



Planning Commission Agenda

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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/92014521651?pwd=UWl1eGdpVzBISUkrZDdXcnVjdDFIZz09>

Meeting ID: 920 1452 1651; Passcode: 154185

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September 21, 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. 2023-2027 Capital Improvement Program, A Community Reinvestment Plan**

**Staff: Jeff Paschal, City Engineer
30 Minutes**

2. Development Code Update Project – Draft Code Sections

**Staff: Mark Rust, AIC Current Planning Supervisor
30 Minutes**

☐ Commission members declaration of potential conflicts of interest

ADJOURNMENT

**7:00 p.m. Planning Commission Regular Session
Virtual**

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair McGinley _____, Vice Chair Landen _____, Gill _____, Koivula _____, Bergen _____, Salazar _____, and Buck.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, Staff or Applicant; by consensus

BUSINESS FROM THE AUDIENCE

Public comment is limited to 3 minutes per person; testimony may not discuss or otherwise address public hearings appearing on this Regular Session Agenda. If you wish to provide comment, please send a message to the “host” stating your name and the topic you’d like to address. The meeting host will ask those joining by phone if they wish to comment.

QUASI-JUDICIAL PUBLIC HEARING

Major Variance Application for Building Setback Located at 5409 Ivy Street; Journal #811-21-000193-TYP3

**Staff: Melissa Carino, Senior Planner
30 Minutes**

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

Those joining the meeting on-line who wish to testify during the public hearing may send a message to the “host” stating your name, mailing address, and whether you support, oppose, or are neutral with regard to the application. During the public hearing, the host will ask those joining by telephone if they wish to testify.

- ☐ Staff explanation of quasi-judicial hearing process (ORS 197.763 and Springfield Development Code 5.2-120 through 5.2-150)
- ☐ Chair opens the public hearing
- ☐ Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- ☐ Any challenges to the impartiality of the Commissioners or objection to the jurisdiction of the Commission to hear the matter
- ☐ Staff report
- ☐ Testimony from the applicant
- ☐ Testimony in support of the application
- ☐ Testimony neither in support of nor opposed to the application
- ☐ Testimony opposed to the application
- ☐ Summation by staff
- ☐ Rebuttal from the applicant

- ☐ Planning Commission questions to staff or public
- ☐ Close or continue public hearing; close or extend written record (continuance or extension by motion)
- ☐ Planning Commission Deliberations – discussion of the proposal including testimony and evidence addressing the applicable approval criteria
- ☐ Motion to approve as presented, approve with modifications, or deny the application based on the findings of fact contained in the staff report, oral and written testimony, and all other evidence submitted into the record

GLENWOOD RIVERFRONT REQUEST FOR PROPOSALS

Role and Composition of the Technical Recommending Committee

Staff: Courtney Griesel, Economic Development Manager

10 minutes

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

ADJOURNMENT

AGENDA ITEM SUMMARY

Meeting Date: 9/21/2021
Meeting Type: Work Session
Staff Contact/Dept.: Jeff Paschall, DPW
Staff Phone No: 541-726-1674
Estimated Time: 30 Minutes
Council Goals: Maintain and Improve Infrastructure and Facilities

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE:	2023-2027 CAPITAL IMPROVEMENT PROGRAM, A COMMUNITY REINVESTMENT PLAN
ACTION REQUESTED:	Review and provide direction for the recommended five-year Capital Improvement Program (CIP).
ISSUE STATEMENT:	Draft Project lists have been prepared for the City of Springfield's 2023-2027 CIP – A Community Reinvestment Plan. The lists are being brought to the Planning Commission for review and discussion with the Planning Commission. Staff will bring the CIP back to the Planning Commission October 5 th during the regular session for a recommendation to forward to the City Council.
ATTACHMENTS:	<ol style="list-style-type: none">1. Communication Memorandum2. Draft 2023-2027 Capital Improvement Program – A Community Reinvestment Plan Project Lists

DISCUSSION: Draft project lists have been compiled for the City of Springfield 2023-2027 CIP. The draft project lists are ready for review and discussion by the Planning Commission.

The City of Springfield's Capital Improvement Program (CIP) is a five-year Community Reinvestment Plan that describes the near-term program for funding, evaluation, and construction of City owned and operated public facilities. A fundamental purpose of the CIP is to facilitate the efficient use of capital resources to maintain, improve, and expand City assets. The underlying concept is to strategically prioritize and program these resources to extend the useful life of existing assets, replace assets before failure, and to support growth with timely expansion.

The project lists have been restructured into current budget and completed projects, proposed projects with detailed project sheets, and unfunded needs. These items are detailed in the attached Communication Memorandum.

COMMUNICATION MEMORANDUM**SPRINGFIELD
PLANNING COMMISSION**

Meeting Date: 9/21/2021
Meeting Type: Regular Meeting
Staff Contact/Dept.: Jeff Paschall/DPW
Staff Phone No: 541-726-1674
Estimated Time: 30 Minutes
Council Goals: Maintain and Improve Infrastructure and Facilities
Maintain and Improve Infrastructure and Facilities

ITEM TITLE:	2023-2027 CAPITAL IMPROVEMENT PROGRAM, A COMMUNITY REINVESTMENT PLAN
ACTION REQUESTED:	Review and provide direction for the recommended five-year Capital Improvement Program (CIP).
ISSUE STATEMENT:	Draft Project lists have been prepared for the City of Springfield's 2023-2027 CIP – A Community Reinvestment Plan. The lists are being brought to the Planning Commission for review and discussion with the Planning Commission. Staff will bring the CIP back to the Planning Commission October 5 th during the regular session for a recommendation to forward to the City Council.
ATTACHMENTS:	1. Draft 2023-2027 Capital Improvement Program – A Community Reinvestment Plan Project Lists
DISCUSSION:	The City of Springfield's Capital Improvement Program (CIP) is a five-year Community Reinvestment Plan that describes the near-term program for funding, evaluation, and construction of City owned and operated public facilities. A fundamental purpose of the CIP is to facilitate the efficient use of capital resources to maintain, improve, and expand City assets. The underlying concept is to strategically prioritize and program these resources to extend the useful life of existing assets, replace assets before failure, and to support growth with timely expansion.

The CIP is typically updated on a biennial schedule, however due to the many unforeseen events over the last year, the update did not follow the traditional schedule and process. In addition, the traditional CIP update schedule was not well aligned with the City's budget calendar, with the draft Capital Budget completed before adoption of the CIP. Council agreed to update the schedule so that the CIP can be adopted in the fall prior to preparation of the Capital Budget during the winter/spring.

The CIP is an intermediate step in a process that originates with long term planning activities that anticipate the need for public facilities at least 20 years into the future and concludes with the adoption of the annual Capital Budget to appropriate funds to construction projects. Operation and maintenance cost is separately included in the City's budget.

As the interim step in the process, the CIP identifies the facilities concepts that may reasonably be expected to be required in the next five years, refines those concepts, and provides a priority list of projects. Priority projects are selected from the long list of needed capital improvements identified in the various master plans and refinement plans. The draft project lists are then presented to both the Planning Commission and the City Council for public review and comment prior to adoption by the City Council.

Over the last decade, the City has seen the wastewater and stormwater funds stabilize, which has supported completion of several projects and funding to be programmed for

the next suite of projects identified within the City's adopted master plans. As an example, nearly all of the preservation, repair, and replacement projects identified in the 2008 Wastewater Master Plan have been completed. Street and Transportation funds have not seen growth to keep pace with operating costs and provide for robust capital spending. The City relies on federal and state funding sources to support a majority of street and transportation projects and relies on street fund revenues and systems development charges to provide required match to outside funding sources.

The project section of the 2023-2027 CIP is organized by asset system with three sections for each system. The first section is a table that has details for the projects that are either in the current capital budget or have been completed since the last CIP update. The next section is the project detail sheets for those projects proposed to be programmed over the next five-year cycle. The last section is another table detailing the list of currently unfunded or partially funded projects. As appropriate resources become available or potential grant opportunities are identified these lists will be used to match projects with those priorities.

Stormwater – In review of the current capital budget and the previous CIP, a majority of the projects have been placed into a hold status. This is due to focusing limited capital delivery staffing resources to delivery of the 2018 GO Bond street preservation projects, as well as federal aid funded projects such as Mill Street Reconstruction. However, water quality initiatives are being advanced as many of the street projects incorporate improvements to treat runoff from street surfaces.

Street and Transportation – Currently all but one of the street segments scheduled for preservation through the citizen approved five-year general obligation bond is completed or in active construction. The final segment (Centennial Boulevard from Aspen St. to Prescott St.) is anticipated to be under construction in the spring of 2022. Several safety and pedestrian projects were also completed over the past three years, and many others are in the design phase with construction anticipated in 2022 or 2023.

Wastewater – Several unplanned sewer projects have been completed over the last couple of years as issues have been identified through routine inspection by operations staff, or through other project work. The most recent example is the repair of a broken pipe as part of the Mohawk Boulevard preservation project. Several other projects are currently in the design phase with anticipated construction in either 2022 or 2023. There are two pipeline rehabilitation projects proposed in the 2023-2027 CIP, that have been identified through the Flow Monitoring Analysis project. Additionally, with the completion of the hydraulic model update, staff is planning to have a consultant under contract in early 2022 to complete an updated Wastewater Master Plan.

Buildings and Facilities – Available funding for building and facilities projects is very limited so there is a long list of identified unfunded projects or programs. However, upgrades to the fuel facility storm system and a building assessment at the Booth Kelly site were completed.

FINANCIAL IMPACT:

The CIP does not carry budget authority. It is, however, a valuable planning tool used to guide staff, the Budget Committee, and the City Council in creating the annual budget to fund priority projects.

FY20-FY22 Capital Project Status Update - Stormwater

Project Title	Project Number	In Previous CIP	Project Category	Project Status	FY22 Budget (\$ in Thousands)	Total Cost to Complete	Notes
5th St./EWEB Path Pipe Upgrade	P21124	X	Upgrades	On-Hold	\$112		
Booth Kelly Stormwater Drainage Plan Implementation	P50234	X	Upgrades	Not Started	\$150		
Irving Slough Improvements	P21138	X	Water Quality	Not Started	\$785		
2021 Maintenance Hole Rehab	P21168		Repair and Preservation	Design	\$75		Construction planned for FY22
Channel 6 Master Plan Implementation	P41020	X	Upgrades	On-Hold	\$799		
Stormwater Master Plan Update	P41021	X	Studies	Not Started	\$0		
Glenwood Stormwater Master Plan	P41042	X	Studies	Planning	\$100		
42nd Street Levee Study	P41044	X	Flood Control	Planning	\$534		
Glenwood Park Blocks	P41045	X	Studies	Not Started	\$50		
Stormwater Repair	P61002	X	Repair and Preservation	Ongoing Program	\$500		
Channel Improvement	P61004	X	Water Quality	Ongoing Program	\$1,092		
MS4 Permit Implementation	P61005	X	Water Quality	Ongoing Program	\$40		
Riparian Land Management	P61006	X	Water Quality	Ongoing Program	\$500		
HOA Water Quality Facilities	P61013	X	Water Quality	Ongoing Program	\$85		
2016 Manhole Surface Repair	P21131		Repair and Preservation	Completed		\$38,824	Constructed in FY20
Fuel Facility Stormwater Upgrade	P21121	X	Upgrades	Completed		\$37,480	Constructed in FY20
Over-Under Emergency Repair	P21163		Repair and Preservation	Completed		\$121,243	Constructed in FY20

Stormwater

Repair and Preservation

Drainage Repair

Department Development and Public Works

Project Description:

This program involves the rehabilitation of Springfield drainage systems; to repair or replace older pipe in the system and solve flooding problems and reduce street surface failures due to poor drainage. This program also includes rehabilitation of catch basins and culverts to prevent flooding, and the contractual cleaning of large storm sewer pipe. Potential projects include:

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

- Springfield Stormwater Management Plan
- Stormwater Master Plan
- DEQ Stormwater Discharge Permit
- Asset Management Program
- Natural Hazard Mitigation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$150	\$150	\$150	\$150	\$150	\$750
Stormwater Reimbursement SDC	\$50	\$50	\$50	\$50	\$50	\$250
Total	\$200	\$200	\$200	\$200	\$200	\$1,000

Stormwater

Water Quality

Channel Improvement

Department Development and Public Works

Project Description:

