelling unit must contain a kitchen, bathroom, living, and sleeping area that are completely independent from the primary dwelling.

May 24, 2021

Page 26 of 61

(3) The accessory dwelling unit must not exceed 800 square feet or the square footage of the primary dwelling (exclusive of the garage for the primary dwelling), whichever is less.

(4) The accessory dwelling unit must have an outside entrance that is separate from the entrance to the primary dwelling.

(5) A hard surface walkway, a minimum of three feet wide, must be provided from the primary entrance of the accessory dwelling unit to the street or walkway serving the primary dwelling.

(6) Each dwelling unit must have its own address.

(7) Outdoor storage and garbage areas must be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall 100-percent sight obscuring fence or enclosure on at least three (3) sides.

(8) If a Type 2 manufactured home or a towable structure (that is permitted, inspected and approved by the local authority having jurisdiction) is brought to the site as an accessory dwelling unit, it must have its tongue and towing apparatus removed

(G) **Design Standards.** An accessory dwelling unit within or attached to the main dwelling must either match the primary dwelling or meet the alternative standards. A newly constructed detached accessory dwelling unit must match the primary dwelling, meet clear and objective standards, or meet the alternative standards. Conversion of a structure permitted under SDC 4.7.105(A) to an accessory dwelling unit is not required to meet the design standards and may be approved under a Type 1 procedure; however, exterior alterations such as those necessary to meet building codes must meet relevant design standards below (match primary dwelling or meet clear and objective standards).

(1) **Match Primary Dwelling.** An accessory dwelling unit may be approved under Type 1 procedure if it meets the following design standards except that these standards may be altered when necessary to meet current fire or building codes:

- (a) Exterior finish materials must be the same as or visually match those of the primary dwelling in terms of type, size, and placement.
- (b) Roof pitch must be the same as the predominant roof pitch of the primary dwelling.
- (c) The trim around the doors and windows must be the same type and finish as the primary dwelling.
- (d) Windows must match those of the primary dwelling in terms of proportion (height and width ratio) and orientation (vertical vs. horizontal).
- (e) Eaves must project from the accessory dwelling unit addition the same distance as the eaves on the primary dwelling.

(2) **Meet Clear and Objective Standards.** A detached accessory dwelling unit may be approved under Type 1 procedure if it meets the following design standards:

Commented [RM43]:

This is an existing standard for ADU's in 5.5.125(D).

What if there was one main shared entrance into a "lobby" and then two internal entrances, one to each unit. Why prohibit that flexibility.

Commented [RM44R43]: MK had comment in support of this. Could revise language to address.

Commented [RM45]: MK comment. Remove design standards for ADU's. Allow more flexibility. Response. Trying to stay "policy neutral", not making changes to existing code standards. These are fairly recent. But staff supports reducing design standards.

- (a) Only non-reflective siding and roofing materials are allowed.
 - (b) Minimum roof pitch is 3 in 12.
 - (c) Eaves must project from the accessory dwelling unit at least one foot on all elevations.
 - (d) The primary entry must have a covered or roofed entrance with a minimum depth and width of three feet.
- (3) Meet Alternative Standards. An accessory dwelling may be approved under Type 2 procedure if it meets the following design standards:
- (a) Siding, roofing materials, and windows must be similar to those used on residential dwellings in the surrounding neighborhood.
 - (b) Entrances, windows, and balconies must be designed and located with consideration of the privacy of residential neighbors.

(H) Non-Conforming Lot or Parcel Sizes

- (1) Accessory dwelling units are not permitted on lots/parcels that do not meet the applicable minimum lot or parcel size stated in SDC 3.2.215.

(I) Prohibited Use

- (1) Mobile homes, recreational vehicles, motor vehicles, and travel trailers cannot be used as an accessory dwelling unit. Type 2 Manufactured Homes and towable structures that are permitted, inspected, and approved by the local authority having jurisdiction are allowed.

4.7.345 Manufactured Dwelling Park

A manufactured dwelling park is subject to site plan review, and the following criteria:

- (A) **Minimum Area Required.** A manufactured dwelling park must consist of a minimum area of one acre.
- (B) **Space Size.** The average area of a manufactured dwelling site must not be less than 4,000 square feet excluding roadway, recreation areas, and other accessory facilities. No manufactured dwelling site can be less than 2,000 square feet in area.
- (C) **Access.** A manufactured dwelling park access must be located on public streets improved to meet minimum standards and which are improved to a point intersecting a collector or arterial street.
- (D) **Permitted Uses.** A manufactured dwelling park may contain manufactured homes and accessory structures permitted in this chapter, community laundry and recreation facilities, and other common buildings for use by park residents only, and one residence other than a manufactured dwelling for the use of a caretaker or a manager responsible for maintaining or operating the property.
- (E) **Access Improvement Standards**

- (1) **Park Streets.** The minimum paved surface width of the roadway within an access way must be 24 feet if there is no parking allowed and 30 feet if parking is allowed on both sides. The first 50 feet of the access way measured from the public street must be surfaced to a minimum width of 30 feet and must be connected to the existing public street according to plans approved by the City.
- (2) **Improvement Standards.** The improvement of driveways, walkways, streets, drainage, and other utilities must conform to adopted State standards for such or must conform to the City's Standards and Specifications manual, whichever is more restrictive.

4.7.350 Residential Facility

A Residential Facility must comply with the following standards.

- (A) **Licensing.** All residential care homes and facilities must be licensed by the State of Oregon.
- (B) **Site Plan Review.** Site Plan Review is required for new structures to be used as a residential facility, to ensure compliance with the licensing, parking, and other requirements of this code. A Residential Training Home is exempt from this requirement.

4.7.355 Rooming House

A rooming house use is permitted in all Residential Districts within a structure used as a residence and must comply with the following standards.

Commented [RM46]: Must be clear and objective

Commented [RM47]: Delete?

Commented [RM48]: See ORS 197.314(5)

Commented [RM49]: Not sure state law (ORS 197.314) allows us to regulate space size.

Commented [RM50R49]: @KRAAZ Kristina could you look at this?

Commented [RM51]: MK comment, reduce this size. See other comments.

Commented [RM52]: lot

Commented [RM53]: Should this number be changed? Seems high. Lower to 3000 (or less) to match R-1 lot size reduction.

Commented [RM54]: Review against TSP changes and street standards.

Commented [RM55]: Comment from Melissa
What about parking on one side?

Commented [RM56]: Michael comment.

We allow 20 foot curb to curb streets and when we add parking it is 8 feet for each side. Fire code needs to be checked on this one!

Commented [RM57]: Michael comment

Should be paved throughout for emergency access and a host of other reasons.

Commented [RM58]: Cant ref. this. These standards need revised.

Commented [RM59]: Will this push us to requiring our urban curb gutter and sidewalk standard?

Commented [RM60]: Defined and regulated by ORS 443.400-.455

Commented [KK61]: For future drafts, you can consider removing these special requirements and adding definition of "residential facility licensed under ORS 443.400 to 443.455" to 6.1.110, and site plan review requirement can go in that section. Neither A or B here are really special standards.

Commented [KK62]: Feel free to call this something else.

Deleted: Bed and Breakfast

Deleted: bed and breakfast

- (A) **Maximum Size.** The rooming house use is limited to a maximum of four bedrooms for guests and a maximum of eight guests per night.
- (B) **Employees.** The rooming house use may have up to one full time equivalent nonresident employee for the facility.
- (C) **Food Service.** Food services may be provided only to overnight guests of the rooming house use.
- (D) **Owner- or Operator-Occupied.** The rooming house must be owner- or operator-occupied and must maintain the exterior physical characteristics of a single unit dwelling.
- (E) **Location.** There must be at least 400 feet of separation along the same street between rooming house uses.

Deleted: bed and breakfast

Deleted: bed and breakfast

Deleted: bed and breakfast

Deleted: bed and breakfast inn

Commented [KK63]: Revise instead of "single unit dwelling," "the original dwelling type"? Or, if they are only for single dwelling units, we should revise the main text instead of "within a structure used as a residence" say "within a single dwelling unit."

Commented [RM64]: Michaels comment

Maybe this is how we account for parking? If not should be have a siting requirement for parking?

Commented [KK65RM64]: The Rooming House code currently requires 0.5 parking spaces per bedroom. That could be incorporated into the B&B standards.

Deleted: bed and breakfast

Deleted: <#>Signs. Signs must meet the standards of City of Springfield Municipal Code 8.200, Signs.¶¶

Commented [KK66]: These aspects are covered independently through the municipal code, or could be covered by the City Council in a future business licensing process.

Deleted: <#>Monitoring. All bed and breakfast uses must register with the City of Springfield for Transient Room Tax and must maintain a guest logbook. It must include the names and home addresses of guests, guests' license plate numbers if traveling by car, dates of stay and the room number of each guest. The log must be available for inspection by City staff upon request.

Deleted: <#>¶¶

Commented [RM67]: Define?

Commented [RM68]: Define?

4.7.360 Accessory Uses and Structures

Accessory uses and structures are those of a nature customarily incidental and subordinate to the primary use or structure on the same lot. Typical accessory structures include detached garages, sheds, workshops, greenhouses, and similar structures. This section does not apply to accessory dwelling units (ADUs). For standards applicable to ADUs, see SDC 4.7.340. Accessory structures must comply with all the following standards and the applicable land use district. Where conflicting or more permissive standards exist in this section, these standards prevail.

- (A) **Primary Use Required.** An accessory structure or use is only allowed on a lot or parcel after the primary use is established. The accessory use must be a permitted use in the land use district.
- (B) **Restrictions**
 - (1) A kitchen is not allowed.
 - (2) A wet bar is not allowed to be installed within an accessory structure unless the property owner signs a City of Springfield compliance form stating that the structure will not be used as a dwelling unit.
- (C) **Floor Area.** The maximum floor area of an accessory structure in a residential land use district must not exceed 1,500 square feet.
- (D) **Building Height.** The building height of a detached accessory structure must not exceed 25 feet. In order to consider the accessory structure to be attached to the primary dwelling unit, it must be attached by one of the following options and there must be an opening that allows for internal access through livable space to the primary portion of the dwelling unit:
 - (1) The accessory structure must share a common wall for at least 25 percent of the length of the common wall of the primary dwelling unit; or

- (2) The entire length of one elevation of the accessory structure must be attached to the primary dwelling unit.

The shared or attached wall must be the wall of an enclosed interior space, and does not include porches, patios, decks, or stoops.

4.7.365 Home Business

A home business is a lawful activity carried on within a dwelling or accessory structure by a permanent occupant of the dwelling. A home business is permitted provided that meets all the following standards.

- (A) The primary use of the building is a dwelling.
- (B) The business is a secondary use that does not significantly affect the residential character of the dwelling or neighborhood.
- (C) Compliance with the following standards must always be maintained.
 - (1) There must not be any display which would indicate from the exterior that the building is being used for any purpose other than a residential dwelling.
 - (2) There must not be any outside storage of materials visible from public property or adjacent private property.
 - (3) Mechanical equipment, unless compatible with residential purposes, is prohibited.
 - (4) There must not be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line resulting from the home business.
 - (5) The home business must not create hazardous traffic conditions or utilize on-street parking of nearby properties.
 - (6) If the proposed home business requires any modification to the dwelling or accessory structure of a nature that is not typically found in a residential district, the proposed home business is considered inappropriate and prohibited.
 - (7) No merchandise, other than what is produced on-site, can be sold to the public from premises.
 - (8) The use or storage of heavy equipment or heavy vehicles is not permitted. Heavy equipment and heavy vehicles includes but is not limited to semi-truck, truck and trailer, backhoe, tracked excavator, skid steer, refrigerator truck, livestock truck, commercial bus, farm tractor, garbage truck, tow truck, and log truck.
 - (9) Any home business, which requires more than one vehicle for its operation is prohibited. The one vehicle permitted is limited to a passenger vehicle, passenger van, or light-duty pick-up truck.
 - (10) No residence is allowed to be used as a headquarters or dispatch center where employees or subcontractors report to the residence to be dispatched elsewhere.

Commented [RM69]: Check muni code? Can we ref. muni code for noise standard?

Commented [KK70R69]: Chapter 5 has muni code standards - however those already apply to all property so if you don't want to adopt a stricter standard than muni code you wouldn't need to put it here, necessarily.

Commented [RM71]: Emma comment
Does this negatively impact carpooling capabilities? Currently my neighbor meets up in the morning and one of their employees leaves his car in on-street parking during the work day.

Commented [KK72R71]: Carpooling isn't a dispatch. The neighbor probably isn't required by his employer to go to that residence to report for work.

Examples of a dispatch location would be like a tow truck dispatch, or cleaning service where the employees report to the home oc to be dispatched out to jobs.

May 24, 2021

Page 31 of 61

(11) Customers are not allowed to physically access a home business beyond the hours of 7 a.m. to 6 p.m.

(12) The applicant must sign an agreement with the City acknowledging any applicable standards listed in Subsections (1) through (11), above.

(D) The following uses are prohibited as a home business.

- (1) Automobile repair, including, but not limited to tune-ups, alignments, body-fender work, painting, detailing, and upholstery.
- (2) Health salons, gyms, dance studios, aerobic exercise studios, karate, and judo instruction.
- (3) Medical or dental offices.
- (4) Mortician, hearse services.
- (5) Tow truck services.
- (6) Veterinary uses (including care, grooming, and boarding).
- (7) Wholesale distribution taking up more than the equivalent of 40 percent of the primary residence.
- (8) Gun dealers involving the storage of guns for sale or customers visiting the residence.

(E) Any home business:

- (1) Which has been approved by the Planning Commission is subject to revocation by the Planning Commission if the home business is found to be in violation of the approval standards. The revocation will be sent to the applicant in writing. The home business must cease within 30 days of the receipt of the revocation notice. The revocation decision may be appealed to the City Council as specified in SDC 5.3.100.

Commented [RM73]: Emma Comment
Physical access? I assume virtual/online computer customer access is OK 24/7? Maybe need to update for telecommuting?

Commented [RM74]: Check hours compared to Washburn overlay?? 8 to 6. Comment from TAC 4/8/21.

Commented [KK75R74]: Here's the language from the HD Overlay (3.3-935)

7. Home businesses shall not be open to the public on Sundays or holidays recognized by the City, apart from for activities sponsored by the City or the Washburne Neighborhood Association.

8. Hours of operation are limited as follows:

a. On local streets, from 9:00 a.m. to 8:00 p.m.

b. On collector or arterial streets, from 7:00 a.m. to 10:00 p.m.

(I'm not sure how enforceable the restriction against being open on Sundays would be... it seems to be tied to a religious priority rather than just a weekday only requirement)

Commented [RM76]: Discussed with Emp TAC on 4/8/21. Generally keep this list.

Commented [RM77]: One on one versus multiple "customers" at once??? Comment from TAC 4/8/21.

Commented [RM78]: Emma comment.
Why? It seems as if some of these could fit well for home based small businesses. Perhaps consider removing this?

ASK Jim D.

Commented [RM79]: Chemicals used for use? Check with Amy C. from SUB????

4.7.370 Place of worship

- (A) A place for people to gather for religious activity. Examples include church, synagogue, mosque, chapel, or meeting house. Includes the following associated uses (ORS 227.500).
- (1) Worship services.
 - (2) Religion classes.
 - (3) Weddings.
 - (4) Funerals.
 - (5) Meal programs.
 - (6) Childcare, but not including private or parochial school education for prekindergarten through grade 12 or higher education.
 - (7) Providing housing or space for housing in a building or buildings that are detached from the place of worship provided:
 - (a) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for Lane County.
 - (b) The real property is in a residential land use district and is located within the urban growth boundary.
 - (c) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying land use district; and
 - (d) The housing or space for housing is subject to a covenant appurtenant to the property. The covenant must restrict the owner and each successive owner of a building or any residential unit contained in a building from selling or renting any residential unit that is required to be affordable, as defined below, to a household with an income greater than the established affordability level for a period of 60 years from the date of the certificate of occupancy. The established affordability level is the household income is equal to or less than 60 percent of the median family income for Lane County.
- (B) A place of worship must meet the following approval standards:
- (1) Site Plan approval standards of SDC 5.17.100, including landscape requirements.
 - (2) Discretionary Use standards of SDC 5.9.100 – 5.9.125, as applicable.
 - (3) Must abut and take access from an arterial or collector street.

May 24, 2021

Page 33 of 61

4.7.375 Architectural Design Standards

- (A) **Purpose.** The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles for certain types of development.
- (B) **Applicability.** This section applies to the following types of buildings.
- (1) Multiple unit housing building.
 - (2) Public and institutional building in Residential Districts.
 - (3) Commercial building in Neighborhood Commercial District.
 - (4) Mixed-use building in Residential Districts; and
 - (5) All other types of permitted/conditional nonresidential use buildings listed in Table 3.2.210 when built in a Residential District.
- (C) **Standards (Clear and objective).** All buildings that are subject to this section must comply with all the following standards. The graphics provided with each standard are intended to show examples of how to comply and are for illustrative purposes only. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.
- (1) **Building Form.** All buildings must incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in Figure 4.7-Q below. Along the vertical face of a structure, such features must occur at a minimum of every 40 feet, on each floor, and must contain at least two of the following features.
 - (a) Recess (e.g., deck, patio, courtyard, entrance, or similar feature) that has a minimum depth of six feet.
 - (b) Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; and/or
 - (c) Offsets or breaks in roof elevation of two feet or greater in height.

Commented [RM80]: MK comment. Should limit design standards.

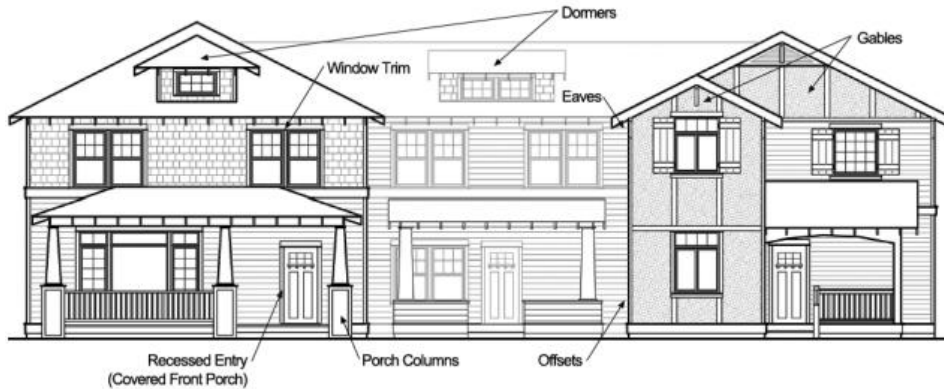
Commented [RM81R80]: These are much more straightforward design standards for multifamily development than existing

Figure 4.7-Q Building Form (Multiple unit housing example)



- (2) **Building Orientation.** All building elevations adjacent to a street right-of-way must provide doors, porches, balconies, and/or windows. A minimum of 40 percent of street-facing elevations, and a minimum of 30 percent of side and rear building elevations, must meet this standard. Percent of elevation is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.
- (3) **Detailed Design.** All buildings must provide detailed design along all elevations which are visible from the street(s) adjacent to the property (i.e., front, rear and sides).
 - (a) Menu Option (Type 1). Detailed design must be provided by using at least six of the following 12 architectural features on all applicable elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations).
 - (i) Dormers.
 - (ii) Gables.
 - (iii) Recessed entries.
 - (iv) Covered front porches.
 - (v) Pillars or posts.
 - (vi) Eaves (minimum 12-inch projection).
 - (vii) Window trim (minimum 3 1/2 inches wide).
 - (viii) Bay windows.
 - (ix) Balconies.
 - (x) Offsets in the building face by a minimum of 18 inches.
 - (xi) Offsets or breaks in roof elevation of two feet or greater in height.
 - (xii) Decorative patterns on the exterior finish using shingles, wainscoting, and/or board and batten.
 - (xiii) Variation in façade building materials, including, but not limited to, tile, brick, and wood.

Figure 4.7-R Examples of Architectural Details



Commented [RM82]: MK comment. Looks like craftsman. Boring. Should allow more flexibility.

(b) **Design Review Option (Type 2).** Detailed design may be provided by showing compliance with the following design criteria through a Type 2 application process in accordance with SDC 5.1.130.

- (i) The general size, shape, and scale of the structure(s) are architecturally compatible with the site and with the surrounding neighborhood, unless such compatibility with existing structures does not reflect the long-term purpose or intent of the underlying land use district of the subject site.
- (ii) If the project includes a structure or structures greater than 20,000 square feet in floor area, the design must incorporate changes in direction and divide large masses into varying heights and sizes by breaking up building sections, or by the use of such elements as variable planes, projections, bays, dormers, setbacks, canopies, awnings, parapets, changes in the roofline, materials, color, or textures.
- (iii) Exterior finish on vertical surfaces must be primarily of materials such as masonry/wood siding, shingles, or stucco. The use of sheet metal or plywood must not exceed 50 percent of the wall area. No smooth-faced cinder block construction is permitted on front elevations. Cinder block construction for side and rear elevations is permitted by approval through the review process.

4.7.380 Multiple Unit Housing (Clear and objective standards)

(A) **Purpose.** The purpose of the multiple unit housing standards is to provide for higher density housing in locations that are convenient to commercial uses and future transit opportunities.

(B) **Review.** Type 1 review process.

May 24, 2021

Page 36 of 61

(C) **Development Standards for Multiple Unit Housing Developments in the R-2 and R-3 Districts.** The following standards apply to multiple unit housing developments unless otherwise stated. These standards do not apply to Cottage Cluster Housing development.

(1) **Common Open Space**

- (a) Ten percent of the site area, for large scale (20 units or more) multiple unit housing developments, must be designated and permanently reserved as common open space. This standard is in addition to the required setback yard areas and any stormwater facilities.
- (b) Five percent of the site area, for multiple unit housing developments under 20 units in size, must be designated and permanently reserved as common open space. This standard is in addition to the required setback yard areas and any stormwater facilities.
- (c) For multiple unit housing developments that are part of a mixed-use building, there is no Common Open Space requirement.
- (d) For multiple unit housing developments that have a net density of 20 dwellings units per acre in the R-2 district, or 30 dwelling units per net acre in the R-3 district the Common Open Space standard does not apply.

(2) **Site area.** The site area is defined as the lot(s) or parcel(s) on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Inventoried Natural Resources and historic buildings or landmarks open to the public and designated by the Springfield Comprehensive Plan may be counted toward meeting the Common Open Space requirements.

(3) **Credit for Proximity to a Park.** A common open space credit as specified below is allowed when the development is located within walking distance of a public park. There must be a direct, ADA accessible pedestrian path between the development and the park, and the walking route must not cross an arterial street to use this credit.

- (a) A 100 percent credit is allowed when the development is located within one-quarter mile walking distance.
- (b) A 50 percent credit is allowed when the development is located within three-quarters mile walking distance.

(4) **Trash and Recycling Receptacle Storage.** Trash and recycling receptacle storage must not be located within setbacks for property lines shared with R-1 district property and must be covered and screened on at least three sides with an evergreen hedge or sight obscuring fence or wall. The screening must be at least five feet in height. Receptacles must be located for access by trash pick-up vehicles.

(5) **Landscaping, Fences, and Walls.** Multiple unit housing developments must provide landscaping as specified in the following standards and in compliance with SDC 4.4.105.

Commented [RM83]: ADA? What does this mean? Is this clear?

Commented [KK84R83]: See my earlier comment on a definition for ADA accessible.

Deleted: , and maintained trail

Deleted: or sidewalk

Commented [RM86]: Reference other section where these standards are contained.

- (a) A minimum of 15 percent of the site must be landscaped with a mix of vegetative ground cover, shrubbery, and trees. Trees, a minimum two inches (dbh – diameter at breast height) in caliper, and shrubbery, a minimum of 24 inches in height, must be planted. Bark mulch, rocks and similar non-plant material may be used to compliment the cover requirement but is not considered a sole substitute for the vegetative ground cover requirement.
 - (b) Street trees, a minimum two inches (dbh) caliper, must be placed within the planter strips between the curb and the sidewalk. Street trees must be planted a minimum of one per every 30 linear feet of street frontage, as specified in SDC 4.2.140.
 - (c) Fences in front yards and along any frontage used to comply with the building orientation standard are limited to three feet in height. Fences in other yards must comply with the fence standards specified in SDC 4.4.115, and the vision clearance standards specified in SDC 4.2.130; and
 - (d) The use of native and/or drought-tolerant landscaping is encouraged. All landscaping must be irrigated with a permanent irrigation system unless a licensed landscape architect submits written verification that the proposed plant materials do not require irrigation. The property owner must maintain all landscaping.
- (6) **Pedestrian Circulation.** Multiple unit housing developments with more than 20 units must provide pedestrian circulation as specified in the following standards. ▼
- (a) Continuous internal sidewalks must be provided throughout the site. Discontinuous internal sidewalks are permitted only where stubbed to a future internal sidewalk on abutting properties, future phases on the subject property, or abutting recreation areas and pedestrian trails.
 - (b) Internal sidewalks must be separated a minimum of five feet from dwellings, measured from the sidewalk edge closest to any dwelling unit.
 - (c) The internal sidewalk system must connect all abutting streets to primary building entrances.
 - (d) The internal sidewalk system must connect all buildings on the site and must connect the dwelling units to the parking areas, bicycle parking, storage areas, all recreational facilities, common areas, and abutting public sidewalks and pedestrian trails.
 - (e) Surface treatment of internal sidewalks/[accessways](#) must be concrete, asphalt, or masonry pavers. The sidewalks must be at least five feet wide. Multi-use accessways (e.g., for bicycles, pedestrians, and emergency vehicles) must be of the same materials, and at least ten feet wide. Where emergency vehicle access is required, there must be an additional five feet on either side of the accessway to provide for a clear accessway of 20 feet in width. The additional five-foot area may be turf-block, grass-crete, or similar permeable material on a

Deleted: See [Figure 3.2-R](#).

base of gravel capable. The entire accessway used for emergency vehicle access must be capable of supporting fire equipment weighing 80,000 pounds.

Commented [RM87]: Changed in response to MK comment.

- (f) Where internal sidewalks cross a vehicular circulation area or parking aisle, they must be clearly marked with contrasting paving materials, elevation changes, speed humps, or striping. Speed humps are subject to review and approval by the Fire Marshal. Internal sidewalk design must comply with Americans with Disabilities Act (ADA) requirements.
 - (g) Where the internal sidewalks are parallel and abutting to a vehicular circulation area, the sidewalk must be raised or be separated from the vehicular circulation area by a raised curb, bollards, landscaping, or other physical barrier. If a raised sidewalk is used, the ends of the raised portions must be equipped with curb ramps.
 - (h) All on-site internal sidewalks must be lighted to a minimum of two foot-candles.
- (7) **Parking.** Multiple unit housing developments must provide parking as specified in SDC 4.6.100 – 4.6.155.
- (8) **Vehicular Circulation.** Multiple unit housing developments must provide vehicular circulation as specified in the following standards. See Figure 3.2-R.
- (a) The on-site driveway, or private street, system must connect with public streets abutting the site.
 - (b) Site access and driveways must conform to SDC 4.2.120.

Commented [RM88]: Emma comment
Do we mean speed humps or should this be changed to "raised crosswalks"? Or both?

Discuss with Emma and Michael

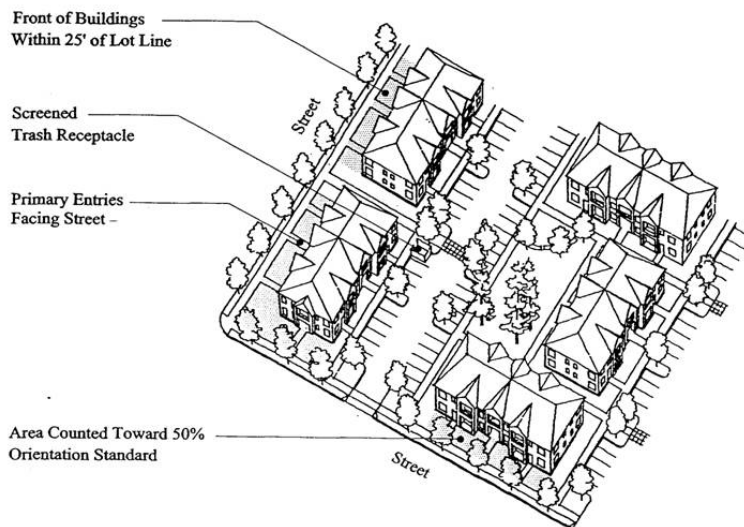
4.7.385 Multiple Unit Housing (Discretionary option)

Commented [RM89]: Still need to look over/revise this section.

- (A) **Description.** The Planning Commission may approve adjustments to the clear and objective multiple unit housing design standards listed in SDC 4.7.380 that preclude compliance under SDC 4.7.390. In addition, the applicant may choose this Type III Discretionary Use procedure when proposing an innovative design that may preclude compliance with one or more of the design standards under SDC 4.7.380. The multiple unit housing design standards are: Building Orientation; Building Form; Storage; Transition and Compatibility Between Multiple unit housing and R-1 Development; Open Space; Landscaping; Pedestrian Circulation; Parking; and Vehicular Circulation. The Planning Commission must find that the application complies with or exceeds the criteria for each applicable design standard. Criteria for design standards not relevant to the application do not require a finding by the Planning Commission, unless the guidelines in Subsections (B) through (I) are implemented.
- (B) **Building Orientation.** The Planning Commission must find that the proposed design contributes positively to the neighborhood and overall streetscape by carefully relating building mass, frontages, entries, and yards to streets and to adjacent properties. This criterion may be met by complying with either (1) or (2) below, or by meeting SDC 4.7.390.

- (1) Building Oriented to the street along a minimum of 50 percent of the site's frontage (See Figure 4.7-M). The "orientation" standard is met when all of the following criteria are met:
- (a) Primary building entrances must face the street.
 - (b) The front of the buildings must be within 25 feet of the front lot/parcel line, However, open, courtyard space in excess of 25 feet may be placed in front of building entrances. Open courtyard space is defined as usable, hard-surfaced space with pedestrian amenities including benches, seating walls or similar furnishings.
 - (c) Off-street parking or vehicular circulation must not be placed between buildings and streets used to comply with this standard.
 - (d) Wetlands, slopes over 15 percent as specified in SDC 3.3.500, and wooded areas protected by SDC 5.19.100, must not be counted as "frontage" for determining required building orientation. For example, if jurisdictional wetlands and/or wetland buffer occupy 100 feet out of a total of 400 feet, then only 300 feet is counted as "frontage" for determining required building orientation. In this example, 150 feet (50 percent) is the required amount of frontage to meet the building orientation requirement.

Building Orientation and Storage
Figure 4.7-M



(2) Considering the following guidelines:

- (a) Orient buildings to an internal circulation system that mimics a public street in appearance (including, but not limited to sidewalks, landscaping, cross-walks, lighting, parallel parking), and does not diminish the appearance and safety of abutting primary public streets. Examples of “diminished appearance” include a fence along the sidewalk that isolates pedestrians between it and the street; the location of trash receptacles, utility vaults, etc. in the “rear” yard (abutting a public street); and similar impacts on the streetscape.
- (b) Other design elements that provide exceptional design, and on balance, justify approval of the development with less than full compliance with the building orientation standard. Examples of such design elements include protection of natural and cultural resources; minimization of slope and tree cutting impacts; provision of pedestrian amenities along the public street; and similar public benefits that effectively accomplish the intent of the standard.

(C) **Building Form.** The Planning Commission must find that the proposed design promotes building forms that contribute positively to a sense of neighborhood and to the overall streetscape. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.

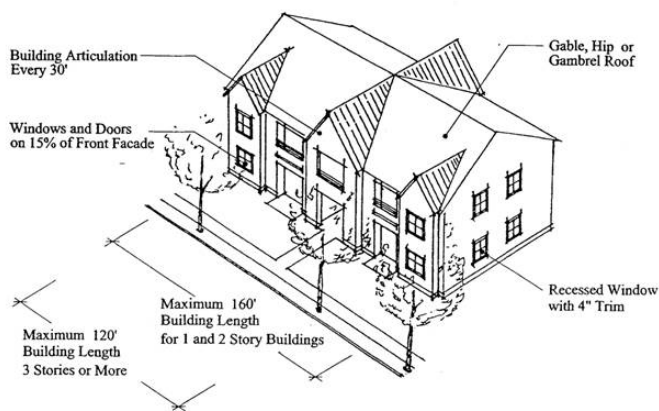
(1) **Option 1** (See Figure 3.2-N).

- (a) Structures that have 1 or 2 stories must not have continuous horizontal distance exceeding 160 feet (measured from end wall to end wall). However, as specified in Subsection 3.d., below, structures that have 3 or greater stories must not have a continuous horizontal distance exceeding 120 feet (measured from end wall to end wall).
- (b) A minimum of 15 percent of the front façade (area measurement) shall contain windows or doors. All windows and doors shall provide 4-inch trim or be recessed (i.e., into the front façade) to provide shadowing.
- (c) Garages attached to living units and accessed from the street (front setback) shall be recessed at least 4 feet behind the front façade of a dwelling structure; and
- (d) Exterior building elevations must incorporate design features including offsets, balconies, projections, window reveals, or similar elements to preclude large expansions of uninterrupted building surfaces. Along the vertical face of a structure, the features must occur at a minimum of every 30 feet, and on each floor shall contain a minimum of 2 of the following features:
 - (i) Recesses (e.g., deck, patio, courtyard, entrance, window reveals) that have a minimum depth of 3 feet;

Commented [KK90]: I'm just wondering if these are adoption options or two tracks for approval?

- (ii) Extensions (e.g., floor area, deck, patio, entrance) that have a minimum depth of 2 feet and minimum length of 4 feet; and/or
- (iii) Offsets or breaks in roof elevation of 2 feet or greater in height.

Building Form
Figure 4.7-N



(2) Option 2

- (a) Design exterior building elevations to avoid large expanses of uninterrupted building surfaces.
- (b) Depict building scale consistent with nearby buildings; “scale” relates to the size of various features (including, but not limited to entries, roof surfaces, façades, windows and materials) as compared to those features on nearby buildings.
- (c) Provide transitions to nearby buildings by massing; “mass” relates to the overall size or bulk of a building or its principal parts.
- (d) Provide porches, bays, and balconies that compliment nearby buildings.
- (e) Provide roof variations through offsets, breaks and/or extensions.
- (f) Provide transition between the multiple unit housing and R-1 districts.
- (g) Protect on-site and off-site natural and designated historic features.

- (h) Provide human-scaled architectural detail.
 - (i) Provide visual variety in elevations, architectural details, colors, and materials, compatible with existing development
- (D) Storage. The Planning Commission must find that unsightliness, noise and odor of exterior utilities, trash receptacle storage, and roof-mounted mechanical equipment is minimized by providing site facilities that are adequate and convenient for residents' needs and ensuring that site facilities are practical, attractive, and easily maintained. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.
 - (1) Option 1 (See Figure 4.7-M)
 - (a) Adequate, accessible, and secure storage space must be provided for each dwelling. A minimum of 112 cubic feet of enclosed storage is required separate from the living unit. Garages and storage units adjoining a dwelling (e.g., attached to decks and patios) qualify as storage space.
 - (b) Trash receptacles must be screened from view by placement of a solid wood fence, masonry wall, or similar sight-obscuring, gated enclosure, from 5 to 6 feet in height. Obscuring landscaping must be planted a minimum 24 inches in height at planting around all exposed sides of the wall or fence, unless breaks are provided for gates. The required screening must meet the standards of SDC 4.4.100.
 - (c) No trash receptacles are allowed in any front yard setback, or within 25 feet of property lines abutting R-1 land use district or designated properties; and
 - (d) Ground-mounted equipment, including exterior transformers, utility pads, cable television, telephone boxes, and similar utility services, must be placed underground. Alternatively, equipment placed above ground, must be placed to minimize visual impact; or screened with a wall or landscaping. When walls are used they must be tall enough to completely screen the equipment at the time of the equipment installation. Landscaping must be planted tall enough to attain 50 percent coverage after 2 years and 100 percent coverage within 4 years.
 - (2) Option 2
 - (a) Provide trash receptacle areas that are adequately signed, accessible to residents and collection service, separated or buffered from living areas in order to avoid noise and odor problems
 - (b) Provide mailboxes large enough to accommodate large envelopes, packages, and newspapers.

- (c) Keep the number and size of television and other receiving structures to a minimum. Screen or locate these structures to minimize visibility to on-site residents, residents of adjacent properties and the public, to the extent practicable.
- (d) Provide adequate, accessible, and secure storage space for each dwelling.
- (e) Provide ground or interior mounted mechanical equipment with screening as an alternative to roof-mounted equipment.
- (f) Group together roof penetrations such as plumbing and exhaust vents, air conditioner units and transformer boxes whenever practicable. Use ridge vents on pitched roofs that are in public view.

(E) Transition and Compatibility Between Multiple unit housing and R-1 District development. The Planning Commission must find that the development is located and designed in a manner compatible with surrounding development by creating reasonable transitions between multiple unit housing and sites and adjacent R-1 districts. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.

(1) Option 1: Multi-unit developments adjacent to properties designated R-1 district must comply with the transition area and compatibility standards listed below, unless it can be demonstrated that adjacent R-1 district property is committed to a non-residential use e.g., church) that is unlikely to change. In evaluating the status of an adjacent property, the Metro Plan designation shall take precedent over the current zone or use.

- (a) When a single unit dwelling is within 75 feet of the subject multiple unit housing development site and the single unit dwelling is on the same side of the street and same block as the multiple unit housing site, a setback similar to that of the nearest single unit dwelling must be used for the front yard. "Similar" means the multiple unit housing development setback is within 5 feet of the setback provided by the nearest single unit dwelling. For example, if the single unit dwelling setback is 20 feet, then the multiple unit housing building must be set back by 15 to 25 feet. The minimum front yard setback is 10 feet, as specified in SDC 3.2.220; and
- (b) A 25-foot buffer area must be provided between multiple unit housing development and property lines abutting an R-1 district property line, not including those property lines abutting right-of-ways. Within the 25-foot buffer area, the following standards apply:
 - (i) No vehicular circulation (i.e., driveways, drive lanes, maneuvering areas, and private streets) is allowed within the buffer, unless driveway

placement within a buffer is required in order to comply with City, County or ODOT access management standards;

- (ii) Site obscuring landscaping is required and must meet the standards of SDC 4.4.100;
 - (iii) Building encroachments are allowed, provided no building may encroach more than 10 feet into the 25 foot buffer and no primary entrance can face the abutting R-1 district property. Buildings must not exceed one story or 21 feet within the buffer, and must comply with all other applicable setbacks and transition areas specified elsewhere in this Code;
 - (iv) No active recreation areas (including, but not limited to: tot lots, swimming pools) are allowed within the 25-foot buffer (garden spaces are not considered active recreation areas);
 - (v) Lighting must meet the standards in SDC 4.5.100;
 - (vi) Mechanical equipment must be screened from view in conformance with the standards of SDC 4.4.100, and must be buffered so that noise does not typically exceed 45 to 50 decibels as measured at the R-1 property line. The City may require a noise study certified by a licensed acoustical engineer; and
 - (vii) All rooftop equipment must be hidden behind parapets or other structures designed into the building.
- (c) Buildings, or portions of buildings abutting an R-1 district property line or designation (i.e., side or rear lot/parcel line) outside of the 25-foot buffer described above, shall not exceed a building height greater than one foot for each foot distance from the R-1 district property line. For example, a building or portion of a building 30 feet in height shall be 30 feet from the R-1 district property line. This standard applies up to a distance of 50 feet from the R-1 district property line.
 - (d) Structures within 50 feet of an R-1 district must not have a continuous horizontal distance exceeding 120 feet (measured from end wall to end wall).

(2) Option 2

- (a) Setbacks, building heights, and massing are similar to, and/or promote a visual gradient between the multiple unit housing site and adjacent R-1 district.
- (b) Screen with landscaping or place balconies and windows to maintain the privacy of abutting R-1 districts and multiple unit housing residents on-site and in abutting developments.

Commented [RM91]: MK comment. This is existing language in 3.3-240.D.3.b.iii.

May 24, 2021

Page 45 of 61

(c) Window treatments and other building components are similar in size, scale, and placement to those in the adjacent R-1 districts, unless variation aids in transition.

Commented [RM92]: MK comment. Style mandates shouldn't be required.

(d) On site vehicular circulation and parking guides traffic away from abutting R-1 districts.

(e) Orient buildings along street frontages shared by the R-1 district, particularly when such orientation aids in transition.

(f) Use site obscuring landscaping, shade trees planted a minimum of six feet from property lines, or a minimum six foot high fence, when such screening aids in transition.

(g) Locate components of the multiple unit housing, which generate noise (such as recreation areas, parking lots, trash receptacles, heating and cooling equipment, etc.) where they will least disturb an abutting R-1 district.

(h) Locate and screen lights and mechanical equipment to minimize glare and noise to an adjoining R-1 district.

(i) Allow enclosed garage structures (not carports) between multiple unit housing buildings and abutting R-1 properties as a transition device when the width and height of proposed garage structures are similar to (or subordinate to) the width and height of adjacent R-1 garage structures.

(F) Open Space

(1) The Planning Commission must find that the open space component is located and designed in a manner compatible with surrounding development when:

(a) On-site and abutting natural features are integrated into the open space system of the multiple unit housing development.

(b) Amenities such as seating, children's play areas, lighting, and recreation facilities are provided within common open space areas and proportional to the needs of the development.

(c) A range of usable open space types (general, common, and private) is provided and they are integrated with abutting public open space, if it exists.

(d) Negative impacts to on-site or abutting wetlands, waterways, and natural areas are negligible.

May 24, 2021

Page 46 of 61

- (2) This criterion may be met by complying with either (a) or (b) below or by meeting SDC 4.7.390.
- (a) Option 1. Multiple unit housing developments must provide both Common Open Space and Private Open Space as specified in the following standards (See Figure 4.7-Q).
- (i) General. Inclusive of required yards, a minimum of 15 percent of the gross site area must be designated and permanently reserved an open space. The total required open space is the sum of setbacks, common open space, and private open space. Inventoried natural features (including regulated wetlands) and/or historic features on-site may be counted toward up to 50 percent of common open space requirements. See Chapter 6 for definitions of open space; open space, common; and open space, private.
- (aa) Multiple unit housing developments in mixed-use buildings are exempt from these standards.
- (ba) Multiple unit housing developments at densities exceeding 30 units per gross acre must include a minimum of 10 percent of the gross site as open space, which may be any combination of yards, common open space and private open space.
- (ca) Multiple unit housing developments at densities less than 30 units per gross acre must provide open space as specified in the amounts specified below.
- (ii) Common Open Space must be provided in all newly constructed multiple unit housing development as specified in the following standards:
- (aa) A minimum of 0.25 square feet of common open space must be required for each square foot of gross residential floor area;
- (ba) Common open space areas provided to comply with this standard must be at least 500 square feet with no horizontal dimension less than 15 feet;
- (ca) A maximum of 15 percent of the required common open space can be on slopes greater than 25 percent; and
- (da) Multiple unit housing developments must designate within common open space a minimum of 250 square feet of active recreation area (including, but not limited to: children's play areas, play fields, swimming pools, sports courts) for every 20 units or increment thereof. For example, a 60 unit development shall provide a

minimum area of 750 square feet for active recreation. No horizontal dimension can be less than 15 feet. Alternatively, as determined by the Director, qualified senior housing developments may be excluded from this requirement; however, all other common open space requirements apply;

- (ea) Placement of children's play areas must not be allowed in any required yard setback or transition area;
 - (fa) Landscaping and/or natural vegetation must occupy a minimum of 50 percent of required common open space. On-site natural resources and historic features which are accessible to residents (including, but not limited to: by trails, boardwalks) may be used to partially or fully satisfy this requirements; and
 - (ga) Indoor or covered recreational space (including, but not limited to: swimming pools, sports courts, weight rooms) must not exceed 30 percent of the required common open space area.
 - (ha) Exemptions to the common open space standard may be granted for multi-unit developments of up to 60 units (or for the first 60 units of a larger development) when the developments are within 1/4 mile (measured walking distance) to a public park; and there is a direct, improved, permanent, public, Americans with Disabilities Act (ADA)-accessible, lighted, maintained pedestrian trail or sidewalk between the site and the park. An exemption will be granted only when the nearby park provides active recreation area, as defined by Subsection (da), above.
 - (ia) Phasing must not be used to circumvent common open space standards.
 - (ja) Common Open Space does not include required yards or transition areas unless authorized under SDC 4.7.385(F)(2)(b) or SDC 4.7.390.
- (iii) Private Open Space must be provided in all newly constructed multiple unit housing developments, to comply with the following standards:
- (aa) All private open space must be directly accessible from the dwelling unit through a doorway;
 - (ba) Dwelling units located at or below finished grade, or within five feet of finished grade, must provide a minimum of 96 square feet of private open space, with no dimension less than six feet; and

Commented [RM93]: MK comment. 100% exemption is too much.