This project is intended to provide improvements to key drainage ways to address barriers to fish passage, and to correct previous channel modifications that have caused deterioration of flow capacity, water quality, and fish habitat functions. These improvements include culvert replacements or retrofits, road crossing and outfall modifications, and channel restoration. The adoption of the Springfield Total Maximum Daily Load Implementation Plan identifies an additional temperature benefit from channel restoration and shading.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Springfield Stormwater Management Plan
 Stormwater Master Plan
 DEQ Stormwater Discharge Permit
 Asset Management Program
 Natural Hazard Mitigation Plan
 Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$80	\$80	\$80	\$80	\$80	\$400
Stormwater Reimbursement SDC	\$20	\$20	\$20	\$20	\$20	\$100
Total	\$100	\$100	\$100	\$100	\$100	\$500

MS4 Permit Requirements

Department Development and Public Works

Project Description:

Develop and implement programs and projects to comply with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Discharge requirements. In 2003, the City applied for an MS4 permit from the Oregon Department of Environmental Quality (DEQ), which authorizes the City to lawfully discharge stormwater to the McKenzie and Willamette Rivers and their tributaries. The Permit was renewed in 2021 and requires the City to implement programs and capital projects that improve stormwater quality. Data show that stormwater in Springfield waterways routinely violates water quality standards established to protect human health and aquatic life. This project provides for minor capital improvements and/or capital equipment purchases necessary and appropriate to address high priority water quality problem areas.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Springfield Stormwater Management Plan
 Stormwater Master Plan
 DEQ Stormwater Discharge Permit
 Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$20	\$20	\$20	\$20	\$20	\$100
Stormwater Reimbursement SDC	\$20	\$20	\$20	\$20	\$20	\$100
Total	\$40	\$40	\$40	\$40	\$40	\$200

Riparian Land Management

Department Development and Public Works

Project Description:

This project provides funding to purchase riparian area lands from private property owners where needed to meet City and regulatory objectives for water quality, stormwater management, flood control and habitat protection. It also provides funding for consultant services to evaluate riparian buffer areas, City and other activities affecting them. Property acquisitions will typically result in increased operational spending to maintain city owned property. Projects developed on property acquired may, however, produce savings through reduced spending for flood control, water quality improvement, and wetland mitigation activities. Project funding levels have been reduced to conform to eligibility levels for improvement SDCs. Council adoption and implementation of a reimbursement SDC may permit restoration of prior funding levels.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Springfield Stormwater Management Plan
 Stormwater Master Plan
 DEQ Stormwater Discharge Permit
 Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$15	\$15	\$15	\$15	\$15	\$75
Stormwater Reimbursement SDC	\$13	\$13	\$13	\$13	\$13	\$65
Total	\$28	\$28	\$28	\$28	\$28	\$140

HOA Water Quality Facilities (WQF)

Department Development and Public Works

Project Description:

There are approximately 40 WQFs in subdivisions that were built between 1993 and 2010 that are privately owned by HOAs or another private entity (individual residents, the original developer, etc.). The City has taken a progressively more active role in maintaining these facilities over the past five years. With the approval of Council in 2013, the City's Operations Division hires a temporary work crew each summer to manage vegetation in the facilities and ensure they are functioning properly. This capital program will begin setting aside funds to take over and bring into compliance selected privately owned water quality facilities.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Springfield Stormwater Management Plan
 Stormwater Master Plan
 DEQ Stormwater Discharge Permit
 Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$85	\$85	\$85	\$85	\$85	\$425
Stormwater Reimbursement SDC						
Total	\$85	\$85	\$85	\$85	\$85	\$425

Glenwood Stormwater Planning/Implementation

Department Development and Public Works

Project Description:

To improve the stormwater system including pipe and open channel improvements, for flood control and water quality improvements at various locations within Glenwood as identified in the Stormwater Facilities Master Plan (SWFMP), and to support implementation of the existing refinement plan for Glenwood. This project has involved evaluation of the Glenwood area and identification of new stormwater outfall locations and construction/enhancement of existing outfall structures to the Willamette River. Specific projects will be implemented as development occurs, consistent with the Public Facilities and Services Plan (PFSP). This project is moving into the next phase which involves preliminary design and initiating permitting activities to advance development.

Project Status:

Planning

Specific Plans/Policies Related to this Project:

Springfield Stormwater Management Plan
 Stormwater Master Plan
 DEQ Stormwater Discharge Permit
 Total Maximum Daily Load (TMDL) Implementation Plan
 Glenwood Refinement Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital	\$220					\$220
Stormwater Improvement SDC	\$30					\$30
Total	\$250	\$0	\$0	\$0	\$0	\$250

Stormwater

Repair and Preservation

Irving Slough Headgate to Outfalls

Department Development and Public Works

Project Description:

The project consists of open channel improvements in multiple locations for flood control and the construction of a stormwater storage facility. Water quality improvements will be incorporated into the project where applicable to meet regulatory requirements. The Stormceptor at Olympic Street will also be replaced. This project will be constructed as part of the N. 42nd Street Improvements Project

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

- Springfield Stormwater Management Plan
- Stormwater Master Plan
- DEQ Stormwater Discharge Permit
- Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital		\$440	\$750			\$1,190
Stormwater Improvement SDC						\$0
Total	\$0	\$440	\$750	\$0	\$0	\$1,190

Stormwater

Flood Control

S. 67th Street Stormwater Improvements

Department Development and Public Works

Project Description:

Pipe improvements for flood control. Currently, during heavy rainfall the storm system surcharges at 67th and Main Street flooding private property.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Stormwater Master Plan
DEQ Stormwater Discharge Permit
Natural Hazard Mitigation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital				\$408		\$408
Stormwater Improvement SDC				\$42		\$42
Total	\$0	\$0	\$0	\$450	\$0	\$450

Stormwater

Expansion

Jasper-Natron

Department Development and Public Works

Project Description:

The Jasper-Natron area requires comprehensive evaluation for future stormwater infrastructure needs to support future growth and meet the City's DEQ Stormwater Discharge Permit requirements. The first phase of the project will completing the analysis to develop a master plan for the basin, followed by implementation either by private developments, or City sponsored initiatives. The funding identified is the study and plan development.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

- Stormwater Master Plan
- DEQ Stormwater Discharge Permit
- Natural Hazard Mitigation Plan
- Total Maximum Daily Load (TMDL) Implementation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital					\$350	\$350
Stormwater Improvement SDC					\$350	\$350
Total	\$0	\$0	\$0	\$0	\$700	\$700

Stormwater

Water Quality

Lower Mill Race

Department Development and Public Works

Project Description:

Design and construct a daylight or diversion pretreatment structure, an offline water quality treatment facility, and a green pipe open channel improvement. Additional detail for this multi-faceted project are in WQ-12 project of the Stormwater Facilities Master Plan.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Stormwater Master Plan	Booth Kelly Stormwater Plan
DEQ Stormwater Discharge Permit	Stormwater Management Plan
Natural Hazard Mitigation Plan	Mill Race Ecosystem Plan
Total Maximum Daily Load (TMDL) Implementation Plan	

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital					\$500	\$500
Stormwater Improvement SDC					\$73	\$73
Total	\$0	\$0	\$0	\$0	\$573	\$573

Mill Race Firm Update

Department Development and Public Works

Project Description:

Using consulting services, prepare a scope document for a new flood plain study to update the Flood Insurance Rate Map (FIRM) for the Springfield Mill Race from the inlet at Clearwater Park to the outlet at Island Park to incorporate construction changes.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Natural Hazard Mitigation Plan

Continued Participation in the National Flood Insurance Program

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital					\$200	\$200
Total	\$0	\$0	\$0	\$0	\$200	\$200

Over-Under Channel Phase 2

Department Development and Public Works

Project Description:

The Over-Under Channel system has approximately 2,200 linear feet of woodstave pipe, and 1,000 linear feet of corrugated metal pipe (CMP) remaining under the existing channel. Phase 2 is intended to replace the existing woodstave and remaining CMP with a new pipe, as well as provide a parallel pipe for additional capacity as recommended in the 2008 Stormwater Facility Master Plan and the Over-Under Channel investigative report. The remaining pipe to be replaced runs from 10th Street east to 14th Street across Springfield School District property and Willamalane Park property.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Stormwater Master Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Stormwater Capital					\$500	\$500
Stormwater Improvement SDC					\$10	
Total	\$0	\$0	\$0	\$0	\$510	\$500

Unfunded Projects List - Stormwater

Project Title	Project Category	Project Status	Estimated Funding Need	Notes
Gray Creek/72nd Street	Expansion	Not Programmed-Pending Funding	\$6,000,000	Construction of new channels and other improvements to accommodate runoff from future development
Corporate Way Pond	Studies	Not Programmed-Pending Funding	\$250,000	Develop a vegataion management plan SWMP Project 43-WQ
Cedar Creek Intake Reconstruction	Water Quality	Not Programmed-Pending Funding	\$1,000,000	Restoration work to improve and manage year round flow volumes
North Willamette Heights	Studies	Not Programmed-Pending Funding	\$100,000	Develop a basin specific master plan to guied development and redevelopment
Jasper Slough	Restoration	Not Programmed-Pending Funding	\$100,000	Culvert and open channel improvements along with riparian vegetation restoration
Woodstave Removal	Upgrades	Not Programmed-Pending Funding	\$750,000	This pipeline is located south of S. A Street and is complicated by the fact portions of the line are under existing buildings and lack public access easements
S and T Streets Drainage	Upgrades	Not Programmed-Pending Funding	\$750,000	Upgrade project to improve inadequate storm system and alleviate localized flooding. Reference Channel 6 Study and Master Plan
I-5 N. Gateway/Sports Way Channel	Water Quality	Not Programmed-Pending Funding	\$750,000	Construct a combination flood control/water quality facility adjacent to the Gateway Natural Resource area.
Q Street Channel	Water Quality	Not Programmed-Pending Funding	\$750,000	Channel Repair, riparian enhancement and shading to address temperature issues in the TMDL.
Maple Island Slough	Studies	Not Programmed-Pending Funding	\$650,000	Evaluate capacity needs to support developments and develop a vegetation management plan.

FY20-FY22 Capital Project Status Update - Streets and Transportation

Project Title	Project Number	In Previous	Project Category	Project Status	FY22 Budget (\$ in Thousands)	Total Cost to Complete	Notes
Virginia/Daisy Bicycle Blvd. Phase 1	P21114	X	Safety	Completed		\$1,406	Construction of Phase 1 (42nd Pl. to 51st Pl.) improvements completed in FY21
Main St. Pedestrian Crossings Phase 3	P21142	X	Safety	Completed		\$316	Final crossing location constructed in FY20
Filling the Gaps - Sidewalk Infill Project	P21147	X	Safety	On-Hold	\$225		Majority of funding received through State grants
14th St. and Commercial St. Overlays	P21150	X	Repair and Preservation	Completed		\$335	Constructed in FY20
Centennial Blvd Overlay	P21151	X	Repair and Preservation	Design	\$719		Construction planned for FY22
High Banks Rd./58th St./Thurston Rd. Overlay	P21152	X	Repair and Preservation	Construction	\$999		Active Construction with completion in FY22
S. 28th Street Paving	P21155	X	Upgrades	Design	\$1,272		30% design review complete
Mill Street Reconstruction	P21156	x	Repair and Preservation	Planning	\$40		Consultant contract executed in FY22
Mohawk blvd./Olympic St. Overlay	P21157	x	Repair and Preservation	Construction	\$0		Active Construction with completion in FY22
Virginia/Daisy Bicycle Blvd. Phase 2 - 42nd St. Roundabout	P21159	X	Safety	On-Hold	\$604		Design is scheduled to begin in late FY22
G Street, 21st St., and 5th & M St. School crossing and ADA Improvements	P21161		Safety	Completed		\$335	Project as funded with federal CDBG funds and completed in FY21
42nd St. Overlay	P21162	X	Repair and Preservation	Completed		\$400	Constructed in FY22
Gateway/Kruse Improvements	P21165	x	Safety	Design	\$0		
Jasper Rd./Dondea RRFB	P21167		Safety	Design	\$0		Funded with Safe Routes To Schools (SRTS) grant funds
City of Springfield Signal Enhancements	P21173		Upgrades	Design			
Jasper/Filbert RRFB Crossing	P21174		Safety	Design	\$0		Funded with Safe Routes To Schools (SRTS) grant funds
Slurry Seal 2021	P21175	X	Repair and Preservation	Completed		\$350	Completed in FY22 in through and IGA with Lane County
Franklin OR 225	P21176		Upgrades	Planning	\$60		Recently funded through reallocation of MPO funds

FY20-FY22 Capital Project Status Update - Streets and Transportation

Project Title	Project Number	In Previous	Project Category	Project Status	FY22 Budget (\$ in Thousands)	Total Cost to Complete	Notes
Virginia/Daisy Bicycle Blvd. Phase 1	P21114	X	Safety	Completed		\$1,406	Construction of Phase 1 (42nd Pl. to 51st Pl.) improvements completed in FY21
West D Street Bike Improvements	P41049	x	Safety	Design		\$39	Project identified and funded though the Walking-Biking Safety grant application
Franklin Phase 2 Design	P41058	x	Upgrades	Design	\$0		
ADA Transition Projects	P61003	X	Upgrades	Ongoing Program	\$50		
Transportation Demand Management	P61007	X		Ongoing Program			Funds set aside to advance projects to enhance non-auto travel links throughout the City.
Traffic Control Projects	P61008	X		Ongoing Program			Funds set aside to advance intersection improvement projects. Example: S. 42nd St.\Daisy Intersestion.
Gateway Area Traffic Improvements	P61009	X		Ongoing Program			Funds set aside to advance project in the Gateway area to increase capacity.