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May 24, 2021

Page 48 of 61

- (ca) Private Open Space provided may be deducted from the required amount of Common Open Space. For example, a project with 37,500 square feet of gross floor area requires 9,375 square feet of Common Open Space under Subsection (ii)(aa), above. If 2,400 square feet of Private Open Space is provided, the minimum Common Open Space requirement may be reduced to 6,975 square feet (9,375 — 2,300)
- (b) Option 2. Alternatively, this criterion may be found to be met by complying with the following guidelines:
 - (i) Locate buildings, parking, and circulation to minimize adverse impacts on natural features.
 - (ii) The amount of common recreation area is equal to the SDC 4.7.380(F)(2)(a) standard unless adjacent public recreation facilities, unique on-site facilities, or other similar open space/recreation facilities will be available to all residents of the site.
 - (iii) Provide linkages between on-site common open space and abutting public open spaces when open space uses are compatible.
 - (iv) The amount of private open space is equal to the SDC 3.2-240D.5.c. standard unless equivalent opportunities for common open space are demonstrated (e.g., individual units enjoy common open space).
- (G) Landscaping. The Planning Commission must find that landscaping, fences, and walls contribute to a quality living environment for all residents, improve the appearance of multiple unit housing developments, and promote transition between multiple unit housing development and surrounding land uses. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.
 - (1) Option 1. This criterion may be met by meeting the following standards. (See Figure 3.2Q)
 - (a) A minimum of 15 percent of the site shall be landscaped with a mix of vegetative ground cover, shrubbery and trees. Trees, a minimum two inches (dbh) in caliper, and shrubbery, a minimum of 24 inches in height, must be planted. Bark mulch, rocks and similar non-plant material may be used to compliment the cover requirement, but must not be considered a sole substitute for the vegetative ground cover requirement;
 - (b) Street trees, a minimum two inches (dbh) caliper, must be placed within the planter strips between the curb and the sidewalk. Street trees must be planted one per every 30 linear feet (minimum) of street frontage, as specified in SDC 4.2.140;

Commented [RM94]: MK comment. "Passive solar access is mentioned as a need to be balanced, yet elsewhere, the code is attempting to delete solar access standards. Inconsistent. I think solar access standards are needed and removal of existing solar access to existing lots and homes is an illegal taking under ORS." Response: @KRAAZ Kristina thoughts?

Commented [RM95R94]: Reducing solar regulation on adjacent properties is not a taking under state or federal law. Oregon law allows recorded solar easements, which would be unaffected by the City reducing independent land use regulations. A private property owner would continue to be able to enforce any recorded solar easements under Oregon state law.

Commented [RM96]: MK question, does this include grass? Yes.

Commented [RM97]: MK question. Includes grass? Yes.

Commented [RM98R97]: but requires a "mix", so 100% grass would not be allowed.

- (c) Fences in front yards and along any frontage used to comply with the building orientation standard shall be limited to three feet in height. Fences in other yards shall comply with the fence standards specified in SDC 4.4.115, and the vision clearance standards specified in SDC 4.2.130; and
 - (d) The use of native and/or drought-tolerant landscaping is encouraged. All landscaping must be irrigated with a permanent irrigation system unless a licensed landscape architect submits written verification that the proposed plant materials do not require irrigation. The property owner must maintain all landscaping.
- (2) Option 2. Alternatively, this criterion may be found to be met by complying with the following guidelines:
- (a) Plant outdoor spaces around multiple unit housing developments with a mix of vegetative ground cover, shrubbery and trees. Also incorporate hard landscaping elements (e.g., paved sidewalks, courtyards) into the development.
 - (b) Use plants to provide visual relief along blank exterior walls, reduce building mass and bulk, define and shelter open space, provide privacy, break up and shade parking areas and help define building entries and sidewalks.
 - (c) Include enhancements, such as plazas, galleries, courtyards, widened sidewalks, benches, shelters, street furniture, artwork or kiosks for pedestrian amenities.
 - (d) Use vegetation, grade changes and low fences to define open space areas. Plant transition areas between multiple unit housing dwellings and surrounding R-1 and less intensive uses to minimize the visual impact of the development.
 - (e) Incorporate a planting design that emphasizes:
 - (i) Visual surveillance by residents of common open space, parking areas, internal sidewalks, dwelling unit entries, abutting streets and public open spaces (i.e., mature plants do not block views of these areas);
 - (ii) Climate controls for summer shading and solar access during winter, and/or shielding from winter winds. Balance this guideline with visual surveillance objectives, above.
 - (f) Preserve significant trees and shrubbery on the site as reasonable. Significant trees mean trees which measure five inches DBE or greater. Significant shrubbery means shrubbery that is greater than 40 inches in height and is a native, noninvasive species. Trees and shrubs preserved to meet this standard

Commented [RM99]: MK comment. Grass? Yes. Is ground cover different than vegetative ground cover?

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Commented [RM100]: MK comment. Dont includes "native". "Existing native species are not adapting well to climate change and there are many better shrubs and trees that do. We need to be less restrictive here. It's fine to say non invasive." Response. Could remove the work "native".

May 24, 2021

Page 50 of 61

must be identified on a Tree Protection Plan, in conformance with SDC 5.19.100.

- (g) Provide small ornamental plants or other landscape features in coordination with the building's architecture to define the primary entry of a dwelling unit.
- (h) Avoid high solid fences and walls along streets (e.g., fences greater than 3 feet in height), unless required for noise abatement or retaining walls.
- (i) Incorporate landscaping, fences and walls that clearly delineate the public, communal and private areas of a development.
- (j) Provide street tree planting, as required by SDC 3.2-240D.6. standards.
- (k) Incorporate landscaping, fences and walls that do not conflict with sight lines for vehicles and pedestrians, and comply with the vision clearance standards specified in SDC 4.2-130.
- (l) Choose landscape species for efficient maintenance. Incorporate native, drought-resistant species.
- (m) Use noise-reducing, ornamental walls (e.g., masonry), as necessary, to minimize the transmission of noise.
- (n) Incorporate landscaping, fencing and/or walls with dwellings that are close to high noise sources such as active recreation, busy streets, railway lines, or industry.
- (o) Obscure or screen outlooks from windows, balconies, stairs, landings, terraces and decks or other private, communal or public areas within a multiple unit housing development. This can be accomplished with landscaping, fences or walls, where a direct view is available into the private open space of an existing adjacent single-family or multiple unit housing.
- (p) Screen private open space and balconies by solid translucent screens or perforated panels or trellises which have a maximum of 25 percent openings and are permanent, of durable materials and designed, painted or colored to blend with the development.

- (H) Pedestrian Circulation. The Planning Commission must find that pedestrian circulation systems are designed to provide separation between vehicles and pedestrians and provide clear, direct, safe, and identifiable connections within the multiple unit housing development and to other neighborhood uses. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.

Commented [RM101]: MK comment. Dont use "native". See comment above.

May 24, 2021

Page 51 of 61

(1) Option 1. Multiple unit housing developments with more than 20 units must provide pedestrian circulation as specified in the following standards (See Figure 3.2-R).

- (a) Continuous internal sidewalks shall be provided throughout the site. Discontinuous internal sidewalks shall be permitted only where stubbed to a future internal sidewalk on abutting properties, future phases on the subject property, or abutting recreation areas and pedestrian trails;
- (b) Internal sidewalks shall be separated a minimum of five feet from dwellings, measured from the sidewalk edge closest to any dwelling unit;
- (c) The internal sidewalk system shall connect all abutting streets to primary building entrances;
- (d) The internal sidewalk system shall connect all buildings on the site and shall connect the dwelling units to the parking areas, bicycle parking, storage areas, all recreational facilities and common areas, and abutting public sidewalks and pedestrian trails;
- (e) Surface treatment of internal sidewalks/accessways must, be concrete, asphalt or masonry pavers, at least Five feet wide. Multi-use accessways (e.g., for bicycles, pedestrians and emergency vehicles) must be of the same materials, and at least ten feet wide. Where emergency vehicle access is required, there must be an additional Five feet on either side of the accessway. The additional Five foot area may be turf-block, grass-crete or similar permeable material on a base of gravel. The entire accessway used for emergency vehicle access must be capable of supporting fire equipment weighing 80,000 pounds.
- (f) Where internal sidewalks cross a vehicular circulation area or parking aisle, they shall be clearly marked with contrasting paving materials, elevation changes, speed humps, or striping. Speed humps shall be subject to review and approval by the Fire Marshal. Internal sidewalk design shall comply with Americans with Disabilities (ADA) requirements;
- (g) Where the internal sidewalks are parallel and abutting to a vehicular circulation area, the sidewalk shall be raised or be separated from the vehicular circulation area by a raised curb, bollards, landscaping or other physical barrier. If a raised sidewalk is used, the ends of the raised portions shall be equipped with curb ramps; and
- (h) All on-site internal sidewalks shall be lighted to a minimum of two foot-candles.

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(2) Option 2. Alternatively, this criterion may be met by considering the following guidelines.

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- (a) Design each multiple unit housing development to contain an internal pedestrian circulation system that makes clear, easily identifiable and safe connections between individual units, parking, storage, common open spaces areas, and public sidewalks. Design of internal sidewalks to comply with the American with Disabilities Act (ADA) requirements.
 - (b) Design the pedestrian circulation system to provide safe crossings of streets, driveways, and parking areas, where crossings are necessary. Consider design elements such as textured pavers, patterned concrete and raised surfaces to emphasize crossings.
 - (c) Design internal walkways and other pedestrian links to provide privacy for ground floor residents.
 - (d) Link the multiple unit housing development internal sidewalks to neighborhood uses that may be used by residents.
 - (e) Minimize vehicle and pedestrian conflicts.
 - (f) Integrate the design of the internal sidewalks with natural contours, topography, trees, other vegetation, waterways, wetlands, and other natural resources and features.
 - (g) Provide a convenient, accessible, direct, barrier-free route design.
- (I) Parking. The Planning Commission must find that the placement of parking contributes to attractive street frontages and visual compatibility with surrounding areas and is located with consideration for the safety of residents. This criterion may be met by complying with either (1) or (2) below or by meeting SDC 4.7.390.
- (1) Option 1. Multi-unit developments must provide parking design as specified in the following standards.
- (a) Parking lots shall be placed to the side or rear of buildings as specified in the Building Orientation Standards. Parking shall not be placed along that portion of the street where building frontages are used to comply with the building orientation standard;
 - (b) Lighting shall be provided for safety purposes, and focused/shielded to avoid glare on adjacent properties or dwellings as specified in Section 4.5-100;
 - (c) There must be one planter island for every eight parking spaces. Planter islands shall be a minimum of six feet wide, exclusive of the curb, the full length of a parking space containing one shade tree (a minimum two inches (dbh) in caliper at planting) and vegetative ground cover. Trees shall be specimens capable of attaining 35 feet or more in height at maturity and shall not produce

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May 24, 2021

Page 53 of 61

excessive fruit, nuts, or sap (i.e., die to pest damage). Bark mulch is not an acceptable substitute for vegetative ground cover in the planter island. Water quality features may be incorporated into planter islands. Landscape areas shall be evenly distributed throughout the perimeter of interior parking areas, where practicable. See Section 4.4.105(F). for recommended shade trees;

- (d) A minimum six foot wide planter area shall separate and visually screen parking from living area windows. The planter area shall include a mix of ground cover, shrubbery, and trees with appropriate growth habit (i.e., for narrow planters and any height limitations including balconies, overhangs, and eaves). Shrubberty in this planter area shall be at least 24 inches in height at the time of planting, and trees a minimum of two inches (dbh) in caliper at the time of planting. See Section 4.4.110;

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- (e) Parking lots shall be connected to all building entrances by means of internal sidewalks;

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- (f) All parking stalls fronting a sidewalk, or landscaped area shall be provided with a secure wheel bumper not less than six inches in height and set back from the front a minimum of two feet to allow for vehicle encroachment. Wheel bumpers, if used, shall be a minimum of six feet in length. As an option , the sidewalk or planter may be widened two feet beyond the minimum dimension required to allow for vehicle encroachment. The sidewalks and planters shall be protected by a curb not less than six inches in height. See also, Section 4.6.120(C);

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- (g) On corner lots/parcels, parking areas shall not be located within 30 feet of an intersection, as measured from the center of the curb return to the edge of the parking area (curb or wheel stop);

- (h) All parking, maneuvering and loading areas abutting a property line or right-of-way shall provide perimeter lot/parcel landscaping. A minimum five foot wide planting strip shall be planted with shade trees, a minimum two inches (dbh) in caliper, and a low level (e.g., 30 to 40 inches) evergreen hedge. See also Section 4.4-105;

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- (i) Decorative walls may be used in place of the hedge in Subsection h., above, and shall be placed no closer than four feet from the property line. The decorative wall shall be a minimum of 30 inches in height and no more than 40 inches in height, and shall comply with the vision clearance standards specified in Section 4.2-130. Decorative walls shall be constructed of textured concrete masonry (CMU) or similar quality material, and include a cap. The wall may be partially see-through (up to 40 percent) as appropriate for security purposes. The area between the wall and property line shall be landscaped with shade trees;

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(j) Parking area landscaping shall be designed to reduce storm water runoff (e.g., through infiltration swales and other measures), as practicable; and

(k) Bicycle parking shall be provided as specified in Section 4.6-140-155 and may be incorporated into the landscaping design.

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(2) Option 2. Alternatively, this criterion may be met by considering the following guidelines.

(a) Avoid placing parking lots, carports, garages, and driveways between the buildings and the street. To minimize the visual impacts, locate parking to a portion of the site least visible from the street.

(b) Provide rear and below grade parking where practicable.

(c) Use alley access for parking areas where practicable.

(d) Use low, dense hedges or landscape berms at the edges of parking lots to screen autos and direct pedestrians to entry and exit points.

(e) Provide no more parking than the "minimum" parking requirement, where practicable.

(f) Avoid placing parking lots, garages, and carports that abut and/or are visible from R-1 areas. As an alternative, locate parking next to arterial and collector streets with landscape buffering, when possible.

(g) Design garages and free standing carports to be visually compatible with, or screened from, adjacent R-1 uses and dwellings on-site (e.g., similar siding, trim, roof line and materials, detailing, and color, as applicable).

(J) Vehicular Circulation

(1) The Planning Commission must find that on-site vehicular circulation systems are:

(a) Designed to be clearly identifiable, safe, pedestrian-friendly, and interconnected.

(b) Designed to provide connectivity to the surrounding neighborhood streets while minimizing impacts on the arterial street system.

(2) This criterion may be met by complying with either (a) or (b) below or by meeting SDC 4.7.390.

(a) Option 1. Multiple unit housing developments must provide vehicular circulation as specified in the following standards.

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May 24, 2021

Page 55 of 61

(i) The on-site driveway (or private street) system shall connect with public streets abutting the site;

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(ii) Shared driveways shall be provided whenever practicable to minimize cross turning movements on adjacent streets. On-site driveways and private streets shall be stubbed to abutting MDR/HDR properties, at locations determined during Site Plan Review process to facilitate development of shared driveways; and

Commented [RM103]: MK comment. Make shared drives required? Response, see previous comment. Dont think we can require shared drives.

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(iii) Parking areas shall be accessed from alleys when properties abut an alley, or an alley can reasonably be extended to serve the development.

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(b) Option 2. Alternatively, this criterion may be met by considering the following guidelines.

- (i) Design driveways and private streets to enhance connectivity to abutting streets.
- (ii) Design internal site circulation to provide accessibility to and from the site.
- (iii) Design the vehicular circulation system, together with other design elements, to reduce the apparent scale of large developments by organizing the site into smaller land units.
- (iv) Where practicable, consolidate or share driveways and internal streets with driveways or internal streets serving abutting sites.
- (v) Incorporate aesthetic and functional site design as it relates to vehicular circulation.
- (vi) Provide vehicular circulation linkages that will integrate multiple family development with the surrounding area.
- (vii) Provide the separation of pedestrian, bicycle, and vehicular traffic.
- (viii) Avoid out-of-direction travel between buildings and other facilities on the site (e.g., for delivery, service, etc.).
- (ix) Locate service areas for ease of use and minimal conflict with circulation systems.
- (x) Provide circulation systems that respond to site topography, natural contours, and natural resources, to minimize grading and resource impacts.

May 24, 2021

Page 56 of 61

(xi) Provide shared parking with abutting sites where practicable.

(xii) Provide the use of alleys for vehicular access.

(xiii) Provide lighting for the safety of pedestrians and drivers.

4.7.390 Multiple Unit Housing Variances

(A) **Description.** The Director may approve an adjustment of up to 20 percent to the multiple unit housing design standards listed in SDC 4.7.390. The multiple unit housing design standards are: Building Orientation; Building Form; Storage; Open Space; Landscaping; Pedestrian Circulation; Parking; and Vehicular Circulation. There is one general criterion in Subsection (B), below that applies to all the design standards. In addition, each design standard has applicable criteria as specified in Subsections (C) through (G), below.

The Director must find that the application complies with the criteria for each applicable design standard; i.e., design standards modifications that the applicant does not specifically request in the application do not require a finding by the Director, and is not subject to review under this Section. Requests to modify the standards of SDC 4.7.390 by more than 20 percent require review under SDC 5.21.130.

(B) **General Criterion.** The adjustment is necessary due to topography, natural features, easements, and similar physical or legal constraints preclude full compliance. Self-imposed conditions do not satisfy this criterion.

(C) **Building Orientation.** The adjustment results in a better overall streetscape. For example, design elements include: protecting and preserving vegetation and trees five inches (dbh) in caliper or greater; providing pedestrian amenities (i.e., between buildings and the street); providing building mass and architectural detailing that compliment adjacent uses and landscaping; and similar elements that effectively accomplish the intent of the standard.

(D) Building Form

(1) The adjustment provides equivalent neighborhood compatibility either by providing similar building mass and architecture, or through protection of vegetation and trees greater than five inches (dbh) in caliper (i.e., screening allows for contrasting building form).

(E) Open Space

(1) The adjustment results in protecting vegetation and preserving trees five inches (dbh) in caliper or greater; providing pedestrian amenities; or providing locations for common open space which enhances safety and visibility.

(2) The Director may approve an adjustment in the common open space requirements for developments with 61 units or more if up to 50 percent if the site is within 1/4 mile (measured walking distance) of a public park with active recreation facilities [as defined by SDC 3.2.240(D)(5)]; and there is a direct, improved, permanent, public,

Commented [RM104]: Do we need/should we keep this section?

Commented [KK105R104]: This section gives a Type 2 process to make some changes, where the prior section requires planning commission approval for changes.

Commented [RM106]: MK comment. Doesn't support style mandates.

ADA - accessible, lighted, maintained pedestrian trail or sidewalk between the site and the park.

- (3) The Director may approve a reduction in either the required private open space or required common open space areas if the proposal includes a proportional increase in the other type of required open space. This adjustment does not apply to required active recreation areas.

(F) Landscaping

- (1) The adjustment results in a better overall transition from neighboring R-1 designated property, such as: protecting and preserving trees five inches (dbh) in caliper or greater; and
- (2) The adjustment provides an equivalent degree of privacy, visual separation, and visual enhancement for residents and adjacent R-1 designated property.

(G) Pedestrian Circulation

- (1) The adjustment provides an equivalent degree of pedestrian circulation, safety, and comfort, as provided by the pedestrian circulation standards.
- (2) The Director may approve an adjustment in the pedestrian circulation standard, notwithstanding Subsection (B), above and SDC 3.2.240(D)(7) if the residents do not require an internal sidewalk system in full compliance with the pedestrian circulation standards.

4.7.400 Emergency Medical Hardship

(A) Purpose

- (1) The Emergency Medical Hardship allows the placement of temporary living quarters, on a property with a habitable primary dwelling, for a person who is determined by a licensed physician, as specified in Subsection (D)(2)(a), below to be either:
 - (a) Terminally ill; or
 - (b) Recuperating from an illness, surgery, or injury; and
 - (c) The person is not physically or mentally capable of self-maintenance and is dependent upon a care provider being on site for assistance.
- (2) Temporary means a period of 24 months, unless otherwise permitted in Subsection (G), below. The 24-month period includes an approval timeline of 12 months with an opportunity to obtain up to two six-month time line extensions at the staff level.
- (3) Temporary living quarters means a road worthy, licensed, and insured recreational vehicle (RV) as defined in Chapter 6. Tent trailers are not be permitted as a temporary living quarters.

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4.7.395 Boarding and rooming houses

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Rooming and boarding house facilities in an R-1 District must be located on collector or arterial streets.¶
¶
One-half of an additional parking space must be provided for each boarding room. No additional required parking spaces must be located within the front yard setback.¶
¶
For structures on the Springfield Historic Inventory, any external modification must be fully compatible with the original design and may be subject to a Type 1 or Type 2 Historic District review in accordance with SDC 3.3.915.¶
¶
A minimum of 25 percent of the lot or parcel must be landscaped.¶

Commented [RM108]: Copy provisions from existing 5.10-100. Refer also to other codes, look at Lane County, Bend, Eugene, etc.