ADA Transition Projects

Department Development and Public Works

Project Description:

The Americans with Disabilities Act of 1990 requires the City to maintain a "Transition Plan" that details how it will bring facilities that were not in compliance at the adoption of the act, up to the newly adopted standards. Currently, the City policy is to correct defects as projects occur and to make improvements as requests are received from citizens who make their need known. This project will set aside funds to be used for high priority locations that are identified, and will allow the City to respond in a timely manner to those requests.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Springfield TSP
Regulatory Requirements

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Street Capital	\$50	\$50	\$50	\$50	\$50	\$250
Transportation Reimbursement SDC	\$50	\$50	\$50	\$50	\$50	\$250
Total	\$100	\$100	\$100	\$100	\$100	\$500

Transportation Demand Management

Department Development and Public Works

Project Description:
The project includes match funding for other transportation options projects to enhance non-auto travel links in the community such as Street multi-use paths, bike lane striping, enhancements to pedestrian facilities, and other activities that promote non-single auto travel choices.

Project Status:
Not Started

Specific Plans/Policies Related to this Project:
Springfield TSP TDM Goals
State Legislation Regional Transportation Plan

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Transportation Improvement SDC	\$10	\$10	\$10	\$10	\$10	\$50
Total	\$10	\$10	\$10	\$10	\$10	\$50

Traffic Control Projects

Department Development and Public Works

Project Description:

This project is for installation of new traffic signals and modification of existing signals or installation of roundabouts at various City intersections. Example intersections include: Thurston Rd. & 66th St., 42nd St. & Marcola Road, South 42nd & Daisy St., South 40th & Daisy St., 19th St. and Marcola Rd., and 28th St. & Centennial Blvd. Signal modifications may include changing phase order, adding overlaps, and other enhancements to safety or efficiency like improved pedestrian crossings. Various striping and signing improvements may also be implemented under the Traffic Control Projects. Funding is set aside in this program and as projects are identified that fit into this category they are given an individual account and at that time another source of funding will be identified to match the allowable SDC funds.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Springfield TSP Regional Transportation Plan
Council Policy

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Transportation Improvement SDC	\$35	\$35	\$35	\$35	\$35	\$175
Total	\$35	\$35	\$35	\$35	\$35	\$175

Gateway Area Traffic Improvements

Department Development and Public Works

Project Description:
Transportation improvements at various locations in the Gateway area to increase capacity, relieve congestion, and improve safety. Funding is set aside in this program and as projects are identified that fit into this category they are given an individual account and at that time another source of funding is identified to match the allowable SDC funds.

Project Status:
Not Started

Specific Plans/Policies Related to this Project:
Springfield TSP Gateway Traffic Capacity Analysis
Council Goals I-5/Beltline Environmental Assessment

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Transportation Improvement SDC	\$225	\$225	\$225	\$225	\$225	\$1,125
Total	\$225	\$225	\$225	\$225	\$225	\$1,125

Intelligent Transportation Systems (ITS)

Department Development and Public Works

Project Description:
ITS projects in various locations to increase communications, capacity, safety and traveler information. Funding is set aside in this program and as projects are identified that fit into this category they are given an individual account and at that time another source of funding will be identified to match the allowable SDC funds.

Project Status:
Not Started

Specific Plans/Policies Related to this Project:
Regional ITS Operations & Implementation Plan for Eugene-Springfield Metropolitan Area
Springfield TSP

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Transportation Improvement SDC	\$25	\$25	\$25	\$25	\$25	\$125
Total	\$25	\$25	\$25	\$25	\$25	\$125

Local/Residential Street Preservation and Maintenance

Department Development and Public Works

Project Description:
A continuing street maintenance preservation effort by slurry and crack sealing of Local/Residential Street System performed by contract. In order to maintain the City's local street system approximately 5 to 8 miles should be crack sealed and slurry sealed annually. Funds programmed fund an annual slurry seal project.

Project Status:
Not Started

Specific Plans/Policies Related to this Project:
Regional ITS Operations & Implementation Plan for Eugene-Springfield Metropolitan Area
Springfield TSP

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Street Capital	\$150	\$150	\$150	\$150	\$150	\$750
Total	\$150	\$150	\$150	\$150	\$150	\$750

42nd Street Operational, Safety, and Mobility Improvements

Department Development and Public Works

Project Description:

Upgrade to address safety and operations, in particular for freight accessing the OR 126 Expressway-Freight Route and OR 126B-Main St. Upgrade the UP rail crossing serving the International Paper, Sierra Pine, and Weyerhaeuser industrial center, upgrade intersection control at the westbound OR 126 ramp terminal, add urban level lighting, add ADA-accessible connections from Olympic St. and Industrial Ave. to the McKenzie Levee Path, add left turn bay on 42nd St. at Industrial Ave and improve traffic signals at the eastbound OR 126 ramp terminal, Olympic Street and the International Paper driveways.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

- Springfield 2030 Infrastructure Management System
- Springfield TSP

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
State Funds Transfer	\$12,000					\$12,000
Total	\$12,000	\$0	\$0	\$0	\$0	\$12,000

Q Street Reconstruct - 5th to Pioneer Parkway East

Department Development and Public Works

Project Description:

According to the most recent City of Springfield pavement condition index data, Q Street between 5th and Pioneer Parkway East is in poor condition and requires reconstruction curb to curb. As part of the project all facilities such as ADA feature will be brought into compliance.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Infrastructure Management System

Springfield TSP

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Federal Aid Grant	\$637		\$3,589			\$4,226
Transportation Reimbursement SDC	\$73		\$411			\$484
Total	\$710	\$0	\$4,000	\$0	\$0	\$4,710

Virginia- Daisy Bikeway -- 32nd Street RRFB

Department Development and Public Works

Project Description:

Design and construct a rapid rectangular flashing beacon (RRFB) crossing at the intersection of 32nd St and Virginia. This was a key safety elemnt identified in the Virginia-Daisy Bikeway plan. Funding for this element was recently secured through reallocation of federal funds from another Springfield project.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Springfield TSP

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Federal Aid Grant	\$240					\$240
Transportation Reimbursement SDC	\$27					\$27
Total	\$267	\$0	\$0	\$0	\$0	\$267

Unfunded/Partial Funded Projects List - Streets and Transportation

Project Title	Project Category	Project Status	Estimated Funding Need	Notes
Virginia-Daisy Bikeway Phase 3	Upgrades	Not Programmed-Pending Funding	\$1,400,000	Construction of Bicycle, pedestrian, and ADA improvements between S. 32nd Street and S. 42nd Street.
Gateway-Beltline Intersection Improvements	Upgrades	Not Programmed-Pending Funding	\$20,000,000	Phase 2 improvements currently outlined in the Revised Environmental Assessment (REA) include construction of a couplet.
Signal System Modernization	Upgrades	Not Programmed-Pending Funding	\$55,000 on an annual basis	Upgrade program to keep City traffic signals up to date on technology
S. 48th Street connection - Main to Daisy	Expansion	Not Programmed-Pending Funding	\$927,000	Construction of this new road segment is development drive.
Bridge Preservation	Repair and Preservation	Not Programmed-Pending Funding	\$50,000 on an annual basis	This City owns 14 bridges that are inspected on a biennial schedule by ODOT. This program would facilitate completion of identified repair needs
Downtown Distric Pedestrian Scale Lighting	Upgrades	Not Programmed-Pending Funding	\$7,600,000	Complete all downtown lighting upgrade phases.
Arterial/Collector Street Preservation Program	Repair and Preservation	Not Programmed-Pending Funding	\$1,000,000 on an annual Basis	A continuing street maintenance effort of pavement sealing and/or overlay of the Arterial/Collector Street System
Street Light Infill & LPS Light Replacement/Upgrades	Upgrades	Not Programmed-Pending Funding	\$2,000,000	Replace 2,720 existing low pressure sodium (LPS) lights with LED technology and reduce energy costs.
Arterial/Collector Street Reconstruction Program	Restoration	Not Programmed-Pending Funding	\$1,000,000 on an annual Basis	Within the City's Street inventory, the condition of approximately 24 miles of streets classified as a collector or arterial have deteriorated to the point that reconstruction of the structure is the only option
Local/Residential Street Reconstruction	Restoration	Not Programmed-Pending Funding	\$300,000 on an annual basis	Within the City's Street inventory, the condition of approximately 68 miles of local/residential streets has deteriorated to the point that reconstruction of the structure is the only option
Maple Island Improvements	Upgrades	Not Programmed-Pending Funding	\$2,000,000	This project will upgrade the roundabout at Maple Island Road and International Way. It will also extend the Maple Island Loop Road to the north along the Maple Island Slough.
Intelligent Lighting Controls	Upgrades	Not Programmed-Pending Funding	\$700,000	An Intelligent lighting system will monitor street light performance, enhancing operations and maintenance
Main Street Lighting	Upgrades	Not Programmed-Pending Funding	\$700,000	The project will add lighting to Main Street from 20th to 72nd by placing lights on existing poles where available and installing new poles where necessary
Pedestrian Crossing Enhancements	Safety	Not Programmed-Pending Funding	\$750,000	Several crossings have been identified that would receive a safety benefit from the installation of a RRFB (Rectangular Rapid Flashing Beacon) or a PHB (Pedestrian Hybrid Beacon).
Signal Communications	Upgrades	Not Programmed-Pending Funding	\$500,000	The project will evaluate central system software, fiber optic lines, wireless radio communication, and existing copper connections
Bike Wayfinding & Safety	Safety	Not Programmed-Pending Funding	\$100,000	This project will add bicycle wayfinding signage and safety improvements around the City

Unfunded/Partial Funded Projects List - Streets and Transportation

Project Title	Project Category	Project Status	Estimated Funding Need	Notes
City Hall Bike Parking	Upgrades	Not Programmed-Pending Funding	\$35,000	This project will add secure, long term bicycle parking underneath City Hall. The project will offer bicycle commuters a secure parking location that includes shelter from the elements
Glenwood Riverfront Path	Expansion	Not Programmed-Pending Funding	\$1,000,000	The project will complete required Federal National Environmental Policy Act (NEPA) documentation and approval for the new Glenwood Multi-Use Riverfront Path, including locating the path alignment along the Willamette River and completing pathway design

FY20-FY22 Capital Project Status Update - Wastewater

Project Title	Project Number	In Previous CIP	Project Category	Project Status	FY22 Budget (\$ in Thousands)	Total Cost to Complete (\$ in Thousands)	Notes
Jasper Trunk - Phase 3	P21065	X	Expansion	Design	\$2,344		Design is currently at 60%, Actively working on wetlands mitigation plan
2016 Manhole Surface Repair	P21131		Repair and Preser	Completed		\$39	Constructed in FY21
S. 28th Sewer Extension	P21166	X	Expansion	Design	\$1,200		Project has been initiated to correspond with 28th Street CMAQ Paving. Construction planned for FY23
42nd -48th Sewer Rehabilitation	P21170	x	Repair and Preservation	Design	\$1,500		Construction planned for FY23
Crest Lane Sewer Ext.	P21171		Expansion	Completed		\$44	Constructed in FY21. Example of Wastewater Repair funds (P61001) utilized.
Flow Monitoring Analysis & Plan	P41041	X	Studies	Design	\$200		Work on Phase 3 microbasin modeling continues. Rehab projects have been identified and will be programmed in the CIP
Wastewater Master Plan	P41062	X	Studies	Planning	\$500		Request for proposals to be advertised in 2nd qtr of FY22
CMOM Planning \$ Implementation	P61000	X	Repair and Preservation	Ongoing Program	\$3,200		Funds to be programmed to repair and preservation projects identified through modeling
Wastewater Repair	P61001	X	Repair and Preservation	Ongoing Program	\$500		Funds programmed each year for unforeseen emergency repair work.
Local Sewer Extension	P61013	X	Expansion	On-Hold	\$1,500		Funds set aside to extend wastewater service to annexed area within the City that are not currently served.