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Commented [RM109]: What is this referring to?

Commented [RM110R109]: Staff agrees. Propose to delete.

May 24, 2021

Page 58 of 61

(4) The temporary living quarters must be occupied only by the person requiring medical assistance, or the care provider.

(5) The care provider must be a person who lives on-site, either in the primary dwelling, or the temporary living quarters, and provides necessary medical procedures, monitoring, and attention to the person requiring that care.

Commented [RM111]: MK comment. Seems excessive.

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(B) Applicability. The Emergency Medical Hardship process is permitted only on property designated Low Density Residential (LDR) on the Eugene Springfield Metropolitan Area General Plan diagram (Metro Plan) and zoned (R-1) within the city limits or R-1/UF-10 within the City's urban service area.

(C) Review. The initial application and any timeline extensions are reviewed under Type 2 procedure.

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(D) Submittal Requirements.

Commented [RM112]:

Commented [RM113R112]: Rely on overall submittal requirements???? Reference to other section?

(1) The application must include a plot plan, drawn to scale, showing:

(a) Existing structures on the property and their setbacks from property lines;

(b) The proposed location of the temporary living quarters and its setbacks from property lines and other structures on the property; and

(c) The required utility connections for the temporary living quarters.

(d) For those applications within the City's urban service area, the plot plan must also show the location of any wells, septic tanks, and drain fields.

Commented [RM114]: This does not relate to an approval criteria.

(2) The application must also include:

(a) A written report from a licensed physician, therapist, or professional counselor on official letterhead that indicates that the patient has a medical or physical hardship that requires care and attention in such a manner that the caretaker must reside on the same property.

Commented [RM115]: Concerns with HIPAA?

(b) A statement from the applicant addressing:

(i) Whether the person requiring medical assistance or the care provider will reside in the temporary living quarters;

(ii) The type of temporary living quarters proposed, either: a motor home, residential trailer, a travel trailer, truck camper, or other RV as defined in Chapter 6 unless exempted in this Section;

(iii) Proof that the temporary living quarters is licensed and insured; and

(iv) A statement explaining why the circumstances are temporary in nature (estimated at 12 months or less) and what steps are being undertaken to

address the circumstances prior to the elapsing of 12 months, or any extension thereof.

(E) Criteria. The Director must grant approval of the emergency medical hardship application if all the following criteria are met, including any conditions imposed in accordance with Subsection (F), below.

- (1) A written report is provided from a licensed physician, therapist, or professional counselor on official letterhead that indicates that the patient has a medical or physical hardship that requires care and attention in such a manner that the caretaker must reside on the same property..
- (2) The temporary living quarters must house either the person requiring medical assistance or the care provider.
- (3) The temporary living quarters must be located on the same legal parcel as the primary dwelling. Only one temporary living structure is allowed on a property.
- (4) The temporary living quarters is not be permitted within the front yard or street side yard setback.
- (5) All residential trailers and other similar units used as temporary living quarters must be connected to sewer, water, and electrical services as proscribed by the Oregon State Building Code as adopted by the City.
- (6) All travel trailers and other similar units used as temporary living quarters must have utility connections consistent with State law requirements for these units as in RV parks.

Commented [RM116]: MK comment/question. can the temp dwelling be in the driveway? Should be allowed to be.

Commented [RM117]: Can these be combined?

(F) Conditions

- (1) The following conditions of approval are applied to all medical hardship approvals:
 - (a) No change in occupancy of the temporary living quarters is allowed under the permit; either the person requiring care or the care provider must reside within the temporary living quarters.
 - (b) The temporary living quarters use is limited to the use permitted in this Section and is not transferable to other persons or property. Under no circumstance can the temporary living quarters be used as a rental unit.
 - (c) The temporary living quarters use must cease upon the occurrence of the first of the following events:
 - (i) The medical hardship no longer exists; in this case, the temporary living quarters must be removed within 30 calendar days of cessation of the provision of care; or
 - (ii) Within 12 months of the date of application approval, unless there is an approved extension as specified in Subsection (G), below.

Commented [RM118]: MK comment/question? can the care provider switch? Response, yes.

May 24, 2021

Page 60 of 61

- (2) Additional conditions of approval may be imposed to the extent necessary to satisfy the standards of Subsection (E), above, to comply with all applicable standards of this Code.

Commented [RM119]: This is not an approval criteria.

(G) Time Line Extensions. A request for an extension will not require a new application; however, a written request must be submitted to the Director 30 days prior to the expiration of the initial 12-month approval timeline. The request must include written verification from a licensed physician stating that the person requiring care as specified in Subsection (D)(2)(a), above continues to need care. Staff must review the request to ensure that the applicant remains compliant with the approval criteria specified in Subsection (E), above and any conditions of approval required under Subsection (F), above. Upon expiration of the initial 12-month approval timeline, the temporary living unit may be extended as follows:

- (1) Staff Approved Timeline Extensions. The applicant may obtain no more than two six-month timeline extensions from staff.
- (2) Criteria of Approval for Timeline Extensions. Staff approval of any timeline extension request is based upon:
 - (a) The physician's verification of condition that the patient still requires care; and
 - (b) Staff's verification that the temporary living quarters is still in compliance with the initial conditions of approval.

(H) Compliance. The temporary living quarters must maintain compliance with all conditions of approval. Violation of the provisions of this Section, or determination that the need can no longer be verified, is the basis for termination of approval.

Deleted: 4.7.405 Registered or Certified Family Child Care Home

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The registered or certified family child care home must be the same address as the residence of the provider.¶

¶

¶
The child care must be provided in the providers family living quarter's of the provider's home.¶

¶

¶
The provider may care for not more than 16 children

Deleted: , including provider's own children, and without regard to full-time or part-time status.¶



Section 6.1.100 – Definitions

Subsections:

- 6.1.105 Meaning of Common Words
- 6.1.110 Meaning of Specific Words and Terms

6.1.105 Meaning of Common Words

- (A) All words used in the present tense include the future tense.
- (B) All words in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.
- (C) The word “shall” directly and clearly imposes a duty upon someone or something; the subject of the sentence is obligated to do something. The term means “is required to” or “has a duty to”. This term is mandatory.
- (D) The word “must” is mandatory.
- (E) The word “may” is permissive.
- (F) Words defined in this Section may also be defined in Springfield Development Code (SDC) 6.1.100.
- (G) Where words are not defined in this Section, the following sources are consulted: the Springfield Development Code, including specifically SDC 6.1.100; the Metro Plan; State of Oregon Revised Statutes (ORS), State of Oregon Administrative Rules (OAR’s); and any dictionary of common usage, all of which will be interpreted by context.

6.1.110 Meaning of Specific Words and Terms

A

AASHTO. American Association of State Highway and Transportation Officials.

Abutting (or Abut). Adjoining with a common boundary line. However, where two or more lots or parcels adjoin only at a corner or corners, they are not be considered abutting unless the common property line between the two lots or parcels measures eight feet or more in a single direction.

Access. The approved means by which vehicles have ingress and/or egress to an approved lot/parcel or development area.

Accessory Dwelling Units (ADU’s). A secondary, self-contained dwelling that may be allowed only in conjunction with a detached single-unit dwelling. An accessory dwelling unit is subordinate in size to the primary detached single-unit dwelling. An accessory dwelling unit has its own outside entrance and a separate kitchen, bathroom, and sleeping area. An accessory dwelling may be located within, attached to, or detached from the primary single unit dwelling.

Accessory Structure. A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Accessory structures are generally detached from the primary structure. If accessory structures are attached to the primary structure, their structural framework is independent or semi-independent from the primary structure. For example, a porch, deck, or stairs that have their own footings or foundation are accessory structures even though they may be attached to the primary structure. A balcony that is supported totally

Commented [RM1]: Delete? Not yet until the entire code is revised and the word is removed from everywhere.

Commented [RM2]: MK comment. “Adjacent across from on right of way, is this “directly across”, shared across like with the 8’ and over rule for abutting, or half directly across, or what?”

Commented [MR3]: Leave existing def. in existing code or replace?

Commented [MR4]: Same definition contained in SDC 6.1-100. Also see section 4.7-105.

by the framework of the primary structure is not considered an accessory structure. Agricultural structures, including, but not limited to, barns, silos, hay sheds, drying sheds, and greenhouses are exempt from the Specific Development Standards of the underlying zoning district when located on land two acres or larger or on any lot/parcel with a valid farm deferral tax classification from the Oregon State Department of Revenue. Notwithstanding this exemption, land use activities conducted on land with agricultural structures must otherwise conform to the list of permitted uses within the underlying zoning district. (See also **Primary Structure**; **Extension**, **Architectural**; and **Incidental Equipment**; in SDC 6.1.100)

Accessway. A dedicated easement or right-of-way intended to allow pedestrians and bicyclists convenient linkages, where no public street access exists, to streets, residential areas, neighborhood activity centers, industrial or commercial centers, transit facilities, parks, schools, open space, or trails and paths.

Adaptive Reuse. A permitted use of a building that is different from its original or previous use, often involving conversion work involving substantial modifications.

Adjacent. Abutting or located directly across a right-of-way.

Administrative Office. A building or portion of a building, in which persons are employed in the day-to-day management or direction of a single business or division of that business.

Agriculture. The cultivation of tree crops, plants, orchards, pasture, flower, berry and bush crops or the keeping, raising or breeding of livestock or poultry where permitted by the Springfield Municipal Code, 1997, and on any lot/parcel with a valid farm deferral tax classification from the Oregon State Department of Revenue. Agricultural structures, as defined elsewhere in this Code, also is defined as "Agriculture."

Alley. A service way providing means of public access to abutting property and not intended for general traffic circulation.

Alter, Alteration. A modification in use of a structure that may or may not involve construction. As used in SDC 3.3.900, any construction, erection, remodeling, restoration, reconstruction, removal or exterior painting affecting the appearance or position of an Historic Landmark Site or Structure within or outside of a designated Historic District.

Animal Clinic. A business establishment in which veterinary services are provided to small domestic pets on an out-patient basis with no overnight boarding allowed.

Animal Hospital. A place where animals are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Appeal. A request for a review of a final decision by the Director, Planning Commission, or City Council in accordance with applicable procedures, based on the standards of this Code.

Applicant. A person submitting an application; the owner of affected property, or the owner's duly authorized representative. The City Attorney may require proof of the

sufficiency of the representative's authorization by the owner to act as applicant on the owner's behalf.

Commented [RM5]: Check procedures code section

Approval Authority. The individual or public body which has jurisdiction for making a decision on an application under the provisions of this Code.

Commented [RM6]: Check against procedures

Removed from procedures. What replaced? Hearings Authority???
Check the rest of the code for this term.

Aquifer. A geologic formation, group of formations, or part of a formation that is capable of storing and transmitting water in sufficient quantity to supply wells or springs.

Automobile-dependent. A use where automobiles and/or other motor vehicles are served by the use and the use would not exist without them, such as vehicle repair, gas station, car wash, or auto and truck sales. Automobile-dependent also includes a drive-up or drive-through that does not have any indoor customer seating.

Automobile-oriented use. A use where automobiles and/or other motor vehicles are an integral part of the use, such as drive-up, drive-in, and drive-through facilities. Automobile-oriented drive-up and drive-throughs must have indoor seating. Without indoor customer seating the use is classified as automobile-dependent as defined above.

Commented [RM7]: Comment from Michael

Should we distinguish between drive thru uses with out seating would be classified as Auto dependant? How does this work with drive up and drive in?

Automobile wrecking. The dismantling or disassembling of motor vehicles, including large truck or heavy machinery, or trailers, or the storage, sale salvage, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles, or their parts. An automobile wrecking use includes a wrecking yard. More than two dismantled, obsolete, or inoperable motor vehicles or parts thereof on one lot constitutes a wrecking yard.

B

Backhaul Network. The land lines that connect a WTS provider's radio signals to one or more cellular telephone switching offices and/or local or long distance providers, or the public switched telephone network.

Base Flow. The portion of a stream flow that is not run-off and results from seepage of water from the ground into a channel. The primary source of running water in a stream during dry weather.

Bedroom. A room in a dwelling unit that is at least 70 square feet and includes both of the following: a door that can be closed such that the bedroom is closed off from other occupied rooms in the dwelling and a second egress such as window or exterior door. For the purposes of this code only, a bedroom may or may not included a closet.

Deleted: Bed and Breakfast Facility. A structure designed for and occupied as a single-family dwelling, in which travelers are lodged for sleeping purposes for two weeks or less and a morning meal provided, and for which compensation is paid. A Bed and Breakfast Facility is not a hotel, motel, boarding house or rooming house.

Commented [KK8]: Definition added for occupancy limits for dwelling units. If no occupancy limits are desired, then remove definition.

This definition is also useful for regulation of bedrooms for rooming houses, etc.

Berm. A mound of earth used to deflect sound or used as a buffer in landscaping provisions to separate incompatible areas or to provide aesthetic enhancement in site design.

Bicycle or Bike Lane. A portion of a street that has been designated, by striping, signage and pavement markings, for the exclusive use of bicycles.

Bicycle Parking Space. A space for one standard bicycle within a lighted and secure bicycle rack, placed in a paved area.

Bikeway. Any street, path or way which in some manner is specifically designated for bicycle travel, regardless of whether the facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

Block. An area of land containing one or more lots/parcels surrounded by public or private streets.

Block Length. The distance along a public or private street between the centerline of two intersecting streets, including "T" intersections but excluding cul-de-sacs.

Block Perimeter. The sum of all block lengths for a given block, also measured as the distance to travel once completely around the block, ending at the starting point as measured from the centerline of the street.

Bond, Performance or Security. Collateral security for the performance of a specific action or duty imposed by the City.

Buildable Area of a Lot/Parcel. The area of a lot/parcel enclosed within the setback boundaries, exclusive of easements.

Building. Any structure used or intended for sheltering any use or occupancy. As used in SDC 3.3.400 Floodplain Overlay District, the terms "building" and "structure" are synonymous, and are framed, erected, constructed or placed to stand temporarily or permanently on a tract of land. This definition specifically includes a mobile home, manufactured home and any accessories, and gas or liquid storage tanks principally above ground.

Building Board of Appeals. A board appointed in accordance with Section 2.500 to 2.574 of the Springfield Municipal Code, 1997, to hear requests for alternate building methods/materials.

Building Envelope. That portion of a lot/parcel that has no development restrictions where the placement of driveways and structures can be established. The building envelope does not include the area of any required setbacks, tree protection plans, conservation zones or other protected areas as authorized by a limited land use decision.

Building footprint. As applicable to Cottage Cluster Housing development specified in SDC 4.7.325(E)(1), The horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

Building Height. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deckline of a mansard roof, or to the average height of the gables of a pitched or hipped roof. The maximum height of a stepped or terraced building is the maximum height of all segments of that building. The

Deleted: ¶

Boarding House. A building where lodging and meals are provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

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Commented [RM10]: MK comment. "Building. I'm surprised this includes storage tanks, which are structures, but building usually implies something that can be accessed by people, tanks generally aren't. Legal definition appears to not include something like a tank. "any structure intended for shelter, housing, or enclosure of persons, animals, or chattels."

Commented [MR11]: This is from Model Code for HB 2001 for Cottage Clusters. Needed? Does this cause problems elsewhere? Should it just be included and applicable in Cottage Cluster section? Is there an equiv. def. in BP?

Commented [RM12]: MK comment. "Building height, the reference datum definition to me is really hard to understand. If it's hard for a surveyor, it's probably hard for the general public. Would examples of this in a graphic form better illustrate the concept? "

reference datum is, which either of the following of the 2 measurements that results in the greater building height.

- (1) The reference datum is the lowest grade when the highest ground surface within a 5-foot horizontal distance of the exterior wall is not more than 10 feet above the lowest grade.
- (2) The reference datum is 10 feet higher than the lowest grade when the ground surface described in A, above is 10 feet above the lowest grade.

Building Official. The person responsible for the administration and enforcement of the Building Safety Codes; the duly authorized representative of the Director responsible, in consultation with the City Engineer, for the interpretation of SDC 3.3.400 Floodplain Overlay District.

Building Permit. Written permission issued by the Building Official that construction may commence in accordance with this Code and the Building Safety Codes.

Building Safety Codes. A book of codes including the Springfield Building Code Administrative Code, the Structural Specialty Code, the Mechanical Specialty Code, the Electrical Specialty Safety Code and the Plumbing Specialty Code.

Build-To Line. A line parallel to the property line that prescribes a consistent plane of building façades along a public street and in certain circumstances, alley frontages. The build-to line provides predictable results in the urban form by requiring a set location for the buildings as opposed to the range of possible locations that a minimum setback allows. The build-to line can be adjusted by utilizing maximum building setbacks.

Burden of Proof. The duty of producing evidence or establishing a given proposition in order to establish that the party seeking affirmative relief or action is entitled to relief or action by the applicable ordinances and statutes.

Business Park. A development on one or more lots/parcels under common ownership with 2 or more separate buildings to accommodate light industrial uses, including, but not limited to, office research and development, manufacturing, assembly, warehousing and distribution, large administrative headquarters, and other professional and administrative uses. Light industrial uses permitted within the business park have no significant potential for major pollution, adverse visual impacts, or nuisance or hazard factors; and are planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, off-street parking, utility needs, building design and orientation and open space, landscaping, noise control, outdoor storage and other site improvements as may be required by this Code.

C

Calendar Day. Any day of the year, including official City holidays and weekends. If any effective date or deadline falls on a weekend or holiday, the date or deadline will be effective on the next City working day.

Cannabinoid. Any of the chemical compounds that are the active constituents of marijuana.

Cannabinoid Concentrate. A substance obtained by separating cannabinoids from marijuana by:

- (1) A mechanical extraction process; or
- (2) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol or ethanol.

Cannabinoid Edible. Food or potable liquid into which a cannabinoid concentrate, cannabinoid extract or dried marijuana leaves or flowers have been incorporated.

Cannabinoid Extract. A substance obtained by separating cannabinoids from marijuana by:

- (1) A chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane or propane;
- (2) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses heat or pressure; or
- (3) Any other process identified by the commission, in consultation with the authority, by rule.

Cannabinoid Product. A cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair that contains cannabinoids or dried marijuana leaves or flowers.

Carport. A roofed accessory structure providing parking space which is open on two or more sides.

Cell. A geographic area where a single radio transmission sending/receiving station (per provider) and the equipment necessary to connect these radio calls to land lines or other cells are located.

Certificate of Occupancy. A document issued by the Building Official allowing the occupancy or use of a structure and demonstrating that the structure or use has been constructed in compliance with all applicable City codes and ordinances.

Change of Use. A change from one existing permitted use to another permitted use in the applicable zoning district. Change of use includes changes that require construction or alteration to land or water outside of existing buildings, structures, or open storage areas; and that substantially alters or affects land or water—also, as used in SDC 3.4.280C., making a different use of the land or water. Change of use does not include a change of use of a building or other structure that does not substantially alter or affect the land or water upon which it is located, the sale of property, or modifications of existing structures, as may be permitted by this Section.

Child Care Center. As defined in ORS 329A.440.

Commented [RM13]: Review this definition to make sure it matches up with new use categories, site plan process, and MDS, etc.

Deleted: Childcare Facility. Any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home, or similar unit operating under any name. Also see ORS 329A

Deleted: :

For the purpose of a "Registered or Certified Child Care Facility" as allowed by ORS 239A.440,

Deleted: the following terms apply:

"Certified" means the certification that is issued under ORS 329A.280 by the Office of Child Care to a family child care home, child care center, or other child care facility.

"Registered" means the registration that is issued under ORS 329A.330 by the Office of Child Care to a family child care home where care is provided in the family living quarters of the provider's home.

ORS 329(A).250

(5)"Child care facility" means any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home or similar unit operating under any name, but not including any

Deleted: :

(a) Preschool recorded program.

(b) Facility providing care for school-age children that is primarily a single enrichment activity, for eight hours or less a week.

(c) Facility providing care that is primarily group athletic or social activities sponsored by or under the supervision of an organized club or hobby group.

(d) Facility operated by:

(A) A school district as defined in ORS 332.002;

(B) A political subdivision of this state; or

(C) A governmental agency.

(e) Residential facility licensed under ORS 443.400 to 443.455.

(f) Babysitters.

(g) Facility operated as a parent cooperative for no more than four hours a day.

(h) Facility providing care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other nonwork activity.

(i) Facility operated as a school-age recorded program.

Church. See "Place of worship".

City. The City of Springfield.

City Council. The Springfield Common Council.

City Engineer. An Oregon Registered Professional Engineer who is an officer of the City and is charged with the supervision and construction of public improvements and the enforcement of City ordinances as they relate to public improvements, or a duly authorized representative.

City Recorder. The Springfield Finance Director, or a duly authorized representative.

City Surveyor. An Oregon Registered Professional Land Surveyor who is charged with conducting surveys of City facilities and with the enforcement of certain City ordinances and State statutes as they relate to subdivision and partitioning of land.

Clean Water Act (CWA). A federal law established in 1972 to restore and maintain the chemical, and physical and biological integrity of water, including lakes, river aquifers and coastal areas.

Clinic. A facility consisting of single or multiple offices where a group of medical, allied health professions and alternative caregivers provide diagnosis, care and treatment of persons primarily on an outpatient basis.

Club. An association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Cluster Subdivision. A form of subdivision development that permits flexibility in dimensional requirements by reducing lot/parcel size, setback, street width and other developmental standards to allow a more flexible design than is permissible under the conventional subdivision process. This form of subdivision preserves open space and creates innovative residential designs that emphasize affordability and home ownership.

Commercial Use – the use of land involving buying or selling of goods and services as the primary activity.

Common Courtyard. A common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

Common Wall. A wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.

Community Park. A park, normally between 15 and 100 acres in size, which provides a variety of moderate density use recreation and/or cultural opportunities and is centrally located for citizens of the community and immediate outlying areas.

Commented [RM17]: MK comment. "Cluster Subdivision. 2nd part of definition shows the intent of the subdivision, affordability, home ownership, innovation. I find this odd to have these goals here in the definition, when I don't see them elsewhere. I like the goals, but am not sure they belong in code "

Commented [RM18]: Keep? Still a use listed?

Commented [RM19]: See SDC 3.2.315(A). Needed there? Or just here? Or both?

Conceptual Street Map. A map adopted into the Transportation System Plan depicting existing and future multi-use path and arterial and collector street alignments.

Condominium. A form of ownership that is regulated in part by ORS 100.005 et seq. that may be applied to any dwelling type. Existing and new dwellings may be converted to condominium ownership; however, new dwellings must comply with the development standards specified in this Code for the particular type of dwelling.

Congregate Care Facility. A building serving more than 15 elderly or infirm persons where daily meals are provided outside of each individual dwelling unit, on-site nursing facilities are available and the majority of residents do not own automobiles.

Construction Activity. Includes, but is not limited to, clearing, grading, excavation, and other site preparation work related to the construction of buildings, and heavy construction (for example, highways, streets, bridges, tunnels, pipelines, transmission lines and industrial non-building structures).

Convenience Store. A small grocery typically open extended hours.

Corporate Headquarters. A building or portion of a building in which persons are employed in the management or direction of a business consisting of one or more divisions or groups of companies. To be considered a corporate headquarters, the business must meet the applicable employee threshold specified elsewhere in this Code. Businesses that do not meet the applicable employee threshold are considered an administrative office.

Cottage. An individual dwelling unit that is part of a cottage cluster.

Cottage Cluster. A grouping of no fewer than four dwelling units per gross acre, each with a footprint of less than 900 square feet that includes a common courtyard. Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels. Cottage cluster may also be known as "cluster housing," "cottage housing," "bungalow court," "cottage court," or "pocket neighborhood". See SDC 4.7.325 Cottage Cluster.

Cottage Cluster Project. A development area with one or more cottage clusters. Each cottage cluster that is part of the cottage cluster project must have its own common courtyard.

Courtyard. An open, unoccupied space other than a required exterior yard, which usually provides amenities such as gardens, planters, seating, or art.

Courtyard housing. Detached "zero lot line" dwellings on individual lots subject to the same standards as detached single unit dwellings, except that a three-foot minimum side yard setback is required on one side of a typical lot. This type of housing allows development on smaller (i.e., narrower) lots and provides usable outdoor living area in side-oriented yards. See SDC 4.7.335, Courtyard Housing.

Commented [RM20]: Def from MS4 permit. Keep? Move to section on stormwater? Limited to just residential development....

Commented [RM21]: Should we allow clusters to be 3 units? Rules allow minimum number of units to be 3, 4, 5, or no min.

Commented [MR22]: HB 2001

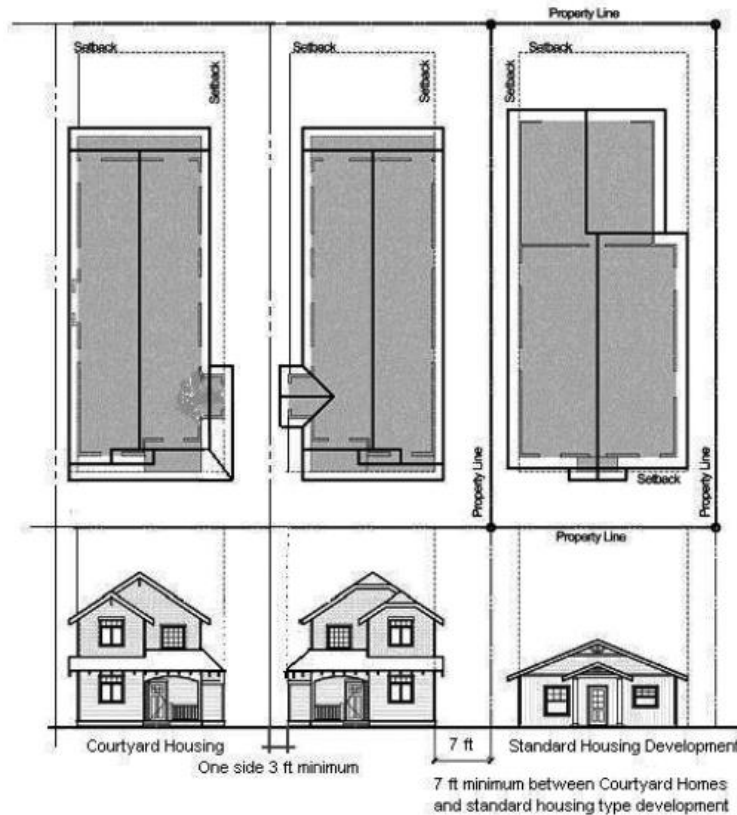
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Commented [RM23]: Delete and replace with "Common Courtyard" above? Where else is this term used? Search.

Comment from Molly, check Glenwood code.

Commented [RM24R23]: No.

Figure 6.1-A. Courtyard housing



Commented [RM25]: MK comment. "61a courtyard housing, the combined 7 and 3 side setbacks create a cascading problem when the adjoiner is not part of the development. For illustration, the left side of the drawing, the lot on the side of the 3' setback (not shown) would be mandated as a 7' setback to have 10' when the other specified setbacks are supposedly set at 5'. But with 5', the total separation of the structures would only be 8' and I am not sure fire would like that, as I think they are driving the 10' min between structures for emergency access. "

Cul-de-Sac. A short local street which has one end open to traffic and is terminated by a vehicle turn around, the cul-de-sac bulb.

Cultivation or Cultivate. All phases of growth of marijuana from seed to harvest.

Curb. The raised concrete border along the edge of a street or paved area.

Curb Cut. The opening along the curb line at which point vehicles may enter and/or leave the public street.

Cut. A portion of land surface from which earth is removed by excavation; the depth below the original ground surface or excavated surface.

D

Dance Hall. Any place of business whose primary function is dancing.

Commented [RM26]: MK comment. "Dance hall. These are coming back. Good to have this still in the code. How about doll houses, shabeens and shanty towns? "

Dbh. The diameter of a tree measured 4-1/2 feet above the ground at the base of the tree.

Dedication. The transfer of property interests from private to public ownership for a public purpose.

Delineation. (From Oregon Health Department rules): The determination of the extent, orientation, and boundaries of a wellhead protection area using factors, for example: geology, aquifer characteristics, well pumping rates and time of travel.

Demolition. Razing, destroying, dismantling, defacing, or in any other manner causing partial or total ruin of an Historic Landmark Site or Structure within or outside of a designated Historic Landmark District.

De Novo. A hearing where new evidence may be provided, distinguished from a hearing based solely on an existing record.

Density, net. The number of dwelling units for each acre of land in residential use, excluding: dedicated streets; dedicated parks; dedicated sidewalks; and other public facilities.

Density, gross. The number of dwelling units for each acre of land including, but not limited to, areas devoted to streets, parks, sidewalks, and other public facilities.

Design Standard. A standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.

Designated Beneficial Use. The purpose or benefit to be derived from a watercourse. For the Willamette and McKenzie Rivers and all other streams and tributaries, the following beneficial uses apply: Public domestic water supply, private domestic water supply, industrial water supply, irrigation, live stock watering, anadromous fish passage, salmonid fish rearing, salmonid fish spawning, resident fish and aquatic life, wildlife, fishing, boating, water contact recreation aesthetic quality and hydro power (excluding the Willamette River).

Developable Acre. 43,560 square feet of land that can be developed that includes common open space or recreational facilities reserved for the use of residents in a development, but excludes public property, including, but not limited to, parks and dedicated streets. At the request of the developer, the Director may exclude portions of the site that cannot be developed due to physical constraints, including, but not limited to, natural resources that are listed within a local inventory.

Development. Any human-made change to improved or unimproved real estate, including, but not limited to, a change in use; construction, installation or change of a structure; subdivision and partition; establishment or termination of a right of access; storage of materials, equipment or vehicles on the land; drilling and site alteration due to land surface mining, filling, grading, dredging, paving, excavation or clearing of trees and

Commented [RM27]: MK comment. "Demolition defn seems to imply only historic structures, to not get confusy, this should be broadened to the standard defn and then maybe an "historic structure demolition" term be defined as well, or just term this Demolition, Historic Structure? "

Commented [RM28]: MK comment. "Density, Density gross and Developable acre. Are PUE's and other easements included in the terms or excluded. I think that should be spelled out one way or another in each defn "

Commented [RM29R28]: See 3.2.235

vegetation. Agricultural uses (including agricultural structures), when otherwise permitted by the base zoning district, are exempt from this definition unless agricultural structures are placed within adopted special flood hazard zones. As used in SDC 3.3.400, Floodplain Overlay District, any human-made change to improved or unimproved real estate located within the area of special flood hazard, including, but not limited to, buildings and other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. As used in SDC 3.4.280(C), any activity within the Glenwood Riverfront portion of the WG Overlay District that would alter the elevation of the land; remove or destroy plant life; cause structures of any kind to be installed, erected, or removed; or result in a measurable change of any kind.

Development and Public Works Department. The department responsible for the administration of this Code and the implementation of the Metro Plan within Springfield's Urban Growth Boundary.

Development Approval. Approval granted by the Director for a development which is in compliance with this Code and the Metro Plan and precedes the issuance of a Building Permit.

Development Area. The area subject to any application required by this Code.

Development, Phased. A project that is developed incrementally, with each phase capable of functioning independently of the others.

Development Review Committee. City staff, representing each affected division and department of the City, and affected agencies and utility providers that meet on a regular basis to review land use requests and development proposals.

Direct Tributary to a Water Quality Limited Watercourse. A direct tributary to a Water Quality Limited Watercourse (WQLW) is one that flows directly into a WQLW, excluding those watercourses that flow into the WQLW as a piped connection, where the pipe system extends more than 200 feet upstream of the connection point or is one that is a diversion from a WQLW and that discharges into either a WQLW or other direct tributary to a WQLW and where the water quality of the diverted flow at the discharge point has been degraded when compared with the water quality at the diversion point.

Commented [RM30]: MK comment. "Direct tributary to a WQLW-- last sentence should say "where the water quality OF the diverted flow" not "IF" the diverted flow."

Commented [RM31R30]: Good catch. Existing typo in code.

Deleted: if

Director. The Development and Public Works Director or the duly authorized representative who is responsible for the administration and interpretation of this Code.

Discretionary Use. Any use not permitted outright in a particular zoning district because of its potentially incompatible characteristics requiring review by the Planning Commission or Hearings Official to determine whether that use should be permitted, and if so, adding any conditions of approval necessary to ensure compatibility with adjacent uses.

DNAPL, Dense Non-Aqueous Phase Liquids. A group of hazardous materials that are denser-than-water (specific gravity greater than one), have low solubility rate, and degrade slowly to other compounds that are even more of a health hazard. For the purpose of Springfield's drinking water protection, DNAPL chemicals are defined as "all chemicals displaying the characteristics of a DNAPL chemical or a material containing a substance considered a DNAPL chemical." A list of DNAPLs regulated within the

Drinking Water Protection Overlay District must be as adopted by SUB on November 10, 1999.

Door area. The area of the portion of a door other than a garage door that moves and does not include the frame.

Downtown Exception Area. An area defined by the Willamette River on the west, 8th Street on the east, the alley between north B and north C Streets on the north, and a line north of the Southern Pacific Railroad tracks on the south.

Downtown Planning Area. The area under the jurisdiction of the Springfield Downtown Refinement Plan that includes Springfield's traditional Downtown area and the Booth-Kelly redevelopment area.

Drainage Way. A natural or constructed watercourse which has the specific function of transmitting stream water or storm run-off water from a point of high elevation to a point of low elevation which convey significant seasonal concentrations of water over the surface of the land.

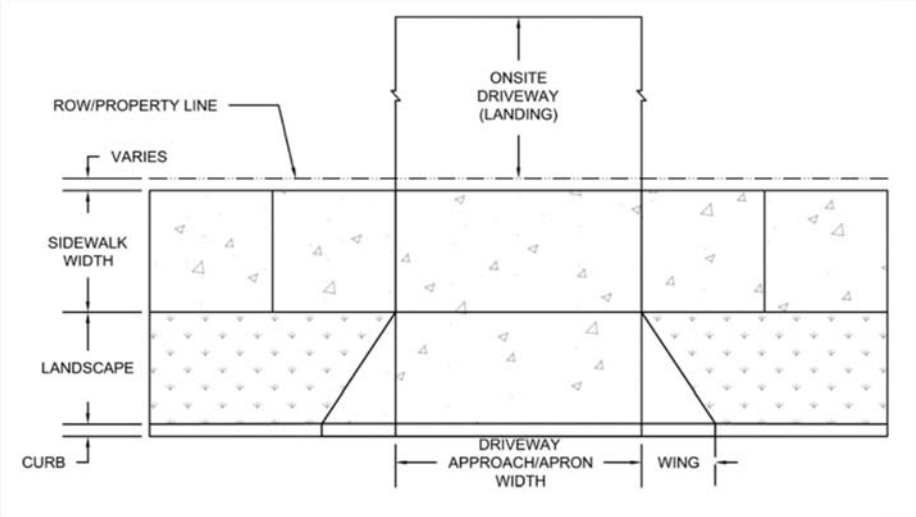
Dripline. A roughly circular land area measured beneath a tree. The approximate center of the area is the trunk of the tree, and the radii are equal to the horizontal measures of the longest branches.

Drive-Through Business. An establishment that sells products or provides services to occupants in vehicles where payment is made and the product or service is picked up at a drive-up window. This use includes, but is not limited to, the operation of drive-up or a drive-through service at a restaurant, bank or financial institution, personal services, and retail sales (e.g., pharmacy).

Driveway. A vehicular access that provides connection between a structure or parking area on private property and the public street system. "Driveway" may include a private easement to provide vehicular access to more than two or more properties.

Driveway approach. The edge of a driveway where the driveway abuts a public right of way.

Figure 6.1-B. Driveway approach



Driveway, Curb Return. A driveway defined on both sides by a full height curb.

Driveway, Joint Use. A driveway serving two or more properties.

Driveway, Standard Driveway. A driveway created by depression of the street curb at its approach.

Drop-Off Space. A paved, clearly marked short-term (less than 20 minutes) parking space, generally within 50 feet of a main building entrance, separated from required parking for staff and long-term visitors.

DSL. The Oregon Department of State Lands.

Duplex. Two dwelling units on one lot or parcel in any configuration. Units may be attached vertically or horizontally or detached.

Dwelling Unit (Dwelling or unit). A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating cooking and sanitation. Total occupancy of a dwelling unit must not exceed two persons per bedroom plus one additional person, regardless of whether occupants are related or unrelated.

E

Easement. An interest in property owned by another that entitles its holder to a specific limited use or enjoyment of that property.

Elevation. The term is based on context and is either: a vertical distance above or below a fixed reference level; or a particular side of a building.

Commented [RM32]: MK comment. "Duplex-have we decided if detached duplexes are acceptable yet, or is this a desired change only so far? "

Commented [RM33R32]: Yes, moving forward with detached allowed for hearing draft.

Commented [RM34]: Added to 4.7.310 for duplex.

Also add to ADU section???

Commented [KK35]: This is an option to replace the "5 unrelated persons" maximum that is being deleted with the definition of "Family." See also added definition of "bedroom."

Commented [KK36]: As used in the middle housing code and confirmed by dictionary definition, an "elevation" is the side of the building, not a drawing of the side of the building. If the code requires an "elevation plan" or "elevation drawing," for example, it would be redundant to define "elevation" as the drawing. (I also note that you have used "elevation" in place of the model code's "facade" for the middle housing standards - I think that's a good swap)

Deleted: flat scale drawing of the front, rear or side

Emergency Shelter. The use of a church, school, motel, hotel, or other structure for housing the homeless on a short term basis due to a natural disaster or other reason.

Endangered Species Act (ESA). A Federal law established in 1973 that provides significant protection for various species of fish, wildlife and plants facing extinction that are listed as needing protection.

Engineer. A Registered Professional Engineer, licensed by the State of Oregon to practice in a specific branch of engineering.

Engineering Design Standards and Procedures Manual (EDSPM). A document containing design standards and procedures prepared by the Public Works Department and adopted by resolution of the City Council. These standards and procedures are applicable to public and private improvements and allow City staff to provide certainty to developers and consultants to ensure safe, efficient, and cost effective transportation, sanitary sewer, and stormwater management system projects within the City and its Urban Growth Boundary.

Excavation. The mechanical removal of earth material.

Exempt Tree or Vegetation. The full height and breadth of vegetation that the Director has identified as "solar friendly" as specified in this Code; and any vegetation listed on a plat map, a document recorded with the plat, or a solar access guarantee as exempt.

Commented [RM37]: MK comment. "Exempt tree or vegetation. Not sure, but can you provide context for what this is defining? Anecdotal may work, too."

Ex Parte, Communication. A communication made at the instance of, or for the benefit of one party without notice to, contest by, or at least without an opportunity to be heard being given to other parties who will be bound or directly affected by the communication.

Ex Parte, Proceeding. An action taken at the instance or benefit of one side only without notice to, contest by, or without the opportunity to be heard by other parties who will be bound or directly affected by the proceeding.

Extension, Floor Area. An increase in the amount of floor area within an existing building.

Extension, Architectural. Architectural appendages, including, but not limited to, cornices, eave overhangs, porches and balconies extending beyond an exterior wall of a building. (See also Accessory Structure.)

Exterior. Any portion of the outside of an Historic Landmark Site or Structure or any addition thereto which can be seen from a public place.

Commented [RM38]: MK comment. "Exterior, only implies on historical structures? Not common defn for a common term...Change defn title to Exterior, historical? "

Family Child Care Home. As defined in ORS 329A.440.

Commented [KK40R39]: HB 2583 prohibits occupancy limits based on relationships between related or unrelated people - only limits based on factors like bedrooms, square footage, etc., are allowed. HB 2583 goes into effect Jan. 1, 2022.

FCC. The Federal Communications Commission; the Federal agency that regulates interstate and international communications by radio, television, wire, satellite and cable.

Deleted: Family. Two or more persons related by blood, legal adoption, guardianship or marriage living together; or unless modified by the Federal Fair Housing Law as it relates to people with disabilities, a group of not more than 5 persons who need not be related (as above) living together in a dwelling unit.

Deleted: ¶

E

June 24, 2021

Page 14 of 46

Fell. To remove or cut a tree or the intentional use of any procedure, the natural result of which is to cause the death or substantial destruction of the tree. Fell does not include normal trimming, pruning or topping of trees.

Commented [RM41]: MK comment. "Fell, remove citation of "tree topping", it is a bad practice and shouldn't be referenced in code, unless as a prohibition"

Fence. A structure which serves as an enclosure, barrier or screen that is not part of a building.

Commented [RM42]: MK comment. "Fence, chain link is more correct term vs "cyclone"

Fence, Sight Obscuring. A fence which screens an area or object, including, but not limited to, solid wood or metal fences or slatted **chain link** fences.

Commented [RM43]: correct throughout rest of code... word search.

Fill. Sand, gravel, earth or other approved materials of any composition placed or deposited on the earth's surface by humans.

Deleted: cyclone

Final Map. The finished drawing of the survey of a property line adjustment containing information necessary to comply with this Code and requirements resulting from review of the Preliminary Plan.

Commented [RM44]: MK comment. "Fill, as defined would also cover bark o mulch placement or gravel addition to a driveway. I don't think that is what we want here"

Commented [RM45]: MK comment. "Final map, seems to imply that this applies only to boundary line adjustments. If that is the desire, change title to Final Map, Property Line Adjustment"

Final Site Plan. The plan containing information necessary to comply with this Code and requirements resulting from review of the Preliminary Site Plan to which all construction improvements must conform.

Final Survey. The recorded survey of a property line adjustment containing information necessary to comply with this Code and any conditions of approval resulting from review of the Preliminary Survey.

Commented [RM46]: MK comment. "Final survey, same issue as above"

Finance Department. The Springfield Finance Department.

Finding. A written statement of facts, reasoning in support of conclusions, and determinations based on the evidence presented in relation to adopted criteria that are accepted by the Approval Authority in support of a decision.

Flood/Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of run-off of surface waters from any source.

Flood, Base. The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100 year flood." Designation on maps always includes the letters A or V.

Flood Hazard, Area of Special. The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the applicable risk premium zones.

Flood Insurance Study. The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

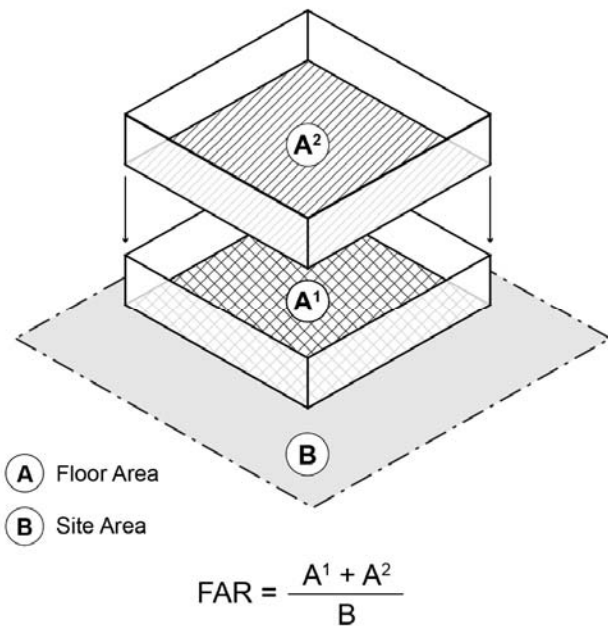
Flooding, Area of Shallow. A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and intermediate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

Floodway. The channel of a river or other watercourse and the adjacent land areas that is reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area. The enclosed area of each full floor area a building measured to the external face of the external walls.