Wastewater

Repair and Preservation

Wastewater Repair

Department Development and Public Works

Project Description:

This project involves the contracted repair or replacement of sanitary sewers that require either emergency rehabilitation as a result of Sanitary Sewer Overflows or the prospect of impending system failures. The DPW Operations Division addresses an average of four (4) emergency repairs of this nature annually.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

CMOM Program

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital	\$250	\$250	\$250	\$250	\$250	\$1,250
Wastewater Reimbursement SDC	\$250	\$250	\$250	\$250	\$250	\$1,250
Total	\$500	\$500	\$500	\$500	\$500	\$2,500

Wastewater

Repair and Preservation

CMOM Planning & Implementation

Department Development and Public Works

Project Description:

The City of Springfield's obligations in the 2001 Wet Weather Flow Management Plan (WWFMP) were completed by January 2010; however it is necessary for the City to continue to fund wastewater system rehabilitation and Inflow and Infiltration (I/I) reduction projects. These additional projects will be identified through the Wastewater Master Plan Update project and the Capacity, Management, Operations and Maintenance (CMOM) program that will likely be included in the next NPDES permit for the wastewater system.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

Regulatory Requirements

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital	\$250	\$250	\$1,000	\$1,000	\$1,000	\$3,500
Total	\$250	\$250	\$1,000	\$1,000	\$1,000	\$3,500

Wastewater

Expansion

Local Sewer Extensions

Department Development and Public Works

Project Description:

Within the City of Springfield's city limits and Urban Growth Boundary (UGB) are several areas that are fully developed, but lack wastewater service. The project would fund extending wastewater pipes to these areas upon request of affected property owners or annexation, with some or all of the cost possibly reimbursable through assessments. Increased infrastructure will increase the need for more maintenance personnel which impacts the wastewater operations budget. The estimated increase in the wastewater operations cost is \$1,600 per 1,000 feet of new pipe.

Project Status:

Ongoing Program

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

Council Goal to provide for development

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital	\$500	\$500	\$500	\$500	\$500	\$2,500
Total	\$500	\$500	\$500	\$500	\$500	\$2,500

Wastewater

Repair and Preservation

70th St Basin Rehab

Department Development and Public Works

Project Description:

One of the key goals of the CMOM Program is to eliminate inflow and infiltration (I/I). Utilizing output from the flow monitoring and analysis work, it has been determined that wastewater pipelines serving the 70th Street Basin exhibit a high rate of I/I, and thus is prioritized for a rehabilitation project.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

Council Goal to provide for development

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital	\$2,000					\$2,000
Total	\$2,000	\$0	\$0	\$0	\$0	\$2,000

Wastewater

Repair and Preservation

72nd St Basin Rehab

Department Development and Public Works

Project Description:

One of the key goals of the CMOM Program is to eliminate inflow and infiltration (I/I). Utilizing output from the flow monitoring and analysis work, it has been determined that wastewater pipelines serving the 72nd Street Basin exhibit a high rate of I/I, and thus is prioritized for a rehabilitation project.

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

Council Goal to provide for development

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital		\$1,500				\$1,500
Total	\$0	\$1,500	\$0	\$0	\$0	\$1,500

Wastewater

Expansion

Harbor Drive Pump Station

Department Development and Public Works

Project Description:

The S. 2nd St./Harbor Drive area is currently not have sanitary sewer service. The Council has directed staff to analyze areas within the UGB where investment in infrastructure may spur residential development, and investment in the Harbor Drive Pump Station provides a key service to 58 buildable acres. This project will construct a sanitary

Project Status:

Not Started

Specific Plans/Policies Related to this Project:

Wastewater Master Plan

Council Goal to provide for development

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Wastewater Capital						
Wastewater Improvement SDC			\$1,000			\$1,000
Total	\$0	\$0	\$1,000	\$0	\$0	\$1,000

Unfunded Projects List - Wastewater

Project Title	Project Category	Project Status	Estimated Funding Need (\$ in thousands)	Notes
19th Street Sewer Upgrade	Upgrades	Not Programmed-Pending Funding	\$1,500	Replace a 12" pipe with a new 18" pipe. With model analysis this upgrade may not be necessary. Will be evaluated with Master Plan Update
Marcola Rd Sewer	Expansion	Not Programmed-Pending Funding	\$500	Provide sewer service to area within the UGB currently not annexed.
Main Street Improvements - Unit 1	Expansion	Not Programmed-Pending Funding	\$2,100	Upgrade pipeline capacity to support future growth in East Springfield
Peacehealth-Riverbend PS	Expansion	Not Programmed-Pending Funding	\$3,189	New pump station to support development within the Riverbend campus.
Main Street Improvements - Unit 2	Expansion	Not Programmed-Pending Funding	\$1,145	Upgrade pipeline capacity to support future growth in East Springfield
Hayden Lo PS	Upgrades	Not Programmed-Pending Funding	\$1,050	Upgrade existing pumps to maintain capacity and avoid potential SSOs. Project will be reevaluated as some work has been completed through routine maintenance.
River Glen PS	Upgrades	Not Programmed-Pending Funding	\$950	Upgrade existing pumps to maintain capacity and avoid potential SSOs. Project will be reevaluated as some work has been completed through routine maintenance.

FY20-FY22 Capital Project Status Update - Building and Facilities

Project Title	Project Number	In Previous CIP	Project Category	Project Status	FY22 Budget (\$ in Thousands)	Total Cost to Complete (\$ in Thousands)	Notes
Building Preservation	P61011	X	Repair and Preser	Ongoing Progra	\$306		Design is currently at 60%, Actively working on wetlands mitigation plan
Booth Kelly Building Assessment	P41029	X	Studies	Completed	\$39		Constructed in FY21
Booth Kelly Roof Replacement	P21084	X	Repair and Preservation	On-Hold	\$100		Project has been initiated to correspond with 28th Street CMAQ Paving. Construction planned for FY23
Booth Kelly Building Repair	P21170	x	Repair and Preservation	On-Hold	\$40		Construction planned for FY23
Fuel Facility Stormwater Upgrade	P21121	x	Upgrades	Completed		\$37	Constructed in FY20.
Firing Range Decommissioning	P21075	X	Water Quality	On-Hold	\$25		Work on Phase 3 microbasin modeling continues. Rehab projects have been identified and will be programmed in the CIP

Building Preservation

Department Development and Public Works

Project Description:
Perform preservation, capital maintenance and repair projects on City-owned buildings, including but not limited to City Hall, 5 Fire Stations, Museum, Justice Center, Jail, Depot, Carter Building and Maintenance Facilities. Projects can include the repair, renovation or replacement of structural, mechanical, electrical, and plumbing systems. Other projects can include systems preservation such as, painting, roofing, lighting, alarm and elevator projects as well as repair and/or upgrades to aesthetic and architectural elements.

Project Status:
Ongoing Program

Specific Plans/Policies Related to this Project:
Council Goals

Capital Costs (\$ in thousands)

Fund	2023	2024	2025	2026	2027	Total
Building Preservation Fund	\$270	\$270	\$270	\$270	\$270	\$1,350
Total	\$270	\$270	\$270	\$270	\$270	\$1,350

Unfunded Projects List - Buildings and Facilities

Project Title	Project Category	Project Status	Estimated Funding Need	Notes
Municipal Parking Garage	Expansion	Not Programmed-Pending Funding	\$2,500,000	Construction of new channels and other improvements to accommodate runoff from future development
City Storage Facility	Expansion	Not Programmed-Pending Funding	\$300,000	Develop a vegetation management plan SWMP Project 43-WQ
Library	Expansion	Not Programmed-Pending Funding	\$28,000,000	Restoration work to improve and manage year round flow volumes
City Hall Renovation	Upgrades	Not Programmed-Pending Funding	\$4,000,000	Develop a basin specific master plan to guided development and redevelopment
Fire Station 4	Upgrades	Not Programmed-Pending Funding	\$6,100,000	Culvert and open channel improvements along with riparian vegetation restoration
City Hall HVAC	Upgrades	Not Programmed-Pending Funding	\$1,800,000	This pipeline is located south of S. A Street and is complicated by the fact portions of the line are under existing buildings and lack public access easements
Energy Efficiency Projects	Upgrades	Not Programmed-Pending Funding	\$200,000	Upgrade project to improve inadequate storm system and alleviate localized flooding. Reference Channel 6 Study and Master Plan
Downtown Mill Plaza Design & Construction	Expansion	Not Programmed-Pending Funding	\$3,700,000	Construct a combination flood control/water quality facility adjacent to the Gateway Natural Resource area.
City Hall Storage	Expansion	Not Programmed-Pending Funding	\$100,000	Channel Repair, riparian enhancement and shading to address temperature issues in the TMDL.
Council Chambers Upgrades	Upgrades	Not Programmed-Pending Funding	\$175,000	Evaluate capacity needs to support developments and develop a vegetation management plan.

AGENDA ITEM SUMMARY

Meeting Date: 9/21/2021
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 30 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: DEVELOPMENT CODE UPDATE PROJECT – DRAFT CODE SECTIONS

ACTION REQUESTED: Staff is asking the Planning Commission to provide input and ask questions on the draft code language 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 present draft code language. The code sections presented to the Commission are essentially the same as the public review drafts. However staff has included track changes and comments for discussion purposes. These code sections will be revised and finalized to develop a public hearing draft based on the community feedback received during the community engagement. This will be an opportunity for the Planning Commission to provide input and ask questions.

ATTACHMENTS: Attachment 1: Draft of New Code 3.2.200 Residential Zones
Attachment 2: Draft of New Code 4.7.300 Special Standards for Certain Uses
Attachment 3: Draft of New Code 6.1.100 Definitions

DISCUSSION: **Background**

Staff last presented to the Planning Commission on September 8, 2021 where we continued previewing the draft code sections and reviewed the public responses to the middle housing survey. The Planning Commission has completed their preview of the code sections relating the Phase 2, Employment Lands, of the Development Code Update Project.

Discussion

Staff released the public review draft sections of development code, together with community engagement materials, for Phases 1 and 2 of the Development Code Update Project in July 2021. These draft code sections need to be revised and finalized based on the community engagement prior to developing a public hearing draft later this year. Staff will continue presenting the draft code sections to the Planning Commission for discussion, input, and questions. There are areas of the code sections that still have unresolved questions or options associated with them that need input. Familiarizing the Planning Commission now with the draft code sections will facilitate an easier transition to the public hearing drafts.

Next Steps

Staff will schedule work sessions for the Planning Commission meetings in October as necessary to continue to discuss the multiple sections of draft code. Once the Planning Commission review of the draft code sections is complete staff will prepare public hearing drafts of the code sections and proceed with scheduling a public hearing.

**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???
Boarding or Rooming House	P*	P*	P*	SDC 4.7.395
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
Registered or Certified Family Child Care Home	P*	P*	P*	SDC 4.7.405
Child care facility	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.

Commented [BS2]: I'd be interested in the definition of this and how it compares with Bed and Breakfast. I think of a Bed and Breakfast as short term stays whereas a Boarding or Rooming House could have people staying for more than a month.

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

Commented [BS4]: 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 [BS5R4]: 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
	R-1	R-2	R-3	
<u>Commercial</u>				
Bed and Breakfast	S*	S*	S*	SDC 4.7.360
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

Commented [BS6]: 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 [BS7]: 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 [RM8R7]: 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 [BS9R7]: OK, makes sense.

Commented [RM10]:
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 [BS11R10]: 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 [RM12]:

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 [RM13]: Comment from Dan Hill from Arbor South in regard to making set back in R-2 next to R-1 five feet since heights are similar. Same for rear setback. Makes sense for R-3 next to R-1 since R-3 has no height limit, but from a practical standpoint, is it needed if there is no R-3 adjacent to R-1???