Floor Area Ratio (FAR). The amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of building by the total site area. See Figure 6.1-C

Figure 6.1-C. Floor Area Ratio



Commented [RM48R47]: Proposed to be deleted due to state law changes. See comment above.

Commented [KK49]: HB 2583 makes this regulation inapplicable. We likely cannot regulate foster homes differently than single dwellings.

Commented [KK50]: I think we can remove this definition because "foster home" is not in the new use list for residential properties or new special standards. It would remain a listed use in mixed-use districts in 3.2-610 but we could interpret the use definition if needed to apply it to mixed use development before phase of the code is adopted.

Deleted: Foster Home

Deleted: . Any dwelling or facility maintained and operated for the boarding and housing of more than 5 children who are not related by blood or marriage to the owner/operator of the dwelling or facility.

Deleted: ¶

Fourplex. Four dwelling units on one lot or parcel. Units may be attached vertically or horizontally or detached.

Commented [RM51]: MK comment. "Fourplex is detached OK or to be determined?"

Fraternal Organization. A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.

Commented [RM52R51]: Yes, moving forward with detached for public hearing.

Commented [RM53]: Still use??? Search for term

Frequent Transit Corridor. Arterial and collector roadways forming a Frequent Transit Network, as identified in the adopted Springfield Transportation System Plan, representing the highest order of transit service along major thoroughfares within the City. Characteristics of Frequent Transit Network corridors include, but are not limited to: 10-15 minute transit frequency during peak travel times, a well-connected street and transit network providing circulation integrated with pedestrian and bicycle connections, support and compatibility with urban design goals for development along the corridors, geographically equitable coverage serving populations protected by Title VI of the 1964 Civil Rights Act, and high-quality transit station amenities.

Front Façade. The façade with the main entry door and front porch or recessed entry.

Frontage. That portion of a lot or parcel that abuts a dedicated public alley, street, or highway or an approved private alley, street, or shared court private access drive.

Commented [RM54]: Kyle suggests or asks about adding alley to this def?

Future Development Plan. A line drawing (required for some land division proposals, or building permits in the City's urbanizable area) that includes the following information: the location of future right-of-way dedications based on the Springfield Transportation System Plan (including the Conceptual Street Map); block length and lot/parcel size standards of the SDC; a re-division plan at a minimum urban density established in this Code based on the existing Metro Plan designation of the property for any lot/parcel that is large enough to further divide; and the location of hillsides, riparian areas, drainage ways, jurisdictional wetlands and wooded areas showing how future development will address preservation, protection or removal.

G

Garage. A completely enclosed accessory building or portion of a main building intended for the parking of motor vehicles.

Garage, Repair. A building used for the repair of motor vehicles, including body and fender work, painting, or engine and transmission overhaul.

Grade. The degree of rise or descent of a sloping surface.

Grade, Average Finished. The average finished ground level at the midpoint of all walls of a building. Where walls are parallel to and within five feet of a sidewalk, alley or public way, the ground level is measured at the elevation of the sidewalk, alley or public way.

Grade, Finished. The elevation of the surface of excavation or fill placement.

Commented [RM55]: MK comment. "Grade, finished—you can have FG without fill or excavation. Maybe just "final grade for project, not subject to further change in construction"? Needs rewording"

Grading. Any stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

Gross Acre/Gross Acreage. A measurement of land that occurs before public streets or other areas reserved for public use are deducted from that land.

Gross Density. See "Density, gross".

Gross Floor Area. The total floor area of a building including areas used exclusively for the service of a building; for example: mechanical equipment spaces and shafts; elevators; stairways; escalators and ramps; public restrooms; and enclosed loading docks or ramps.

Ground Cover. Grasses or nursery plants cultivated to keep soil from being blown or washed away.

Group Care Home. Any dwelling or facility maintained and operated exclusively for the care, boarding, housing and rehabilitation of more than 15 persons who are ill, physically or mentally disabled, and/or elderly, the majority of whom generally do not drive an automobile. This definition includes but is not limited to homes for the aged, nursing homes and congregate care facilities.

Halfway House. Any dwelling or facility for the care, boarding and housing of more than 5 persons who have been released from institutional care or who are placed in lieu of institutional care, i.e., work release programs.

Hazardous Materials. Those chemicals or substances which are physical or health hazards as defined and classified in the most recently adopted or amended Fire Code by the City, whether the materials are in usable or waste condition.

Hazardous Waste. Consistent with the Federal Resource Conservation and Recovery Act, a waste or a combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in serious irreversible illness or pose a substantial present or potential hazard to human health, safety, welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed; however, not to include solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under the Federal Water Pollution Control Act of 1967 as amended, or source, special nuclear, or by product material as defined by the Atomic Energy Act of 1954.

Hearings Authority. An individual or group designated to hear Type 3 applications for land use decision.

Heliport. An area, either at ground level or elevated on a structure, licensed or approved for the loading and takeoff of helicopters, and including auxiliary facilities, for example: parking, waiting room, fueling and maintenance equipment.

Helistop. A heliport, but without auxiliary facilities, for example: parking, waiting room, fueling and maintenance equipment.

High Impact Facility. A public or semi-public facility which serves development and which requires pre-planning or discretionary approval and special design features to

Commented [RM56]: MK comment. "Gross acre, Gross density —we should specify if easements, public and private are part of the removal from gross to net qty's"

Commented [RM57R56]: See draft SDC 3.2.235.

Commented [RM58]: MK comment. "Ground cover= does this include grass lawn?"

Commented [RM59R58]: Yes.

Commented [RM60]: MK comment. "Group care home, again, maybe cite OR law related to this?"

Deleted: unrelated

Commented [KK61]: It appears that group care homes are subject to HB 2583 so definition needs to remove "unrelated" or "related" references and just stick to overall number of occupants.

Commented [RM62]: MK comment. "Halfway house, cite law?"

Deleted: unrelated

H

mitigate land use conflicts, including, but not limited to, visual, olfactory, or auditory impacts.

Highway Ready. Reference to a recreational vehicle that is on wheels or a jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Hillside Area. Any area in which the average slope exceeds 15 percent.

Historical Commission. The Springfield Historical Commission.

Historic Site. A structure or place of historic and cultural significance and designated accordingly by the City, State or Federal Government.

Historic Landmark District. A geographic area designated in accordance with this Code which includes Historic Landmark Sites or Structures.

Historic Landmark Inventory. A list of sites or structures which have been designated "Historic Landmark" in accordance with this Code.

Historic Landmark Site or Structure. A building, structure, object, site or geographic area, within the city limits and the City's urbanizable areas, within or outside of a designated Historic Landmark District, which has been listed on the Historic Landmark Inventory.

Homeowner's Association. A non-profit association governed by a declaration of protective restrictions, conditions, covenants, and charges made by the developer through which each lot/parcel owner or other described land area owner of a development is automatically subject. The purpose of the homeowner's association is to provide reasonable rules and regulations to enforce the covenants and restrictions and to keep, control, and maintain the common properties within the development. The association also provides for the assessment procedure to assure necessary funds. If the property is to be developed in phases, all phases must belong to the same association. The City Attorney must review drafts of the declaration prior to Final Plat approval.

Hospital. A facility consisting of one or more buildings where health practitioners, allied health professions and alternative caregivers provide diagnosis, care and treatment of persons including convalescence and care during and after pregnancy, or for any other reason, where patients may be admitted for short-stay, day surgery, emergency service or overnight stay, or for a longer period.

Hotel. A building in which lodging is provided to guests for compensation, consisting of a lobby and individual sleeping quarters, typically without cooking facilities, with separate entrances opening directly to an internal hallway. Parking may be on-site or in a separate parking structure.

Hybrid Multi-Way Boulevard. A street design that accomplishes the fundamental goal of vehicular through traffic movement including transit facilities and also creates a pedestrian-friendly environment by providing slip lanes for local traffic, on-street parking,

safe pedestrian and bicycle facilities, and by locating buildings closer to or at the right-of-way line.

!

Impervious Surface. Any surface that either prevents or delays the infiltration of water into the soil as it entered under natural conditions preexistent to development, and/or a surface area that causes water to run off the surface in greater quantities or at an increased rate of flow than prior to development. Common impervious surfaces include: building roofs; traditional concrete or asphalt paving on walkways, driveways, parking lots, gravel lots and roads; and heavily compacted earthen materials.

Commented [RM63]: Def from M54 permit. Track change edits show potential changes to the M54 def for the SDC.

Improvement Agreement. A written agreement, executed by the property owner in consideration for the City deferring the construction of public improvements required for the development.

Incidental Equipment. Rooftop or pole mounted structures that cast insubstantial shadows or have minimal visual impact, including, but not limited to: antennas, chimneys, solar collectors, small satellite dishes and flagpoles, but excluding large satellite dishes. (See also Accessory Structure.)

Increase in Impact/Increased Impact. This definition includes, but is not limited to, additional traffic or noise generation, additional run-off or increase in impervious surface, additional shadow casting or diminished views, additional air or water borne pollution, additional hours of operation, or an increase in the risk of fire or structural hazard as the result of development.

Incubator Development. Facilities that accommodate new business establishments spun-off from the research, development, and testing laboratories of a major institution, a related institution, or larger high- or bio-technology industry. If on-site manufacturing or production capabilities are included within an incubator development, the establishment will be classified as an industrial use.

Industrial Park. A development on one or more lots/parcels under common ownership with two or more separate buildings that are designed, constructed and managed on an integrated and coordinated basis. Industrial parks are intended to accommodate heavy industrial uses as primary uses and office research and development, light manufacturing, light assembly, warehousing and distribution, large administrative headquarters, and other professional and administrative uses as secondary uses.

Infill. The development of vacant, bypassed lands located in an area that is mainly developed.

Infill, residential:

Commented [RM64]: MK comment: "Infill, residential 2) --I am surprised that tear downs are infill. Should they be?"

- (1) The development of up to four dwellings on land that is designated for residential use where at least 75 percent of the abutting properties have a structure, but not counting any abutting property that is large enough that it can be divided into five or more lots, or is currently developed with multiple unit housing.
- (2) A situation in which a single unit dwelling is removed to make way for up to four new dwellings (e.g., a single unit dwelling, duplex, triplex, or fourplex).

June 24, 2021

Page 20 of 46

- (3) "Residential infill" does not apply to land that is large enough that it can be divided into five or more lots consistent with the minimum lot size of the zoning district.

Invasive Plants. Non-native plants that spread quickly, are highly competitive and difficult to control or eliminate. Introduced intentionally or accidentally through human actions and spread by seed, by birds, by wind, or vegetatively, these exotic plants can destroy native plants, choke waterways, degrade recreational areas and necessitate costly maintenance. The Invasive Plants List is a listing of plants that the City considers undesirable for use in landscaping within its jurisdiction.

Inventoried Natural Resource. Any scenic areas, water areas, vegetation, wildlife and wildlife habitat that appears in an adopted Metro Plan Inventory.

J

Joint Use Access Agreement. A legally binding agreement between two or more property owners describing the rights and responsibilities of each owner regarding the use of a shared access to a public street.

K

Kennel. Any premises on which three or more dogs over the age of 6 months are housed, groomed, boarded, trained or sold for compensation.

L

Land and Drainage Alteration Permit (LDAP). A City permit for any fill, grading and excavation that is required before any site preparation work can begin.

Landscape Architect. A person registered with the State of Oregon to practice Landscape Architecture.

Landscaping. The term "landscaping" includes, but is not limited to, vegetative ground cover, grass, shrubs, trees, flowers and garden areas, ornamental concrete or stonework areas, permanent outdoor furniture and permanent irrigation. "Landscaping" also includes retention or reintroduction of native vegetation.

Land Use Decision. A final decision or determination made by the Planning Commission, Hearings Official or City Council that concerns the adoption, amendment or application of the Statewide Planning Goals; a Metro Plan or refinement plan provision; a land use regulation; or new land use regulation. This definition does not include a decision which does not require interpretation or the exercise of factual, policy, or legal judgment; approves, approves with conditions or denies a subdivision or partition; or approves or denies a building permit.

LEED (Leadership in Energy and Environmental Design). A nationally accepted benchmark for the design, construction and operation of high-performance, energy-efficient buildings.

Light Industrial Manufacturing. The secondary processing of previously prepared materials into components or the assembly of components into finished products. In the Campus Industrial District this use is divided into categories as follows based upon the number of employees at occupancy: large-scale means 50 or more employees; medium-

scale means 20—49 employees; small-scale means fewer than 20 employees per business. These thresholds are applicable at the time of new development. In the case of redevelopment, the Director may reduce these thresholds if the applicant submits a business plan stating that the threshold can be met by a date certain.

Linear Park. A public or private park that provides public access to trail-oriented activities, which may include walking, running, biking, or skating, and preserves open space. A linear park consists of a multi-use path, pedestrian trail, or bikeway, and related facilities.

Listed Species. The Endangered Species Act provides for listing plant and animal species into the following categories: Listed Endangered Species and Listed Threatened Species. An endangered species is an animal or plant listed by regulation as being in danger of extinction. A threatened species is any animal or plant that is likely to become endangered within the foreseeable future.

Live/Work Unit. An integrated dwelling unit and working space that is occupied and utilized by a single housekeeping unit in a structure that has been modified or designed to accommodate joint residential occupancy and work activity. The live/work unit must include complete kitchen and sanitary facilities in compliance with applicable building standards. The working space must be reserved for and regularly used by one or more occupants of the unit (e.g., professionals, entrepreneurs, and artists), in addition to any other employees. The commercial/employment use must be allowed only as permitted by the applicable zoning district.

Loading Space. An off-street space or berth serving a business for the temporary parking of commercial vehicles while loading or unloading, while not block driveway aisles and having an appropriate means of ingress and egress.

Lot. A portion of land shown as part of a recorded subdivision or any area of land described by metes and bounds in a recorded deed, record of survey or other appropriate document, recorded in the office of the County Recorder that complies with the provisions of the State of Oregon and this Code. Unless specifically exempted, land that is divided or reconfigured without having been approved in accordance with this Code cannot be deemed a buildable lot.

Lot Coverage. The area of a lot, parcel, property, or development area covered with structure.

Lot/Parcel, Corner. A lot/parcel abutting two or more streets at their intersection, in which the interior angle formed by the extensions of the street lines is 135 degrees or less. In the event that any street line is a curve at its point of intersection with a lot/parcel line other than a street line, the tangent of the curve at the point is considered the direction of the street line.

Lot/Parcel Depth. The distance from the midpoint of the front lot/parcel line to the midpoint of the rear lot/parcel line.

Lot/Parcel Dimension, North-South. The length of a line beginning at the midpoint of the northern lot/parcel line and extending in a southerly direction perpendicular to the northern lot/parcel line until it reaches a property boundary.

Lot/Parcel Frontage. That portion of a lot/parcel which abuts a street. For the purpose of determining yard requirements, all sides of a lot/parcel abutting a street is considered frontage.

Lot/Parcel, Interior. A lot/parcel other than a corner lot/parcel and having frontage on only one street.

Lot/Parcel Line. A line of record bounding a lot/parcel which divides one lot/parcel from another or from a public or private street or any other public space.

Lot/Parcel Line, Front. The lot/parcel line abutting a street right-of-way. Where more than one lot/parcel line abuts street right-of-way, the property address determines the front lot/parcel line. For purposes of the solar access standards, it is the lot/parcel line abutting a street. For corner lots/parcels, the front lot/parcel line is that with the narrowest frontage. When the lot/parcel line abutting a street is curved, the front lot/parcel line is the chord or straight line connecting the ends of the curve. For a panhandle lot/parcel, the front lot/parcel line is the lot/parcel line that is most parallel to and closest to the street, excluding the handle portion of the lot/parcel.

Lot/Parcel Line, Northern. The lot/parcel line that is the smallest angle from a line drawn true east-west and intersecting the northernmost point of the lot/parcel, excluding the handle portion of a panhandle lot/parcel. If the north line adjoins an un-developable area other than a required yard area, the northern lot/parcel line is at the north edge of the un-developable area. If two lot/parcel lines have an identical angle relative to a line drawn true east-west, then the northern lot/parcel line is a line 10 feet in length within the lot/parcel parallel with and at a maximum distance from the front lot/parcel line.

Lot/Parcel Line, Rear. The lot/parcel line which is opposite and most distant from the front lot/parcel line. For a triangular shaped lot/parcel, the "rear lot/parcel line" is a line 10 feet in length entirely within the lot/parcel, connecting the side lot/parcel lines, which is parallel to the front lot/parcel line or parallel to the chord of a curved front lot/parcel line.

Lot/Parcel Line, Side. Any lot/parcel line other than a front or rear lot/parcel line.

Lot/Parcel, Minimum Area of. The smallest lot/parcel area established by this Code on which a use or structure may be located in a particular district.

Lot/Parcel, Panhandle. A lot/parcel which has access to a public right-of-way by means of a narrow strip of land, commonly known as the "panhandle" or "handle."

Lot/Parcel, Pan Portion. The portion of a panhandle lot/parcel, exclusive of the handle, on which a structure may be placed.

Lot/Parcel, Through. A lot/parcel which fronts upon two streets which do not intersect at the boundaries of the lot/parcel.

Lot/Parcel Width. The horizontal distance between the midpoints of the side lot/parcel lines. The handle of a panhandle lot/parcel is not included when computing lot/parcel width.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that the enclosure is not built to render the structure in violation of the applicable non-elevation design requirements.

Low Impact Facility. Any public or semi-public facility that has minimal olfactory, visual or auditory impacts which is permitted subject to the design standards of this Code.

M

Maintain. To continue in existence; to preserve and care for a development area so that it remains attractive and functional in accordance with the provisions of this Code.

Maintenance Inspection. A site inspection that identifies precisely what must be done to a development previously approved by the City in order to comply with standards and conditions in effect when the development was originally approved.

Major Electrical Transmission Line. An electrical transmission line which carries 115 KV or more of electricity.

Mall. A shopping center where stores front on both sides of a pedestrian way which may be enclosed or open.

Manufactured Dwelling. A residential trailer, mobile home, or manufactured home.

- (1) **Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and was constructed before January 1, 1962.
- (2) **Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
- (3) **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, and was constructed on or after June 15, 1976 in accordance with federal manufactured housing construction and safety standards in effect at the time of construction.

Manufactured Dwelling Park. Any place where 4 or more manufactured dwellings are located within 500 feet of one another on a lot/parcel or tract under the same ownership, the primary purpose of which is to rent space to any person for a charge or fee paid or to be paid for the rental use of facilities or to offer space free in connection with securing the trade or patronage of the person. Manufactured dwelling park does not include a lot located within an approved subdivision being rented or leased for occupancy by no more

Commented [RM65]: Is the term modular home defined by state? Kyle asks if the term modular home should be included.

than one mobile home per lot if the subdivision was approved by local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

Manufactured Dwelling Pad. A paved space in a manufactured dwelling park for the placement of a manufactured dwelling that includes utility connections.

Manufactured Dwelling Space. Any portion of a manufactured dwelling park which is designated or used for occupancy of one manufactured dwelling, including its accessory structures and its outdoor living areas, but exclusive of space provided for the common use of tenants for example, roadways and guest parking.

Manufactured Dwelling Space Line. A line within a manufactured dwelling park which establishes setback distances from streets, accessory buildings or structures and other manufactured dwellings.

Marijuana. The plant Cannabis family Cannabaceae, any part of the plant of the Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. "Marijuana" does not include industrial hemp, as defined in ORS 571.300.

Marijuana Business. Any person or entity appropriately licensed by the Oregon Health Authority or the Oregon Liquor Control Commission that sells, produces, cultivates, grows, wholesales, processes, researches, develops or tests medical marijuana or recreational adult use marijuana within the City of Springfield.

Marijuana Grow Sites. A specific location registered by the Oregon Health Authority and used by the grower to produce marijuana for medical use by a specific patient.

Marijuana Items. Marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts.

Marijuana Processing. The preparing, compounding, testing or conversion of marijuana into cannabinoid products, cannabinoid concentrates, and cannabinoid extracts for medical or recreational purposes.

Marijuana Production. The manufacture, planting, cultivation, growing, or harvesting of marijuana as licensed by the Oregon Liquor Control Commission or Oregon Health Authority.

Marijuana Retailer. A person or entity licensed by the Oregon Liquor Control Commission or Oregon Health Authority to sell marijuana items to a consumer in this state.

Marijuana Retail Outlet. A business location that sells marijuana items to a consumer or patient.

Marijuana Testing Laboratory. A laboratory that tests marijuana items for producer, processor, wholesaler or retail outlets.

Marijuana Wholesaler. A person or entity that purchases marijuana items in this state for resale to a person other than a consumer.

Market Area. The geographic area from which a particular use can reasonably expect to attract customers.

Master Planned Community. Add the def. from OAR 660-046-0020(10)?

Medical Marijuana Dispensary. A medical marijuana facility or entity registered with the Oregon Health Authority under ORS 475.300.

Metro Plan/Eugene-Springfield Metropolitan Area General Plan. The general land use plan and policies for the Eugene/Springfield metropolitan area including any subordinate refinement plan or functional plan. The controlling land use document for urban, urbanizable and rural land under the jurisdiction of the Metro Plan.

Mid-Block Connector. A narrow street and/or a bicycle/pedestrian corridor not less than 20 feet in width that reduces larger blocks to more walkable dimensions (250 to 350 feet maximum). A mid-block connector may be a public right-of-way or privately owned and may include active use frontages with overlooking windows and pedestrian-level lighting. Limited service or parking access to the interior of a block is encouraged. On-street public parking may be provided, where feasible. Sidewalks may be located on each side of a two-way street or on one side for a one-way street. A non-vehicular connector must be designed as a "24-7" publicly accessible bicycle/pedestrian way.

Middle Housing. Duplexes, triplexes, fourplexes, cottage cluster housing, and townhomes.

Minerals. Includes soil, coal, stone, crushed hard rock quarry products, metallic ore and any other solid material or substance excavated for commercial, industrial or construction use from natural deposits. "Minerals" do not include loam, sand, gravel or other aggregate materials created and/or deposited by water movement.

Minimum Level of Key Urban Services. The minimum level of facilities and services that are provided to an area in an orderly and efficient manner to allow urban development to occur. They consist of sanitary sewers, solid waste management, water service, fire protection, police protection, parks and recreation programs, electric service, land use controls, communications facilities, public schools on a district-wide basis, and paved streets with adequate provision for storm-water run-off and pedestrian travel.

Mining Spoils. All waste materials, solid, rock, mineral, liquid, vegetation and other materials resulting from or displaced by quarry and mining extraction operations within the operating permit area, including all waste materials deposited in or upon lands within the operating permit area.

Mini-Warehouse. A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of storage units are permitted on the premises.

Mixed-Use Building or Development. A building or development characterized by either a vertical or horizontal physical integration of uses. A mixed-use building is a

Commented [RM66]: MK comment. "Master Planned Community –no defn yet"

Commented [RM67R66]: @KRAAZ Kristina thoughts?

Commented [RM68R66]: RE: middle housing, HB 2001.

Commented [RM69]: See also new def for Sufficient Infrastructure from HB 2001.

Commented [RM70]: MK comment. "Mini Warehouse-should residency or occupancy be prohibited in code, (say except for caretakers residence)?"

Commented [RM71]: MK comment. "Mixed Use – not sure why we don't allow single story mixed use? With proper occupancy of businesses and shielding for noise, etc, it might be a viable housing option."

structure at least two stories in height that includes a mix of uses such as retail and office uses, residential and commercial uses, or commercial and light industrial uses. A mixed-use development includes multiple buildings, usually of multiple stories, designed to assure a diversity of compatible land uses that may include a mixture of residential, office, retail, services, recreational, live/work units, flex space uses, and other miscellaneous uses allowed in a zoning district.

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Modification. A request submitted to change a final approval of any development proposal or a modification as may be permitted to a Plan District development or building standards.

Modification of application. The applicant's submittal of new information after an application has been deemed complete and prior to the close of the record on a pending application that would modify a development proposal by changing one or more of the following described components: proposed uses, operating characteristics, intensity, scale, site layout (including but not limited to changes in setbacks, access points, building design, size or orientation, parking, traffic or pedestrian circulation plans), or landscaping in a manner that requires the application of new criteria to the proposal or that would require the findings of fact to be changed. It does not mean an applicant's submission of new evidence that merely clarifies or supports the pending application.

Motel. A building or group of buildings in which lodging is provided to guests for compensation, consisting of individual sleeping quarters, with or without cooking facilities, with separate entrances opening directly on a parking area.

Multi-Use Path. A paved facility intended to be used by pedestrians, skaters (inline or roller), and bicyclists that has no or minimal cross-flow by motor vehicles. The multi-use path is generally designed for two-way travel. The multi-use path may be separated from and aligned with the public right-of-way within an easement or located within the public right-of-way.

Multiple Unit Housing. Five or more dwelling units on an individual lot or parcel, except for Cottage Cluster housing, and not counting Accessory Dwelling Units (ADUs).

N

National Register of Historic Places. The official list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation's history or whose artistic or architectural value is recognized.

Native Plants, Native Vegetation. Plant species that are indigenous to a local area and adaptable to the local climate, soils and hydrology as distinguished from plant species that have been deliberately or accidentally imported or introduced from other areas by humans or human activities.

Natural Resources. These include, but are not limited to, water and geologic features, significant natural vegetation, wildlife habitats and archaeological and scenic resources as inventoried in the working papers of the Metro Plan.

Neighborhood Activity Center. Any public park or recreation facility, public or private school, government service, commercially zoned property, or mixed-use zoned property.

Commented [RM72]: Still needed? Where is this term used? Search for it.

Comment from Molly. This term might be referenced in the Main Street Vision Plan.

June 24, 2021

Page 27 of 46

Neighborhood Park. A park, traditionally from 5 acres to 15 acres in size, which provides easily accessible recreation areas serving neighborhood citizens and providing high density active or passive use.

Neighboring. The area in the immediate vicinity of a proposed development that would be materially affected by a proposal.

Net Density. See "Density, net".

Noise Attenuating Barrier. A structural barrier designed and constructed with the primary function of containing sound within a specific use area.

Noise Sensitive Property. Real property normally used for sleeping, or normally used for schools, churches, hospitals or public libraries, excluding industrially related residential uses, i.e., night watchman quarters.

Non-Commercial Agricultural Uses. The raising of crops, plants or farm animals on property where allowed by this Code for the sole use of the owners or tenants of that property and not for wholesale or retail sale.

Non-Exempt Tree or Vegetation. Vegetation that is not exempt from the solar access regulations.

Commented [RM73]: MK comment. " Non Exempt trees or veg. Again, an example might help this to be better understood. Footnote? "

Notice. The announcement of a decision of the Director by mail to adjacent property owners/occupants within 300 feet of the subject property indicating the nature of the decision and the method of appeal; the announcement of a public hearing by mail to property owners/occupants within 300 feet of the subject property and advertisement in a newspaper of general circulation in the area, indicating the time, place and nature of the public hearing in compliance with ORS 197.762.

NPDES. National Pollutant Discharge Elimination System.

O

OAR. Oregon Administrative Rule.

Official Zoning Maps. Maps delineating the boundaries of the various zoning districts within the city limits and the City's urbanizable area that are adopted by ordinance and maintained by the Development Services Department.

Occupancy, Certificate of. A required certificate allowing occupancy of a structure or development area after it has been determined that the requirements of this Code and other applicable Codes have been met. No structure or development area may be occupied without having first received a Certificate of Occupancy.

Open Space. Land or water essentially unimproved and set aside, dedicated, designed or reserved for public use or enjoyment, or for the use and enjoyment of owners and occupants of land abutting or neighboring the open space.

Open Space, Common. Land normally within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include

recreational and other accessory structures and improvements in accordance with this Code.

Open Space, Private. Areas intended for the private use of an individual dwelling unit, normally including patios and landscaped areas; not to include off-street parking, maneuvering, loading or delivery areas, and designed for outdoor living and recreation.

Open Space, Public. Areas intended for public use, either privately owned and maintained or dedicated to the City, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian, equestrian, and bicycle trails, not to include off-street parking or loading areas or driveways, and designed for outdoor living and recreation or the retention of an area in its natural state.

ORS. Oregon Revised Statutes.

Outdoor Storage. The keeping in an unroofed area of any goods, junk, material, merchandise or vehicles for more than 24 hours.

Outdoor Storage Area. A primary use that occurs on property for the purpose of outdoor storage of vehicles, equipment or materials, including, but not limited to, vehicle, equipment and boat sales or rental lots; commercial storage lots; mobile/manufactured home, camper and RV sales lots; fleet parking lots; and lumber, gardening, fuel and other similar building material yards.

Outdoor Storage Yard. A secondary use that occurs on any property for the purpose of the outdoor storage of associated materials and equipment, other than wrecking yards.

Outfall. The point of discharge from a river, pipe, drain or other device to a receiving watercourse.

Overburden. The soil, rock and similar materials that lie above natural deposits or minerals.

Owner. An individual, firm, association, syndicate, partnership or corporation having proprietary interest to seek development of land.

P

Parcel. This term includes a unit of land created by partitioning land as defined in ORS 92.010 that is in compliance with this Code and in the case of Property Line Adjustments, properties created by deed or land sales contract, if there were no applicable planning, zoning, or partitioning ordinances or regulations. A Parcel does not include a unit of land created solely to establish a separate tax account.

Parking. The temporary storage of operational motor vehicles that are not for sale, lease or rent and which are intended to be used for customers and employees of a business and industry or residents and visitors in a residential development.

Parking Bay. An extension of the width of a street that allows for the parking of motor vehicles, usually associated with hillside development.

Parking Lot. An off-street area with a permanently maintained paved surface, for the parking of motor vehicles.

Parking Space. A permanently maintained paved surface with proper access for one standard size or compact automobile.

Parking Space, Disabled. A parking space that is reserved for use by disabled persons who hold the appropriate permit issued by the Oregon Department of Motor Vehicles and/or the Springfield Police Department.

Parking Space, Off-Street. An approved space for the parking of a motor vehicle which is not located on a dedicated street right-of-way.

Partition Land. The division of land into two or three parcels within a calendar year, but does not include:

- (1) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
- (2) An adjustment of a property line by the relocation of boundaries where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment is not in conflict with any applicable Ordinance;
- (3) A sale or grant by a person to a public agency or public body for State highway, county road, city street or other right-of-way purposes provided that the road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(q) to (s) and 215.283(2)(q) to (s). However, any property divided by the sale or grant of property for State highway, county road, city street or other right-of-way purposes continue to be considered a single unit of land until the property is further subdivided or partitioned;
- (4) The division of land resulting from the recording of a subdivision or condominium plat; or
- (5) A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the State, a political subdivision or special district for highways, county roads, city streets or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property. The property line adjustment must be approved or disapproved by the applicable local government. If the property line adjustment is approved, it must be recorded in the deed records of the county where the property is located.

Partition Plat. A final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a partition.

Party. The following persons or entities are defined as parties:

- (1) The applicant and all owners or contract purchasers of record, as shown in the files in the Lane County Department of Assessment and Taxation, of the property which is the subject of the application.

Commented [RM74]: MK comment. "Parking lot, seems to exempt gravel lots, are these no longer acceptable, I think there are still a lot of them around town"

Commented [RM75R74]: Gravel lots are not allowed for parking. Drinking water impacts are considered in this. There are a lot of pre existing gravel lots.

Commented [RM76]: Check procedures

(2) Any person who makes an appearance and/or submits testimony to the Approval Authority.

Pedestrian Trail. A surfaced path that is designed and reserved for the exclusive use of pedestrian travel.

Pedestrian Way. A paved right-of-way through a block to facilitate pedestrian access to adjacent streets and properties.

Permanent Irrigation System. An approved water piping system installed underground for the purpose of irrigating all portions of landscaped areas.

Permit. Discretionary approval of a proposed development of land. "Permit" does not include:

Commented [RM77]: From ORS 227.160(2)

(1) A limited land use decision;

(2) A decision which determines the appropriate zoning classification for a particular use by applying criteria or performance standards defining the uses permitted within the zone, and the determination applies only to land within an urban growth boundary;

(3) A decision which determines final engineering design, construction, operation, maintenance, repair, or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations; or

(4) An expedited land division.

Person. An individual, corporation, governmental agency, business trust, estate, partnership, association, or any other legal entity.

Petition for Improvement. A petition submitted for construction and improvements as required by this Code.

Physical Features. These features include, but are not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their riparian areas, wetlands and rock outcroppings.

Pipeline. A line of pipe with pumps, valves and control devices for conveying liquid, gasses or finely divided solids.

Place of worship. A place for people to gather for religious activity. Examples include church, synagogue, mosque, chapel, or meeting house. Includes associated uses as described in SDC 4.7.370. (ORS 227.500)

Plan District. A planning tool that addresses concerns unique to an area when other zoning tools cannot achieve the desired results. An area may be unique based on natural, economic or historic attributes; be subject to problems from rapid transition in land use; or contain public facilities that require specific land use regulations for their efficient operation. Plan Districts provide a means to modify zoning regulations for specific areas defined in special plans or studies. Each Plan District has its own

nontransferable regulations. This contrasts with base zone and overlay zone provisions, which are intended to be applicable in more than one area. However, Plan Districts are not intended for small areas or individual properties.

Planning Commission. The Springfield Planning Commission.

Planted. Landscaping with living plant materials consistent with SDC 4.4.100.

Plat. A map, containing all the descriptions, locations, specifications, dedications, provisions or other information concerning a subdivision, partition or replat of either.

Plot Plan. A rough sketch map of a site plan or land division of sufficient accuracy to be used for the purpose of the identification of issues and development impacts.

Prefabricated Dwelling. A building or structural unit that has been in whole or substantial part manufactured at an off-site location to be wholly or partially assembled on-site, but does not include a mobile home, trailer or recreational vehicle. Prefabricated structures are regulated under the State of Oregon Structural Specialty Code.

Preliminary Approval. The approval prior to Final Approval, after specific elements of a development or Site Plan have been approved by the Approval Authority and agreed to by the applicant.

Preliminary Plan. A clearly legible drawing of the proposed lay out of the lots/parcels involved in a property line adjustment which provides a basis for the Approval Authority to approve or disapprove the application.

Commented [RM78]: MK comment. "Preliminary Plan see Final Map and Final Survey above, same issue"

Primary Structure. A structure of chief importance or function on a site. In general, the primary use is carried out in a primary structure. However, in the Low Density Residential District (unless specified elsewhere in this Code), a site may have more than one primary structure. The difference between primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on the site (See also **Accessory Structure** and **Accessory Dwelling Unit**).

Private Elementary/Middle Schools. A facility operated by a person or private agency offering education in kindergarten and/or grades 1-8 or any part thereof not as defined in ORS 345.505 et. seq.

Private Park. A park available for public use owned by a non-public agency or private individual.

Properly Functioning Condition. The state of the physical, chemical, and biological aspects of watershed ecosystems that will sustain healthy salmonid populations. Properly functioning condition generally defines a range of values for several measurable criteria rather than specific, absolute values, including, but not limited to, hydraulic run-off, transport, channel migration, native vegetation succession.

Property line. A line which divides one property from another or from a public or private street or any other public space.

Property Line Adjustment. The relocation of a common property line between two abutting properties.

Public Facilities Plan. A Refinement Plan of the Metro Plan addressing sanitary and storm sewers, water distribution systems and transportation. The transportation element is addressed through the TransPlan.

Public Hearing. A meeting announced and advertised in advance that is open to the public, with the public given an opportunity to provide testimony.

Public Utility Facility. Structures, facilities and equipment necessary to serve development by a government, public utility, utility cooperative, or private company.

- (1) **Low Impact.** Telephone and cable telephone lines, poles, junction boxes, exchanges and repeater stations; electric power distribution lines (less than 69 KV) and poles; sanitary sewer pipe lines, pumps or lift stations; storm sewer pipe lines, ditches and other storm-water management or water quality ponds, wetland, or swales; gas distribution pipe lines; water pipe lines, valves, well fields, pump stations and attendant facilities; water reservoirs and water storage tanks less than 300,000 gallons or 30 feet in height, and water treatment facilities, including filtration plants, less than 2.5 million gallon capacity per day.
- (2) **High Impact.** Electric power transmission lines (greater than 69 KV), poles and substations; gas pipe line valve stations; sanitary sewer treatment plants or effluent ponds; water reservoirs and water storage tanks greater than 300,000 gallons or 30 feet in height; water treatment facilities, including filtration plants greater than 2.5 million gallon capacity per day; fire/ambulance stations.

Q

Quarry and Mining Extraction Operation. All or any part of the process of removing mineral deposits exposed by any method, including open-pit mining operations, auger mining operations, shaft mining, the construction of borrow pits, processing of extracted minerals and exploration activities. Expansion of a quarry and mining extraction operation is the enlargement of the operation requiring the modification of the Reclamation Permit specified under ORS 517.790. Quarry mining and extraction operation does not include normal road maintenance and stabilization of hillsides.

Quarry and Mining Operator. Any individual, public or private corporation, political subdivision, agency, board or department of this State, any municipality, partnership, association, firm, trust, estate or any other legal entity whatsoever that is engaged in quarry and extraction operations.

Quarry and Mining Owner. The person possessing legal rights to the mineral deposit being mined.

R

Reclamation. The employment of procedures in a quarry and mining extraction operation designed to minimize as much as practicable the impact the operations have on the environment, and to provide for the rehabilitation of land effected by the operations. Reclamation includes the rehabilitation of plant cover, soil stabilization, water

Commented [RM79]: MK comment. "Reclamation. There are other types of reclamation besides quarry or mine. Brownfields, for one. Change title to "Reclamation, Quarry or Mine" or reword. Also "effective" is not proper word in defn, should be "affected by the operations"

resource protection and other measures appropriate to the subsequent beneficial use of the mined and reclaimed lands.

Reclamation Permit. Permission to operate a quarry and mining extraction operation (to include a plan for reclamation) granted to an operator by the State Department of Geology and Mineral Industries under the requirements of ORS 517.790, upon referral, review and approval by the Director.

Recreation Center, Community. A public, indoor facility providing for a variety of recreation/leisure-related activities, for example: swimming, meetings, court sports, arts and crafts, dancing, banquets, parties, games, day-care, classes/instruction, performances, fitness/exercise, and social referral services.

Recreational Marijuana. Any marijuana intended for recreational use which meets all requirements for recreational marijuana contained in this Chapter, Oregon state law, and any other applicable law.

Recreational Vehicle (RV). A vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and has a gross floor space of less than 400 square feet. The term includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit must be identified as a recreational vehicle by the manufacturer or converter.

Redevelopment. A project that entails construction activities, occurs on a previously developed site and results in the addition or replacement of impervious surface. Redevelopment does not include: Maintenance activities; Construction Activities conducted to ameliorate a public health or safety emergency or natural disaster; and/or Construction Activities within an existing footprint to repair or replace a site or a structure damaged by a public health or safety emergency or natural disaster.

Commented [RM80]: Def from MS4 permit.

Refinement Plan Diagram. A map contained in a Refinement Plan showing plan designations that are more specific than shown on the Metro Plan Diagram.

Regional Headquarters. A building or portion of a building in which persons are employed in the regional management or direction of a business consisting of a number of divisions or a regional subsidiary of a corporate headquarters. The divisions can be either geographical or located within one building. To be considered a regional headquarters, the business must meet the applicable employee threshold specified elsewhere in this Code. Businesses that do not meet the applicable employee threshold is considered an administrative office.

Regional Park. A large area of natural quality for outdoor recreation for example, swimming, boating, camping and picnicking, and for wildlife habitat and natural resource conservation. Generally comprising 100 acres or more, where 80 percent of the land is reserved for natural open space and 20 percent is used for recreation development.

Registered or Certified Family Child Care Home. See Definition for Childcare Facility. Also see ORS 329A.

Commented [RM81]: Ok to cite to ORS?

Registered Geologist. A person who is registered as a geologist by the State of Oregon.

Replat, Major. The elimination and/or relocation of more than two exterior and/or interior common boundary lines or *property* lines within a recorded Subdivision; or an increase in the number of lots; or decrease of two or more lots within a recorded Subdivision.

Replat, Minor. The elimination and/or relocation of no more than two exterior and/or interior common boundary lines or *property* lines within a recorded Subdivision or Partition; or a decrease of one lot/parcel within a recorded Subdivision or Partition.

Relocation. A shift or rotation of a common boundary between two abutting lots or parcels.

Commented [RM82]: MK comment. "Relocation. Defn is wrong. What is being described is a form of lot line adjustment. A relocation survey is actually a surveying term which describes a survey to find or reestablish EXISTING lines and monuments."

Research and Development. The study, testing, analysis, and development of products, processes, or services, including the manufacturing of products. This use is divided into categories as follows based upon the number of employees at occupancy: large-scale means 50 or more employees; medium-scale means 20-49 employees; small scale means fewer than 20 employees per business. These thresholds are applicable at the time of new development. In the case of redevelopment, the Director may reduce the at occupancy threshold if the applicant submits a business plan stating that the threshold can be met by a date certain.

Reserve Strip. A strip of *property*, usually one foot wide, controlling access to a street.

Residential Care Facility. A facility licensed under ORS 443.400 to 443.455 that provides residential care in one or more buildings on contiguous properties:

Commented [RM83]: See ORS 443.400(7)

(1) For six or more socially dependent individuals or individuals with physical disabilities; or

Commented [KK84]: This can stay because no reference to relationship of occupants.

(2) For fewer than six socially dependent individuals or individuals with physical disabilities if the purpose of the facility is to serve individuals with co-occurring behavioral health needs who are more appropriately served in smaller settings.

Residential Home. A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements must not be counted in the number of facility residents, and need not be related to each other or to any other resident of the residential home. This definition includes residential treatment homes, residential training homes and adult foster homes.

Commented [KK85]: This language can stay under HB 2583 because we are not regulating based on related or unrelated status - this "need not be related" language just clarifies no relationship is considered.

Residential infill. See "Infill, residential".

Residential use. Of, relating to, or connected with a residence or residences.

Commented [MR86]: See new code section 3.2.235(D)(4).

Retail Sales. Establishments engaged in selling goods or services to the general public for personal or household consumption. Retail trade may include wholesale trade, but only as a secondary use.

Retaining Wall. An engineered structure constructed to hold back or support an earthen bank.

Review Authority. The Director, Planning Commission, Hearings Official, or City Council of the City of Springfield.

Right-of-Way. Land acquired by purchase, reservation, dedication, forced dedication, prescription or condemnation intended to be occupied by a street, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water *line*, sanitary/storm sewer and other similar facilities.

Riparian Area. Riparian areas are vegetated areas (generally consisting of trees, shrubs, and grasses) located along both sides of water bodies and are transitional boundaries between land and water environments. Riparian zones act as buffers to protect surface waters from contamination and are habitats for a large variety of animals and birds.

Riparian Area Functions. These functions include, but are not limited to, maintaining temperature; maintaining channel stability; providing flood storage; providing groundwater recharge; removing sediments; reducing contaminants, for example, excess nutrients, oils and grease, metals, and fecal coliform; moderating stormwater flows; and providing fish and wildlife habitat. Degraded riparian function means that one or more of the functions listed above are at risk.

Roadway. The portion of a street right-of-way used for vehicular traffic.

Rooming House. A building or portion thereof where lodging is provided for compensation for a period of less than 30 consecutive calendar days, counting portions of calendar days as full days, for more than seven calendar days per year.

Run-Off. Water that flows across the land surface rather than being absorbed.

Safe Drinking Water Act (SDWA). A federal law established in 1974, to protect drinking water and its sources (rivers, lakes, reservoirs, springs, and ground water) and sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards.

School. A building where individuals gather to receive educational instruction, either public or private, except as otherwise specifically defined in this Code. School does not include a childcare facility as defined in this Chapter.