(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 [RM14]:
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 District.** The rear setback requirement is a minimum of five feet from any property line.
- (2) R-2 and R-3 Districts**
 - (a)** The rear setback requirement is a minimum of ten feet from any property line abutting the R-1 district.
 - (b)** The rear setback requirement is a minimum of five feet from any property line not abutting the R-1 district.

(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.
- (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 five 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.
 - (a) Architectural Features.** Eaves, chimneys including fireplace enclosures and chimney chases, bay windows up to eight feet in width, and window wells up to eight feet in width 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.

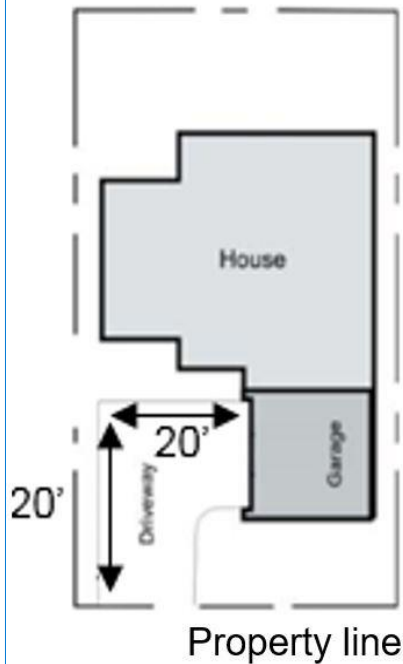
Commented [RM15]:
Still allow a variance?

- (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 up to the front property line.

(6) Garage and Carport Setback

- (a) The 18-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 18 feet from the front and side property lines.

Figure 3.2-A Garage or Carport Setback



Commented [RM16]:
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?

Commented [RM17]: Need to change this diagram to show 18 feet rather than 20 feet.

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

Commented [RM18]:
Standards for this??? Refer screening and fencing section of code??

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.

Commented [RM19]:
KSK comment. Is this an average slope across the lot/parcel or any portion of the lot that has more than 15% slope?

Commented [RM20]:
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?

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		

3.2.230 Height

- (A) The following "building height" standards, as defined in SDC 6.1.100, 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.
- (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.

Commented [RM21]:
Redundant with (D)(3) below.

- (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.

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

Commented [RM22]:
Redundant with (C) above.

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".

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 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).

Commented [RM23]:

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

Commented [RM24]:

Michael comment.

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

Commented [RM25]:

Michael comment.

Would this cover a tract.

Commented [RM26]:

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 [RM27]: Michael comment

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

- (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
 - (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 Bed and Breakfast**
- 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**
- 4.7.405 Registered or Certified Family Child Care Home**

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 district must be within the minimum and maximum density range for the applicable district.

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.

(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 [RM1]: Are these all clear and objective standards that can be approved through a type 1 process? Sufficient infrastructure? What is the established service level?

Can we reference the EDSPM? Ask Kristina.

Commented [RM2]: Michael comment

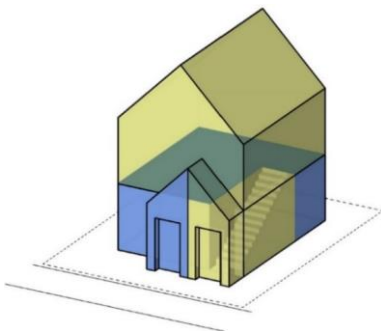
Assuming private streets include access easements? Do we need to better match similar language in the driveway section of the code? SDC 4.2-120 A

(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.

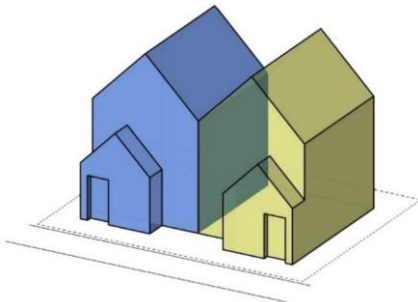
Stacked duplex



Duplex attached by breezeway



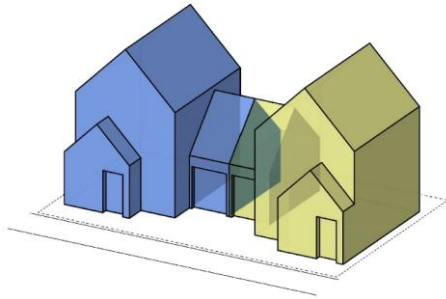
Side-by-side duplex



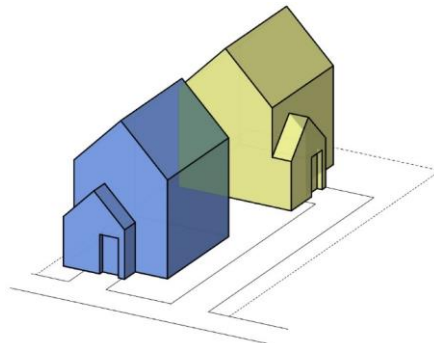
Detached duplex units side-by-side



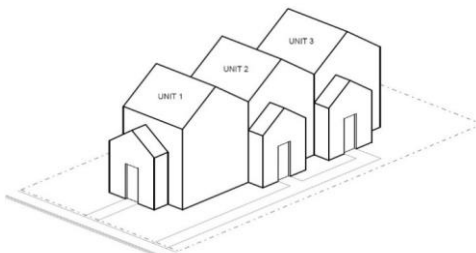
Duplex attached by garage wall



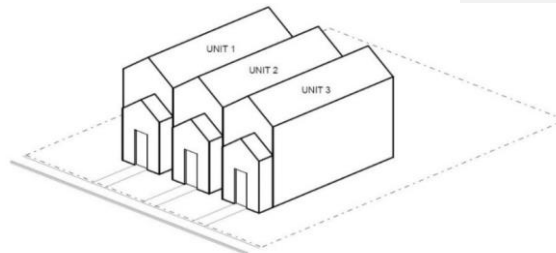
Detached duplex units front and back



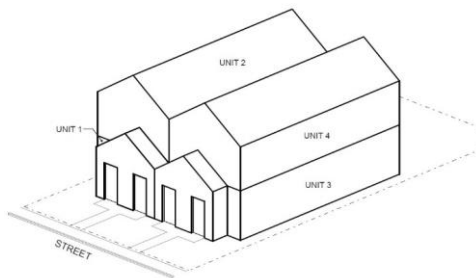
Attached triplex front and back



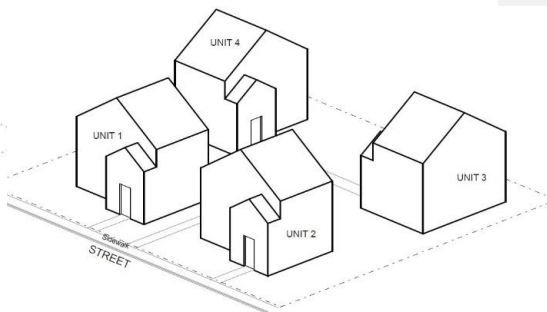
Attached triplex side-by-side



Stacked fourplex



Detached fourplex



4.7.320 Triplex and Fourplex

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 [RM3]: OAR 660-046-0225(2)

(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

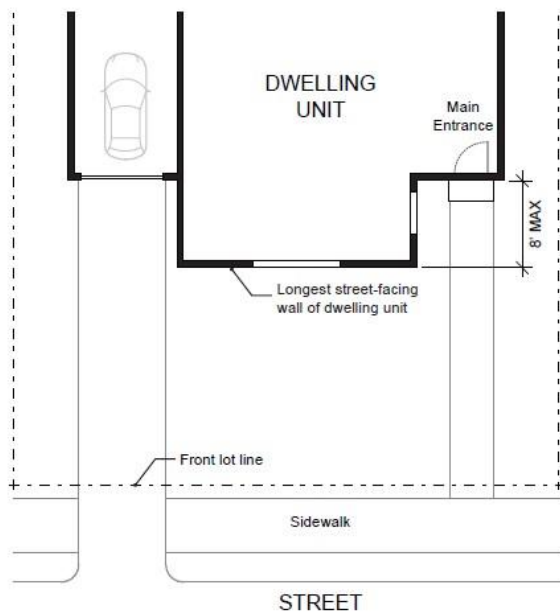


Figure 4.7-B. Main Entrance at 45 Degree Angle from the Street

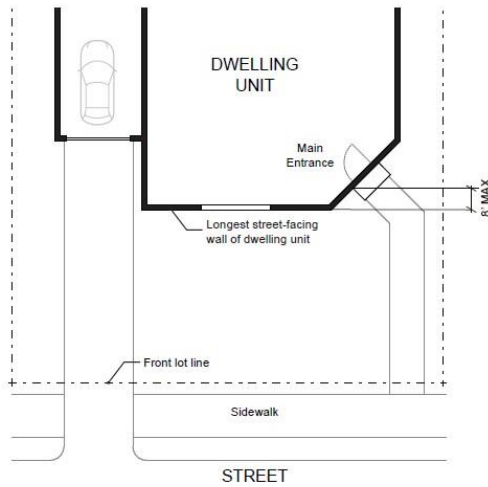


Figure 4.7-C. Main Entrance Facing Common Open Space

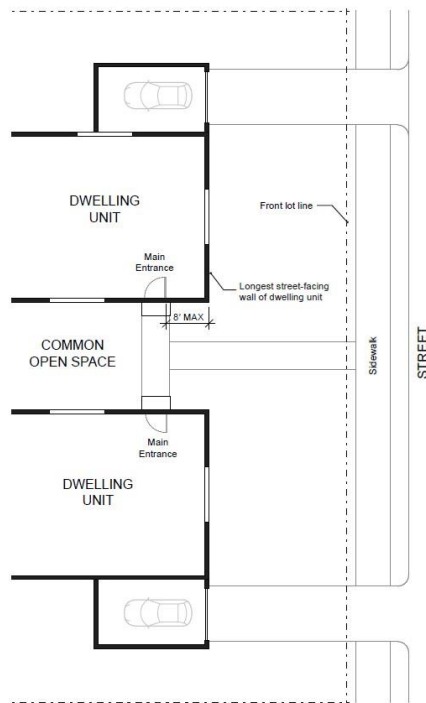
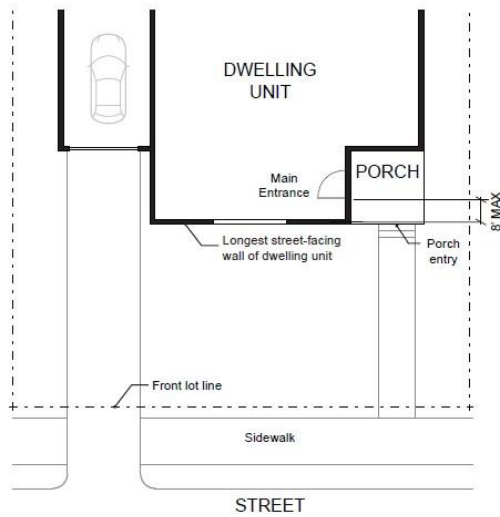


Figure 4.7-D. Main Entrance Opening onto a Porch



(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.

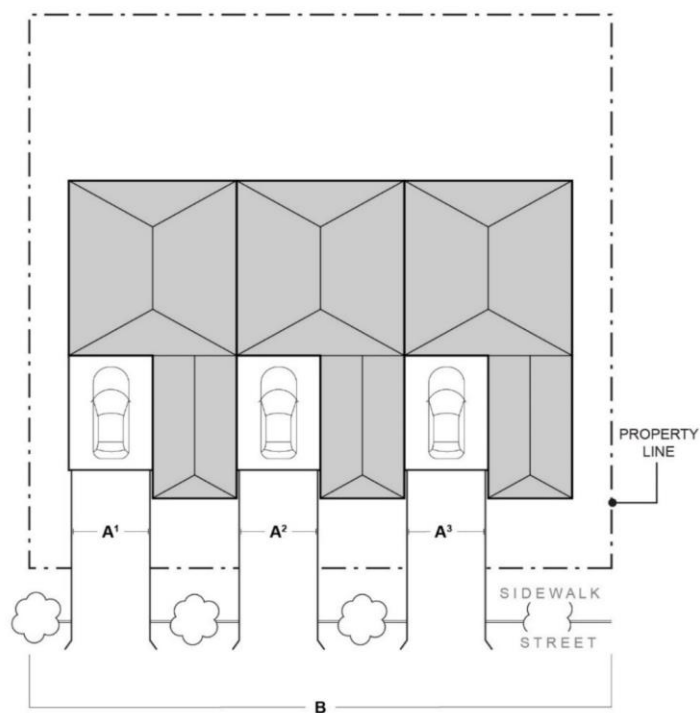
Figure 4.7-E. Window and Door Coverage



(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.