Screen. A visual barrier obscuring an abutting or neighboring structure or use by fencing, walls, berms, or densely planted vegetation.

Service Station. An establishment selling fuel and oil for vehicles which may include the following additional services: selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair and service when conducted entirely within an enclosed building, and at which incidental services are conducted. "Minor repair and

Commented [RM87]: MK comment. "Riparian area—remove "both" from defn. A waterway can possibly have riparian area on one side only (eg bank is concreted in on the other side)"

Commented [RM88RM87]: Is this based on a state, federal def?

Formatted: Highlight

Commented [RM89]: MK comment. "Rooming house—again, we need a definition of Air B n B in code, whether we regulate it or not. It is a growing land use and should at least be in definitions"

Commented [RM90RM89]: Rooming house term is now being used to encompass short term rentals such as Air B n B.

Commented [KK91]: Revised to better match transient occupancy definition. Could call this a "short term rental" alternatively. I note that previously rooming houses were longer term rooming houses and this would revise the definition to be short-term rentals.

Deleted: , but not meals, is provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

Commented [RM92]: MK comment. "Run off -I'd change it to "across land surfaces" which covers different types of surfaces, eg soil, roadway, parking lot, etc"

S

service," as used in this definition, is understood to exclude activities such as painting, bodywork, steam cleaning, tire recapping, and engine overhaul.

Setback. An area where buildings and certain structures cannot be constructed, measured from the property line. A setback may be referred to as "yard", as defined in this section, including "yard, front", "yard, rear", and "yard, side". This definition does not include solar setback.

Shade Point. The part of a building or non-exempt tree that casts the longest shadow onto the adjacent northern lots/parcels when the sun is at an altitude of 22.6 degrees and an azimuth ranging from 30 degrees east and west of true south; excluding a shadow caused by a narrow object, including, but not limited to, a mast or whip antenna; a dish antenna with a diameter of three feet or less; a chimney, utility pole, or wire. The height of the shade point is measured from the shade point to either the average elevation at the front lot/parcel *line* or the elevation at the midpoint of the front lot/parcel *line*. If the shade point is located at the north end of the ridgeline of a building oriented within 45 degrees of the true north-south *line*, the shade point computed according to the previous sentence may be reduced by 3 feet. If a structure has a roof oriented within 45 degrees of the true east-west *line* with a pitch that is flatter than 5 feet (vertical) in 12 feet (horizontal), the shade point will be the eave of the roof. If a roof has a pitch that is 5 feet in 12 feet or steeper, the shade point will be the peak of the roof.

Shadow Pattern. A graphic representation of an area that would be shaded by the shade point of a building or vegetation when the sun is at an altitude of 22.6 degrees and an azimuth ranging between 30 degrees east and west of true south.

Shared Use Path. A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users.

Shelter Home. Any dwelling or facility maintained and operated for the boarding and housing of more than five abused or battered persons who are not related by blood or marriage to the owner/operator of the dwelling or facility.

Shopping Center. A group of commercial establishments planned, developed, and managed as a unit with off-street parking and circulation provided on the *property*.

Sidewalk. The portion of a street or highway right-of-way designated for preferential or exclusive use by pedestrians.

Single Dwelling, Attached. See Townhome

Single-unit Dwelling, Detached (SD-D). One dwelling unit on its own lot or parcel that does not share a wall with any other dwelling unit, other than an accessory dwelling unit.

Single Room Occupancy (SRO's). A building or buildings that provides living units that have separate sleeping areas. The building may or may not have separate or shared cooking facilities for the residents. For the purposes of determining residential density, four SRO rooms equal one dwelling. Fractional dwellings will be rounded to the next higher number, e.g., five SRO rooms equal two dwellings. SROs can be located in any

Commented [RM93]: Delete if removing solar setback standards?

Commented [RM94]: MK comment. "Shared use path-seems to exclude electric bikes. I don't think that is the desire?"

Commented [RM95]: MK comment. "Shelter home, if these are State coded, perhaps the OR statute could be cited?"

Commented [KK96]: Under HB 2583, likely just need to regulate as a single dwelling unit.

Commented [RM97]: Move to special standards or leave here in def's?

residential building [occupancy] including single unit homes, multiplexes, multi-unit housing, etc.

Site Plan. The development plan for a development area that meets the standards of this Code.

Siting Standard. A standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate setbacks, dimensions, bulk, scale coverage, minimum and maximum parking requirements, utilities, and public facilities.

Slope. An inclined ground surface, the inclination of which is expressed as percent of horizontal distance to vertical distance.

Small Engine Repair. Maintenance and repair of household and non-automotive engines less than 100 cubic centimeters (cc's) in displacement.

Solar Access. Unobstructed exposure to direct sunlight, excluding limited obstruction as expressly permitted by this Code.

Solar Access Height Limit. A series of contour lines establishing the maximum permitted height for non-exempt vegetation on lots/parcels affected by a Solar Access Guarantee.

Solar Access Guarantee. A document issued by the city that describes the maximum height that non-exempt vegetation is allowed to grow on lots/parcels to which a solar access permit applies.

Solar Feature. A device or combination of devices or elements that does or will use direct sunlight as a source of energy for heating or cooling of a building, heating or pumping of water, and generating electricity. Examples of a solar feature include a window oriented to within 45 degrees east and west of true south, a solar greenhouse, or a solar hot water heater. A solar feature may be used for purposes in addition to collecting solar energy, including, but not limited to, serving as a structural member or part of a roof, wall or window. A south-facing wall enclosing an unheated area, and without windows and without other features that use solar energy is not a solar feature for the purposes of this ordinance (for example, an unheated garage).

Solar Setback. The distance from the northern lot/parcel *line* to the shade point, measured from the mid-point of the northern lot/parcel *line* and extending in a southerly direction.

South or South-facing. True south or 20 degrees east of magnetic south.

Springfield Municipal Code. Springfield Municipal Code, 1997 and any amendment thereto.

Standard. A measure of physical attributes and/or policy conformance which must be satisfied in order to allow a proposed land use or development to be established or modified.

Commented [RM98]: Needed if solar setback standard removed?

Commented [RM99]: MK comment. "Solar definitions should stay as should solar access stds for lots that are already platted as such. New subdivisions could elect to delete them, if they wanted. But existing land rights need to be respected"

Standard Construction Specifications. Standards governing the construction of all public improvements within the City, adopted by the Council, dated 1981, and as may be amended.

Start of Construction. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, for example, the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, including clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundation, or the erection of temporary forms; nor does it include the installation on the *property* of accessory buildings, for example garages or sheds not occupied as dwelling units or not part of the main structure.

Commented [RM100]: MK comment. "Start of construction- interesting that garages and sheds can be constructed without "start of construction" beginning? Seems unwise, possibly, depending on size, location, etc of ancillary structure"

State. The State of Oregon.

Stormwater. Water derived from a storm event or conveyed through a storm sewer water management system.

Stormwater Best Management Practices (BMPs).

- (1) **Nonstructural.** Strategies implemented to control stormwater run-off that focus on pollution prevention, including, but not limited to, alternative site design, zoning and ordinances, education, and good housekeeping measures.
- (2) **Structural.** Engineered devices implemented to control, treat or prevent stormwater run-off pollution.

Stormwater Management Plan. A policy document adopted and, as modified from time to time, approved by resolution of the City Council setting forth the policies and procedures to be used in reviewing development proposals that alter or affect the natural, pre-development flow of stormwater. These policies and procedures are to be applied to public and private improvements and allow City staff to provide certainty to developers and consultants to permit them to design and submit for approval safe, efficient, and cost effective stormwater management system projects within the City and its Urban Growth Boundary.

Stormwater Management System. The structures, facilities, and practices utilized by the City and/or a development to control and manage the quantity and quality of groundwater discharges and surface water run-off, including stormwater run-off, non-storm generated run-off and floodwaters.

Street. Any roadway and associated right-of-way that provides access to one or more lots/parcels and that is a part of the city-wide street system.

Street, Improved. A street that includes a fully paved surface, curb, gutter, storm drainage, sidewalk, street trees (where applicable) and street lighting, all constructed to City standards.

Street, Private. Any roadway and associated land that is functionally similar to a public street, constructed to City standards, but not dedicated to the City.

Street, Unimproved. A street that lacks any of the features of an improved street.

Strip Commercial. Commercial development set in a linear pattern along one or both sides of a street.

Structure. Anything constructed or built, any edifice or building or any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. As used in SDC 3.3.400, Floodplain Overlay District, a walled or roofed building including a gas or liquid storage tank that is principally above ground.

Commented [RM101]: MK comment. "Structure, includes tanks, but only principally above ground. Not sure why mostly below ground tanks are excluded from this or from the defn of Building (see above) These 2 defn's may need some work"

Structure, Parking. A parking garage located aboveground or underground consisting of two or more levels.

Structure, Primary. A structure, or combination of structures, of chief importance or function on a site. In general, the primary use is carried out in a primary structure. A site may have more than one primary structure. The difference between primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials, and the orientation of the structures on the site. (See also **Accessory Structure** and **Accessory Dwelling Unit**.)

Subdivide Land. To divide an area or tract of land into four or more lots when the area or tract of land exists as a unit or contiguous units of land under single ownership at the time of subdivision.

Subdivision. Either an act of subdividing land, or an area or tract of land subdivided as defined in this Section.

Subdivision Plat. A final map and other writing containing all the descriptions, locations, dedications, provisions and information concerning a subdivision.

Sufficient Infrastructure. The following level of public services to serve new Triplexes, Fourplexes, Townhouses, or Cottage Cluster Housing development:

- (1) Connection to a public sanitary sewer system capable of meeting established service levels.
- (2) Connection to a public water system capable of meeting established service levels.
- (3) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
- (4) Storm drainage facilities capable of meeting established service levels for storm drainage.

Commented [RM102]: Michael comment
Need to talk about matching code language with Section 4.2-120.

Sunchart. A photograph, or a scaled drawing prepared or certified by a licensed or certified architect, landscape architect, engineer, planner or utility solar technician,

showing the positions of the sun during different hours of the day and months of the year, and the southern skyline. A sunchart uses as coordinates a grid of the sun's altitudes in 10 degree increments and solar azimuths in 15 degree increments.

Survey. The location of the legal boundaries of an area and the division of that area into lots or parcels, streets and other features with all necessary corners or dividing lines marked or monumented, prepared by a surveyor in accordance with State law.

Surveyor. A registered professional land surveyor in the State of Oregon.

I

Tentative Plan. A clearly legible drawing of the lots or parcels and other elements of a partition or subdivision which provides a basis for the approval authority to approve or disapprove the general layout of the development.

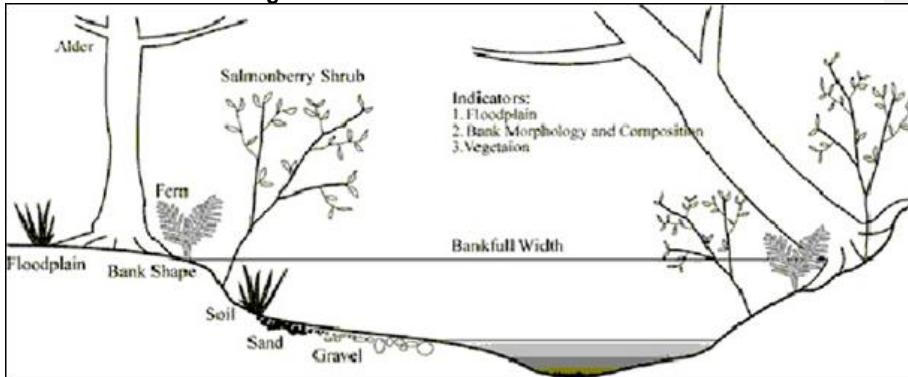
Time of Travel Zone (TOTZ). The area mapped pursuant to Oregon Health Division Delineation Certification #002R which identifies the time it takes groundwater to flow to a given well or wellhead.

Top of Bank. For a given watercourse, the top of bank is the same as the "bankfull stage." The "bankfull stage" is defined as the stage or elevation at which water overflows the natural banks of streams or other waters of the State and begins to inundate the upland. The ground elevations on both sides of the watercourse are examined and the lower grade break elevation; the elevation where water would leave the channel in a particular reach is used. The elevation of the lower bank controls the bank full elevation for a watercourse reach. The edge of the bankfull watercourse typically corresponds to the start of the floodplain. The start of the floodplain is often characterized by:

- (1) A berm or other break in slope from the watercourse bank to a flat valley bottom, terrace or bench;
- (2) A change in vegetation from bare surfaces or annual water-tolerant species to perennial water-tolerant or upland species; and
- (3) A change in the size distribution of surface sediments (e.g., gravel to fine sand) (Figure 6.1-D).

Commented [RM103]: MK comment. "Top of Bank-defn only talks about tops of banks to watercourses, where there are tops of bank that are not water "Top of Bank shall mean a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward. " Change title of defn to Top of Bank, Watercourse?"

Figure 6.1-D.
Indicators for Determining Bankfull Width



In the absence of physical evidence, the 2-year recurrence interval flood elevation may be used to approximate the bankfull stage.

Townhouse (Townhome). A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a rowhouse, attached house, or common wall house.

Townhouse Project. One or more townhouse structures constructed, or proposed to be constructed, together with the development area where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and any commonly owned property.

Traffic Impact Study. An analysis of the effects of a proposed development on the transportation system, and of traffic impacts on neighboring properties.

Traffic Study. A limited analysis of the operational aspects and traffic safety issues of a particular development area, including, but not limited to, on-site traffic circulation and access design and operation.

Triplex. Three dwelling units on one lot or parcel. Units may be attached vertically or horizontally or detached.

Deleted: site

Commented [RM104]: MK comment. "Triplex-again has detached been determined as being acceptable?"

Commented [RM105R104]: Yes, we are moving forward with detached units for the public hearing.

U

Urban Growth Boundary. A site-specific *line* that separates urban or urbanizable land from rural land and which appears on the Metro Plan Diagram.

Urban Land. Land which is located within an incorporated City.

Urbanizable Land. All land outside the city limits but inside the Urban Growth boundary.

Use. The purpose for which land and structures are arranged, designed, intended, occupied or maintained. Any activity taking place on land or in or on structures.

Use, Accessory. A use or uses within a primary commercial, office and/or employment building that is for the employees' benefit and that does not generally serve the public, including, but not limited to, building maintenance facilities, central mail rooms, child care, conference rooms, employee restaurants and cafeterias, indoor recreation areas, and indoor recycling collection centers. The accessory use is not considered a secondary use and does not have to meet any percentage standard; however, the accessory use must be part of a primary use building.

Use/Activity, Water-Dependent. A use or activity that requires access to the Willamette River for water-borne transportation, recreation, energy production, or source of water.

Use/Activity, Water-Oriented. A use or activity whose attraction to the public is enhanced by a view of or access to the Willamette River.

Use/Activity, Water-Related. A use or activity that is not directly dependent upon access to the Willamette River, but which provides goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to the river, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or activities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and mobile home parks are not generally considered dependent on or related to water location needs.

Use Category. A grouping of land uses which have similar operating characteristics and land use impacts.

Use, Nonconforming. The use of land or structures, or the size, height, location or number of structure, formerly permitted or otherwise lawful, but which currently does not comply with existing standards or provisions of this Code.

Use, Permitted. Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Use, Primary. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use. The primary use usually occupies more than 50 percent of the gross floor area of a building or more than 50 percent of a development area. Tree removal and timber harvesting are not primary uses within the Urban Growth Boundary.

Use, Re-Use. Any change in use, tenancy or occupancy of a building.

Use, Secondary. Any approved use of land or a structure that is incidental and subordinate to the primary use, and located in the same building or in the same development area as the primary use. No secondary use can occupy more than 50 percent of the gross floor area of a building or more than 50 percent of a development area occupied by the primary use. Secondary uses must not occur in the absence of primary uses. Secondary uses are not accessory uses.

Use, Special. Any use of land or a structure which due to its operating characteristics or land use impact is permitted under prescribed conditions in the applicable zoning district.

Commented [RM106]: MK comment. "'Use/Activity", and later Use, Water Dependent, Water Oriented and Water Related-all these refer only to the Willamette River, do other water bodies (creeks/Millrace/ponds/McKenzie) apply?"

Use, Temporary. A use established for a fixed period of time that does not involve the construction or alteration of any permanent structure.

Use, Water Dependent. A use that requires access to the Willamette River for water-borne transportation, recreation, energy production, or source of water.

Use, Water Related. A use that is not directly dependent upon access to the Willamette River, but which clearly benefits from the access.

Utility Provider. Any agency or private company which provides the public with electricity, gas, heat, steam, communications, rail transportation, water, sewage collection, or other similar service.

V

Variance. An exception to a requirement of this Code. This definition does not include use variances; a variance cannot be used in lieu of a zone change.

Vision Clearance Area. A portion of land established at street, alley, or driveway intersections in which nothing may obstruct the sight distance of motorists entering or leaving the intersection, unless specifically exempted by this Code.

W

Warehousing. The storage of finished and unfinished products and materials within an entirely enclosed building. This use may include facilities for regional wholesale distribution, if permitted by the applicable land use district.

Commented [RM107]: Existing definition in 6.1. Also see new draft code section 3.2.415(E).

Waste Storage. A place where waste containers, including compactors, dumpsters, and garbage cans, are collectively stored. Waste storage includes, areas used to collect and store refuse or recyclable materials. Exempt from this subsection are waste storage areas for detached Single-unit Dwellings, middle housing types, and areas used for the temporary storage of wood pallets or cardboard.

Watercourse. Rivers, streams, sloughs, drainages including intermittent stream and seeps, ponds, lakes, aquifers, wetlands and other waters of the State. This definition also includes any channel in which a flow of water occurs, either continuously or intermittently, and if the latter with some degree of regularity. Watercourses may be either natural or artificial. Specific watercourses that are protected by this Code are those shown on the water quality Limited Watercourse Map.

Water Quality Limited Watercourses (WQLW). Those watercourses within the City and its urbanizing area that are specified on the WQLW Map.

Waters of the State. These waters include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (excluding those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or potentially within or bordering the State or within its jurisdiction.

Wellhead Protection. Implementation of strategies within a wellhead protection area to minimize the potential impact of containment sources on the quality of groundwater used as a drinking water source by a public water system.

Wellhead Protection Area. A Drinking Water Protection Area for a groundwater-supplied drinking water source.

Wellness Center. A facility, owned by a public agency, operated by a public or non-public agency or private individual or firm, offering wellness-related health services and/or treatment to the public, including, but not limited to, diabetes and health education classes, physical, speech and occupational therapy, and fitness and nutrition services, but excluding alcohol and drug rehabilitation facilities other than prevention education.

Wetlands. Areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances to support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, and similar areas excluding those constructed as water quality or quantity control facilities.

Commented [RM108]: MK comment. "Wetlands –change "marches" to marshes"

Commented [RM109R108]: Good catch. Existing typo in code.

Deleted: c

Wheel Stop. A permanent and secured device in each parking stall which blocks the front wheels of a vehicle.

Wholesale Trade. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, the individuals or companies. Wholesale trade may include retail trade as a secondary use when wholesale trade is the primary use. Wholesale trade does not include storage and sale of bulk fuel oil, bulk fuel, explosives or other hazardous material, or live animal sales other than small domestic pets when the sales are made from the premises. Wholesale trade by brokerage only, with no display or storage of merchandise on the premises, is considered a Business Office use.

Windthrow. Trees felled by wind.

Wireless Telecommunications Systems (WTS). The sending and receiving of radio frequency transmissions and the connection and/or relaying of these signals to land lines and other sending and receiving stations (cell sites), and including cellular radiotelephone, personal communications services, enhanced/specialized mobile radio, and commercial paging services. Terms and definitions associated with WTS facilities, and the standards that regulate their siting and design are found in SDC 4.3.145(E).

Wooded Lot/Parcel. A lot/parcel or parcel 10,000 square feet or larger, above 670 feet in elevation, which contains more than 5 trees 8 inches or greater dbh.

Commented [RM110]: MK comment. "Wooded lot/parcel. Defn is too strictured by elevation and lot size. Why not lower elev and smaller SF?"

Commented [RM111R110]: Matches the hillside development standards.

Working Day. Monday through Friday, exclusive of official City holidays.

Wrecking Yard/Salvage Yard. Any lot/parcel or structure used for the storage, dismantling or sale of inoperable motor vehicles, trailers, machinery and/or building materials or parts.

Y

Yard. For the purpose of establishing setbacks, yard is an open space on a lot which is unobstructed from the ground upward except as otherwise provided in this code.

Commented [RM112]: MK comment. "Yard, through lot and St Side Yard-confusing defn's would a graphic be useful here? I don't know what these concepts are"

Yard, front. An open space extending the full width of the lot between the front facade of a building or the front of an unenclosed porch and the front lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.

Yard, rear. An open space extending the full width of the lot between the rear facade of a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.

Yard, side. An open space extending from the front yard to the rear yard between the side facade of a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.

Yard, through-Lot/Parcel Rear Yard: The first 10 feet of land paralleling street right-of-way this is parallel to and most distant from the front yard *property* boundary used for address purposes.

Yard, Street Side Yard: The first 10 feet of land paralleling street right-of-way, which intersects the front yard *property* boundary.

Youth Hostel. Any building designed or intended to provide temporary accommodations for traveling young people.

Z

Zoning District. A specifically delineated area or district within the Urban Growth Boundary that implements the Metro Plan within which the use of land is regulated and development standards are applied.

Enrolled
House Bill 2583

Sponsored by Representative FAHEY; Representatives CAMPOS, DEXTER, MARSH, MORGAN
(Presession filed.)

CHAPTER

AN ACT

Relating to maximum occupancy of residential dwelling units.

Be It Enacted by the People of the State of Oregon:

SECTION 1. A maximum occupancy limit may not be established or enforced by any local government, as defined in ORS 197.015, for any residential dwelling unit, as defined in ORS 90.100, if the restriction is based on the familial or nonfamilial relationships among any occupants.

Passed by House April 10, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 3, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State