Commented [RM4]: Comment from Michael L.

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

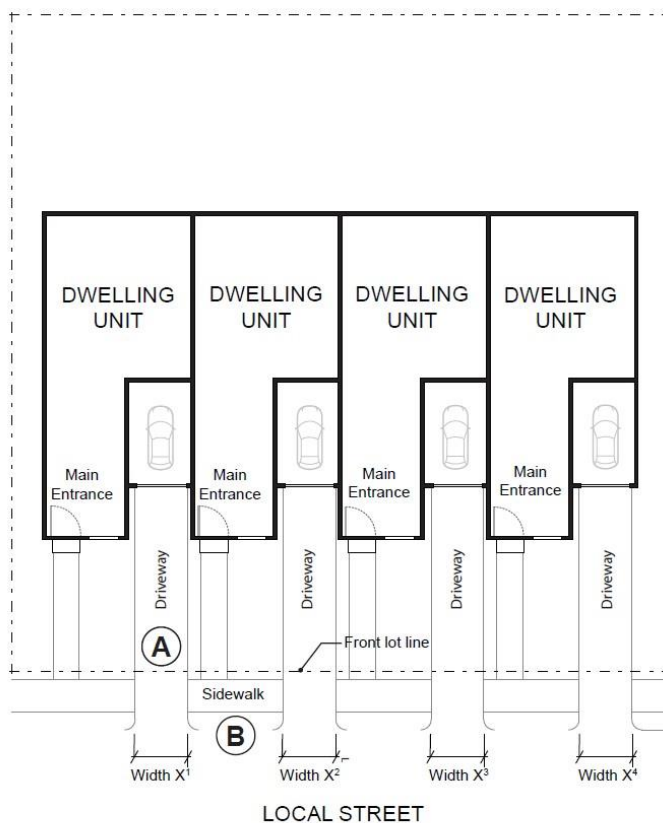
Commented [RM5]: Ask Michael L. about this.

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 [RM6R5]: 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.

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

- (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 [RM7]: Michael L comment

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

Commented [RM8]: Are there other standards that should be sited here also?

Commented [RM9]: Cite the code section for this.

Commented [RM10]: 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 [RM11]: 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

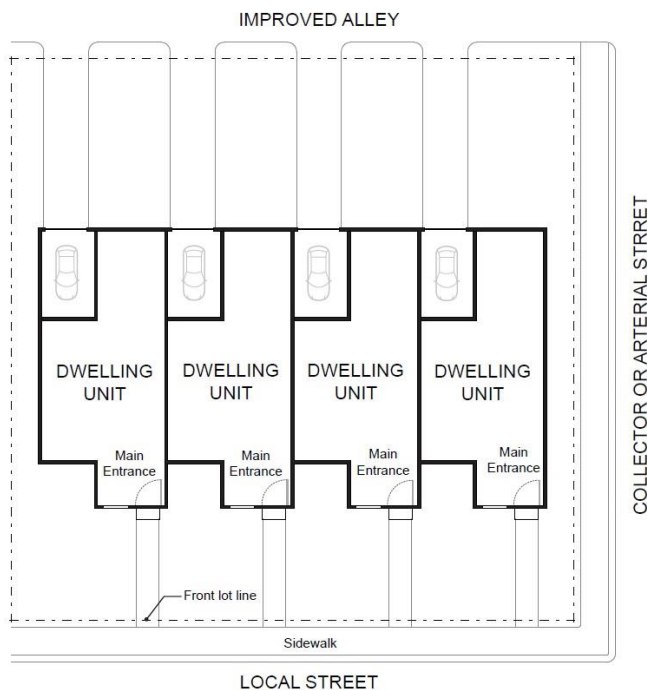
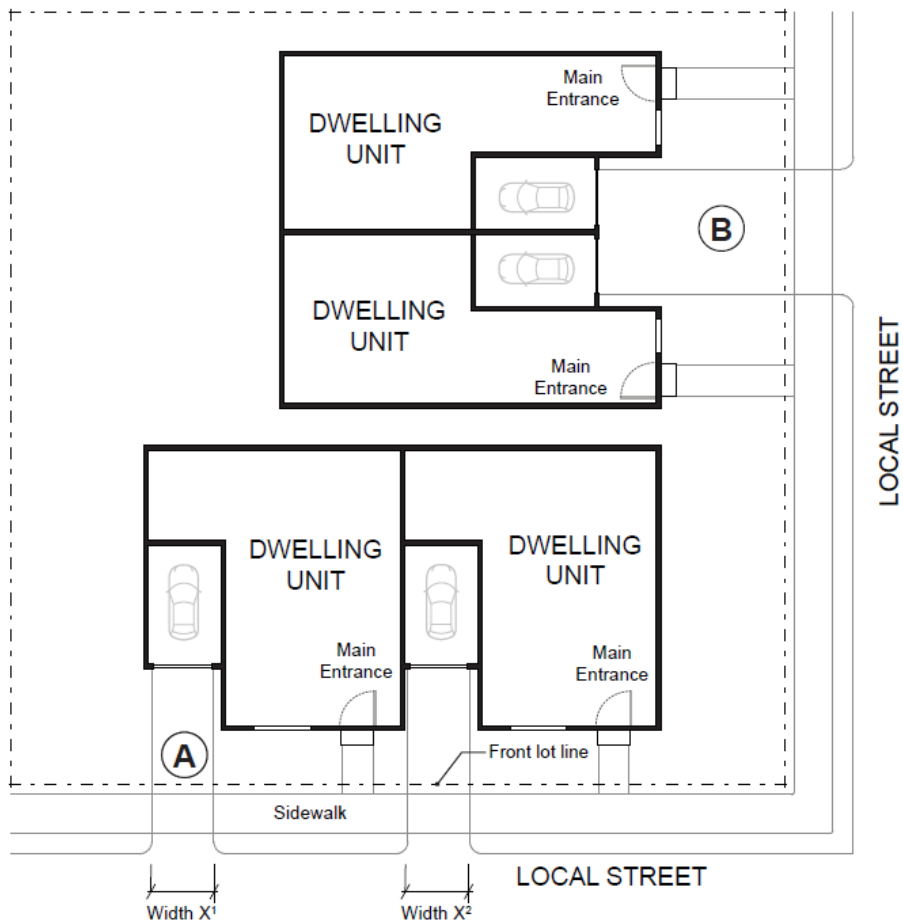


Figure 4.7-I. Driveway Approach Options for Multiple Local Street Frontages



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 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 all the residential 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.

(B) Density

- (1) Minimum density of at least four units per net acre must be met.
- (2) There is not maximum density for a cottage cluster housing project.

(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 project site.
- (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 [RM12]: Could require up to 7,000 square feet.

(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.

- (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 Project site.
- (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 façade of the cottage 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.

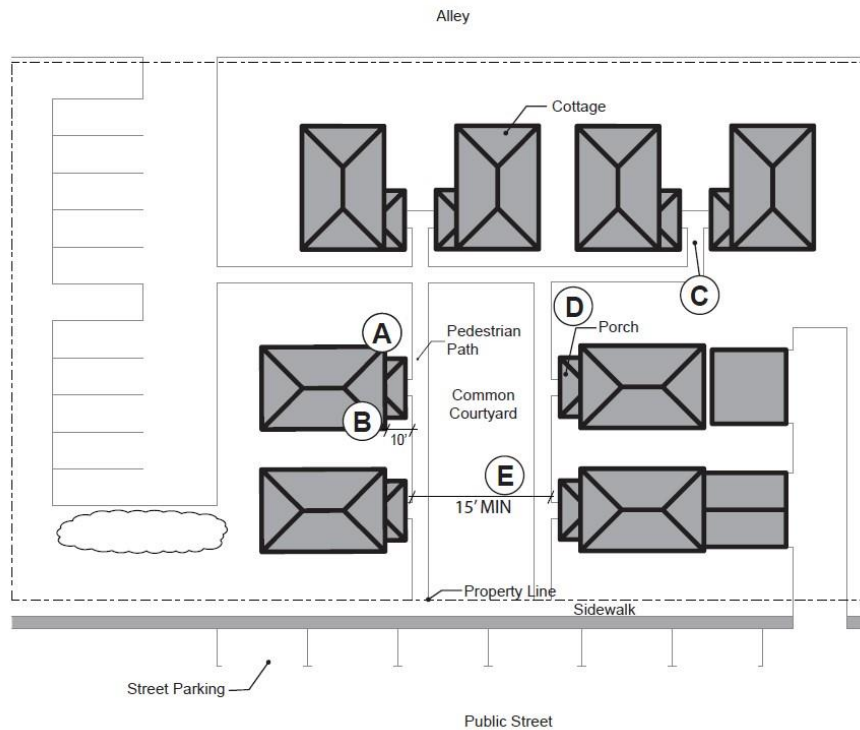
Commented [RM13]: Could be a max of 10 feet.

Commented [RM14]: Needed? Regulated by building code. Not checked through planning?

Commented [RM15]: Could be lower. Rules are silent on this. We have to allow at least 25 feet or two story (from model code).

- (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.

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.

Commented [RM16]: Question from Emma.

ADA accessible?

- (2) The pedestrian path must be hard-surfaced and a minimum of four feet wide.

Commented [RM17]: ADA?

- (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 [RM18]: 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 [RM19]:
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.

(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 [RM20]:

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

Comment from Michael

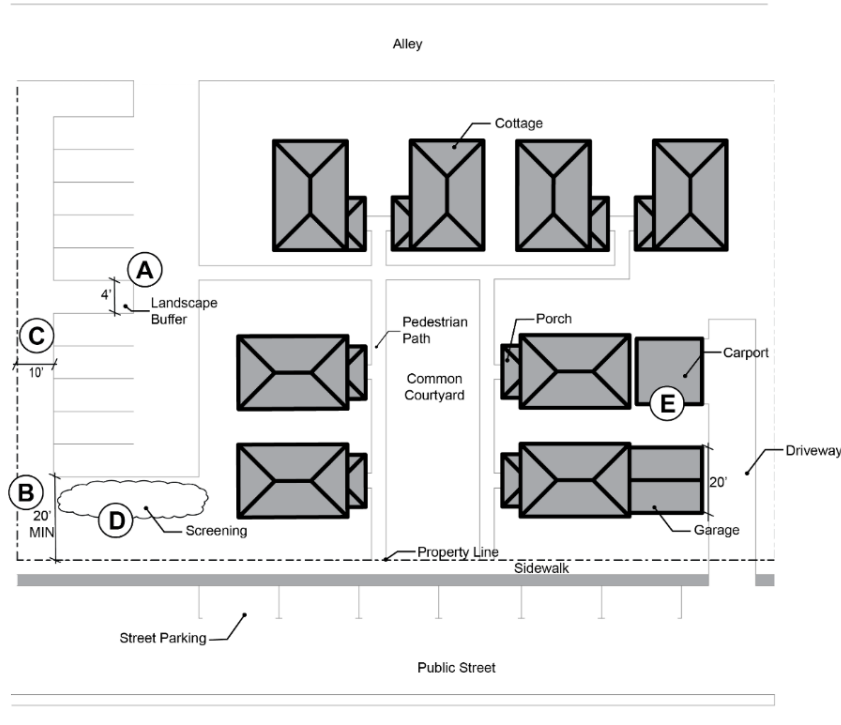
Is this driveway throat depth. Should it match our Table 4.2-2 language and dimension?

Commented [RM21]:

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 [RM22]: 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.

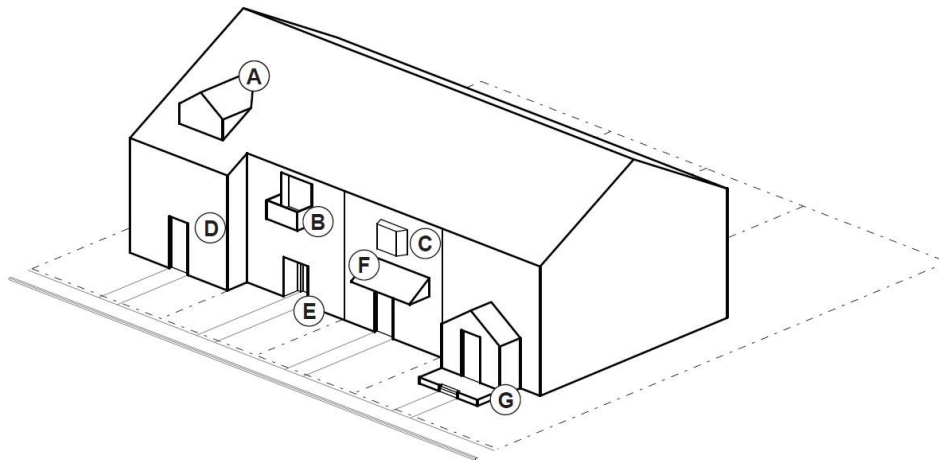
- (1) **Areas Owned in Common.** Common areas must be maintained by a homeowner's association or other legal entity. A homeowner's association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions, and conditions must be recorded and provided to the jurisdiction 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) **Unit Definition.** Each townhouse must include at least one of the following on at least one street-facing façade. See Figure 4.7-L:
 - (a) A roof dormer a minimum of four feet in width; or
 - (b) A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room; or
 - (c) A bay window that extends from the façade a minimum of two feet; or

- (d) 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; or
- (e) An entryway that is recessed a minimum of three feet; or
- (f) A covered entryway with a minimum depth of four feet; or
- (g) A porch meeting the standards of subsection (1)(b)(iv) of this section (C).

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

- (4) **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.

Figure 4.7-L. Townhouse Unit Definition

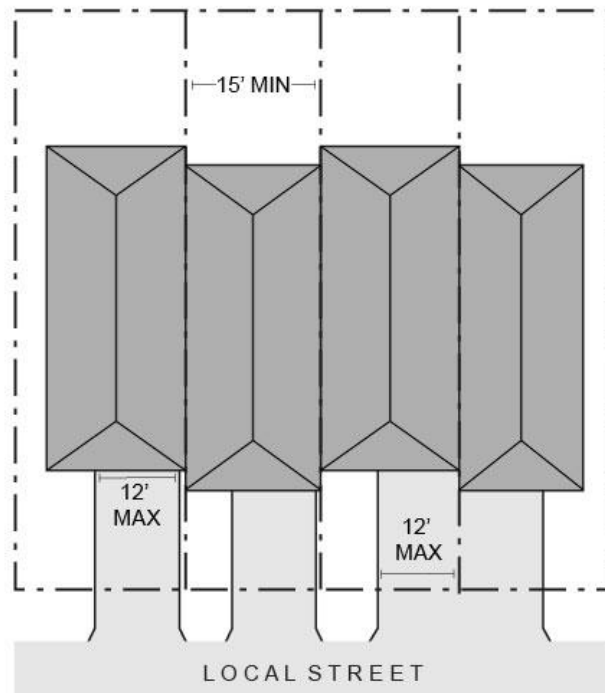


- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum of 4 feet deep
- (G) Porch, meets standards of subsection (1)(b)(iv) of section (C)

(5) **Driveway Access and Parking.** Townhouses with frontage on a public street must meet the following standards:

- (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



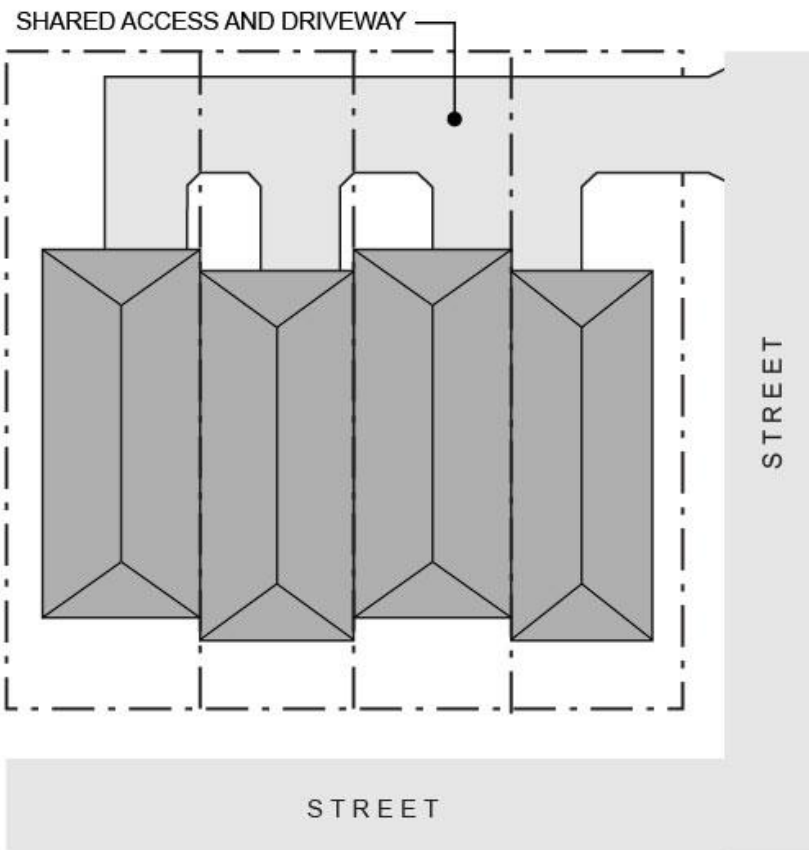
Commented [RM23]:

Michaels comment

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

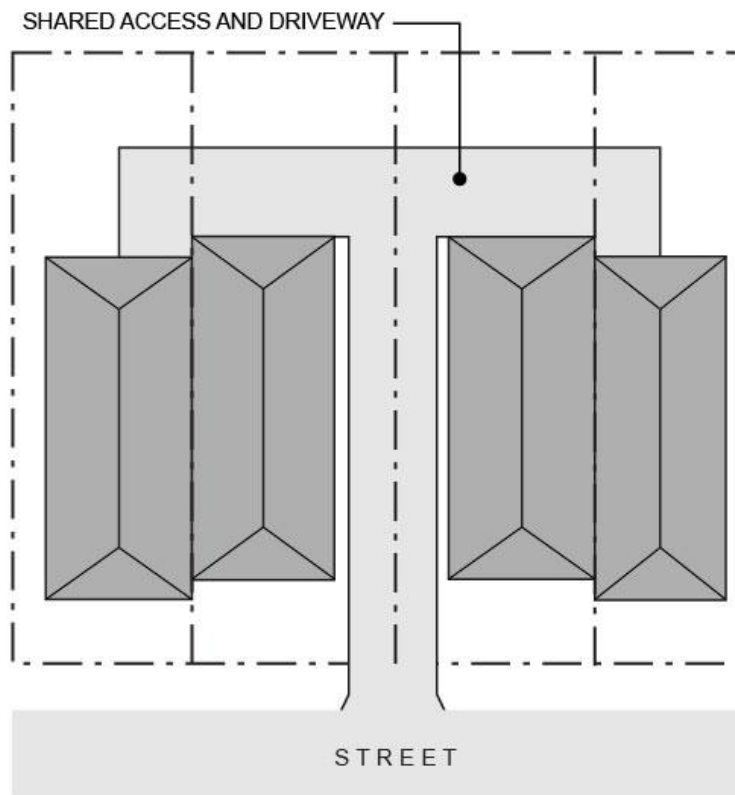
- (b) The following standards apply to driveways and parking areas for townhouse projects that do not meet all the standards in subsection (a) in this section.
- (i) Off-street parking areas must be accessed on the back façade or located in the rear yard. No off-street parking is allowed in the front 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



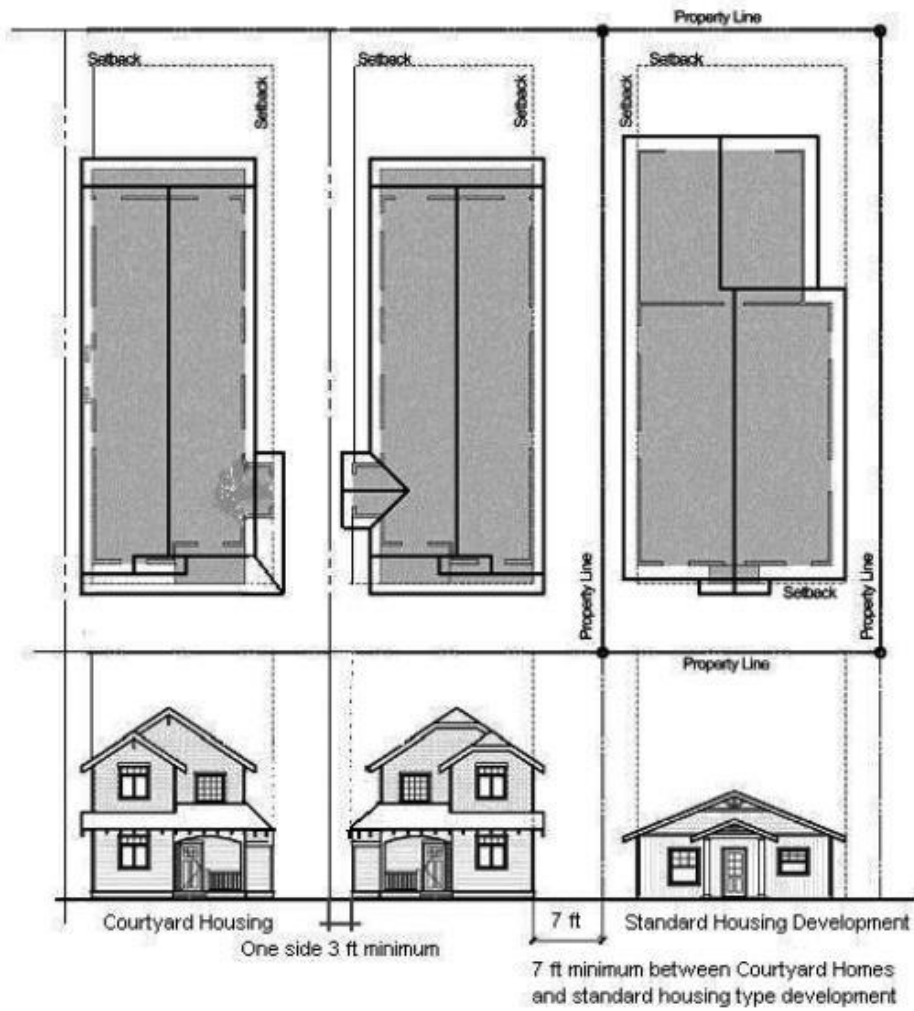
- (iv) A townhouse project that includes consolidated access or shared driveways must grant access easements to allow normal vehicular access and emergency access.
- (c) Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b) of this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

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.

(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 [RM24]: 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 standards in this Code including, but not limited to; setbacks, height, lot or parcel coverage, 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.

- (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 [RM25]:

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.

- (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 Bed and Breakfast

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

Commented [RM26]: Must be clear and objective

Commented [RM27]: Delete?

Commented [RM28]: See ORS 197.314(5)

Commented [RM29]: Not sure state law (ORS 197.314) allows us to regulate space size.

Commented [RM30]: lot

Commented [RM31]: Should this number be changed? Seems high. Lower to 3000 (or less) to match R-1 lot size reduction.

Commented [RM32]: Review against TSP changes and street standards.

Commented [RM33]: Comment from Melissa
What about parking on one side?

Commented [RM34]: 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 [RM35]: Michael comment

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

Commented [RM36]: Cant ref. this. These standards need revised.

Commented [RM37]: Will this push us to requiring our urban curb gutter and sidewalk standard?

Commented [RM38]: Defined and regulated by ORS 443.400-.455

- (A) **Maximum Size.** The bed and breakfast use is limited to a maximum of four bedrooms for guests and a maximum of eight guests per night.
- (B) **Employees.** The bed and breakfast 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 bed and breakfast use.
- (D) **Owner- or Operator-Occupied.** The bed and breakfast inn 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 bed and breakfast uses.
- (F) **Signs.** Signs must meet the standards of City of Springfield Municipal Code 8.200, Signs.
- (G) **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.

Commented [RM39]: Michaels comment

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

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

Commented [RM40]: Define?

Commented [RM41]: Define?

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.

Commented [RM42]: Check muni code? Can we ref. muni code for noise standard?

- (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.
- (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 [RM43]: 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 [RM44]: Emma Comment
Physical access? I assume virtual/online computer customer access is OK 24/7? Maybe need to update for telecommuting?

Commented [RM45]: Check hours compared to Washburn overlay?? 8 to 6. Comment from TAC 4/8/21.

Commented [RM46]: Discussed with Emp TAC on 4/8/21. Generally keep this list.

Commented [RM47]: One on one verses multiple "customers" at once??? Comment from TAC 4/8/21.

Commented [RM48]: 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 [RM49]: 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.

4.7.375 Architectural Design Standards

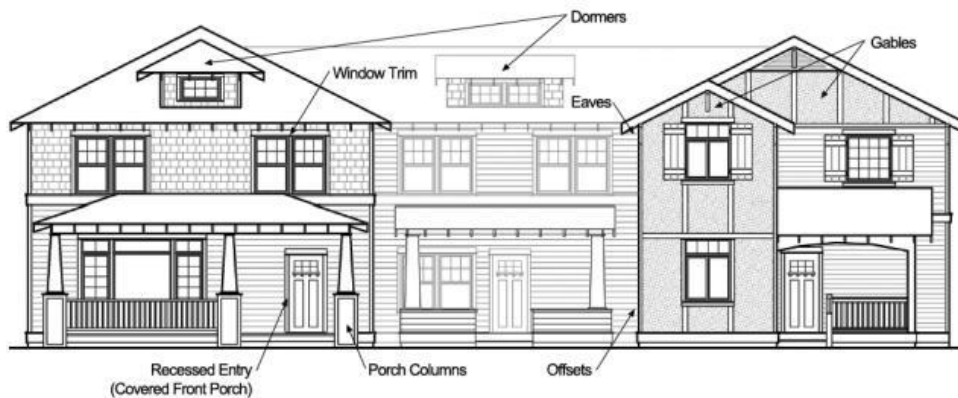
- (A) **Purpose.** The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles for certain types of development.
- (B) **Applicability.** This section applies to the following ~~types of buildings~~.
- (1) Multiple unit housing ~~building~~.
 - (2) Public and institutional building(s) in Residential Districts.
 - (3) Commercial building(s) in Neighborhood Commercial District.
 - (4) Mixed-use building(s) 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.

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



(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.

(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, accessible, and maintained trail or sidewalk 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 [RM50]: ADA? What does this mean? Is this clear?

Commented [RM51]: Improvement standard for "trail"? ADA?

Commented [RM52]: Reference other section where these standards are contained. Solid waste disposal....

- (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 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 base of gravel capable of supporting fire equipment weighing 80,000 pounds.

Commented [RM53]: Add diagram from existing code Figure 3.2-R.

- (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 [RM54]: Emma comment
Do we mean speed humps or should this be changed to “raised crosswalks”? Or both?

Discuss with Emma and Michael

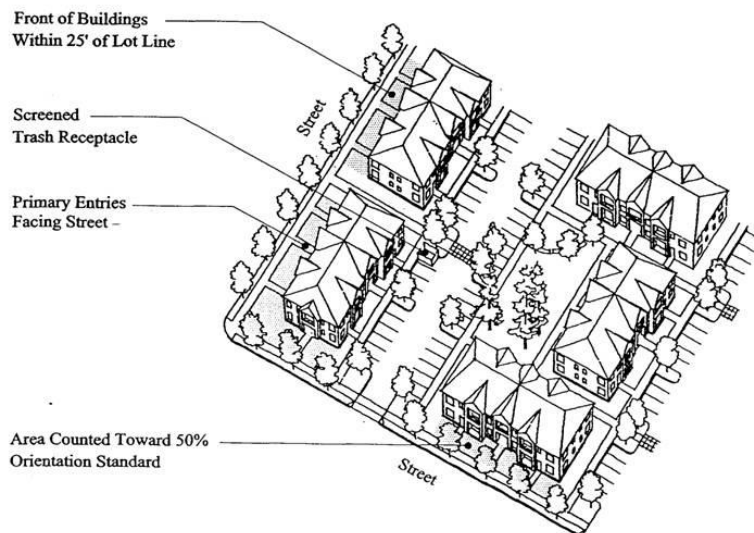
4.7.385 **Multiple Unit Housing (Discretionary option)**

Commented [RM55]: 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



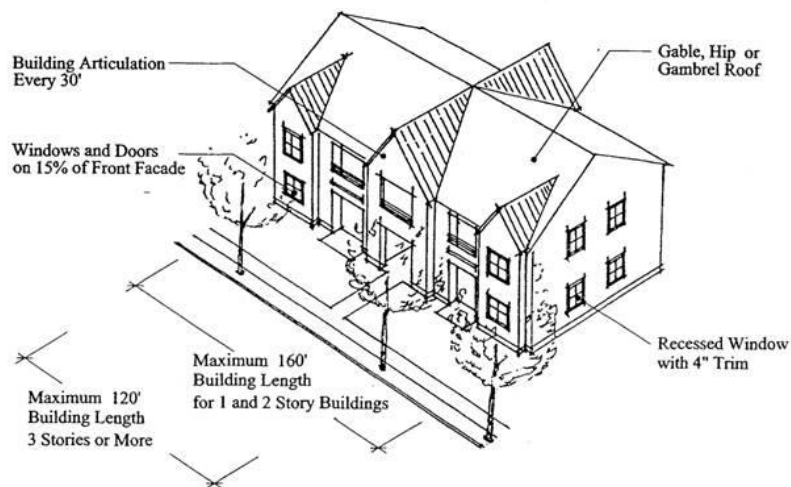
(2) Considering the following guidelines:

- (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 4.7-N).
 - (a)** Structures that have one or two 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 three 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 four-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 four 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 two of the following features:
 - (i)** Recesses (e.g., deck, patio, courtyard, entrance, window reveals) that have a minimum depth of 3 feet;
 - (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.
 - (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.
 - (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.
- (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.

Commented [RM56]: Add figure Q from existing code???

- (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 project) 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
 - (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 3.2.240(D)(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 4.7-Q)
 - (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

Commented [RM57]: double check this code section/ SShould be 4.7????

Commented [RM58]: Add figure 3.2-Q from existing code???

(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;
 - (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 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 5 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 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 3.2.240(D)(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.
- (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 shall be concrete, asphalt or masonry pavers, at least 5 feet wide. Multi-use accessways (e.g., for bicycles, pedestrians and emergency vehicles) shall be of the same materials, at least 10 feet wide. Where emergency vehicle access is required, there shall be an additional 5 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 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.
- (2) Option 2. Alternatively, this criterion may be met by considering the following guidelines.
- (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

- (e) Parking lots shall be connected to all building entrances by means of internal sidewalks;
 - (f) All parking stalls fronting a sidewalk, or landscaped area shall be provided with a secure wheel bumper not less than 6 inches in height and set back from the front a minimum of 2 feet to allow for vehicle encroachment. Wheel bumpers, if used, shall be a minimum of 6 feet in length. As an option, the sidewalk or planter may be widened 2 feet beyond the minimum dimension required to allow for vehicle encroachment. The sidewalks and planters shall be protected by a curb not less than 6 inches in height. See also, Section 4.6.120(C);
 - (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 5-foot wide planting strip shall be planted with shade trees, a minimum 2 inches (dbh) in caliper, and a low level (e.g., 30 to 40 inches) evergreen hedge. See also Section 4.4-105;
 - (i) Decorative walls may be used in place of the hedge in Subsection h., above, and shall be placed no closer than 4 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;
 - (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.
- (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 (See Figure 3.2-R).
 - (i) The on-site driveway (or private street) system shall connect with public streets abutting the site;
 - (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
 - (iii) Parking areas shall be accessed from alleys when properties abut an alley, or an alley can reasonably be extended to serve the development.
 - (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.
- (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

Commented [RM59]: Do we need/should we keep this section?

- (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, 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.

4.7.395 Boarding and rooming houses

- (A)** Rooming and boarding house facilities in an R-1 District must be located on collector or arterial streets.

- (B) 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.
- (C) 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.
- (D) A minimum of 25 percent of the lot or parcel must be landscaped.

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.
- (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 on a 24-hour basis.

(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 II procedure.

(D) Submittal Requirements

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

Commented [RM60]: Copy provisions from existing 5.10-100. Refer also to other codes, look at Lane County, Bend, Eugene, etc.

Commented [RM61]: What is this referring to?

Commented [RM62]: What is this referring to?

Commented [RM63]:

Commented [RM64R63]: Rely on overall submittal requirements???? Reference to other section?

- (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 [RM65]: 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 [RM66]: 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 [RM67]: 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.
- (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 [RM68]: 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.

4.7.405 Registered or Certified Family Child Care Home

- (A) The registered or certified family child care home must be the same address as the residence of the provider.
- (B) The child care must be provided in the providers family living quarter's of the provider's home.
- (C) The provider may care for not more than 16 children, 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.

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

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.

Commented [MR2]: Leave existing def. in existing code or replace?

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 [MR3]: 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 [RM4]: 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 [RM5]: 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 [RM6]: 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.

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.

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.

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

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

Commented [MR7]: 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?

stepped or terraced building is the maximum height of all segments of that building. The 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.

Commented [RM8]: Review this definition to make sure it matches up with new use categories, site plan process, and MDS, etc.

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.

Commented [RM9]: Can we cite to ORS?

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

Commented [RM10]: Should we include all of the ORS def?

- (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.

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

Commented [RM11]: Keep? Still a use listed?

Commented [RM12]: See SDC 3.2.315(A). Needed there? Or just here? Or both?

construction (for example, highways, streets, bridges, tunnels, pipelines, transmission lines and industrial non-building structures)

Commented [RM13]: Def from MS4 permit. Keep? Move to section on stormwater? Limited to just residential development....

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.

Commented [RM14]: Should we allow clusters to be 3 units? Rules allow minimum number of units to be 3, 4, 5, or no min.

Commented [MR15]: HB 2001

Cottage Cluster Project. A development [site-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.

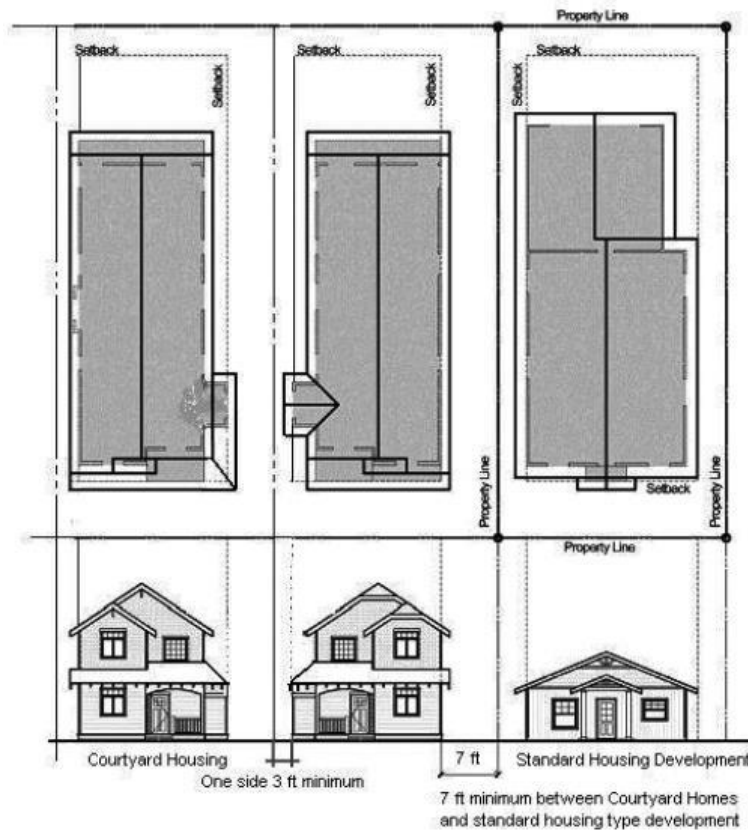
Commented [RM16]: Delete and replace with "Common Courtyard" above? Where else is this term used? Search.

Comment from Molly, check Glenwood code.

Commented [RM17R16]: No.

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.

Figure 6.1-A. Courtyard housing



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.

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

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 if the diverted flow at the discharge point has been degraded when compared with the water quality at the diversion point.

Director. The ~~Development and Public Works Director~~Community Development Division Director or their ~~designee~~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.

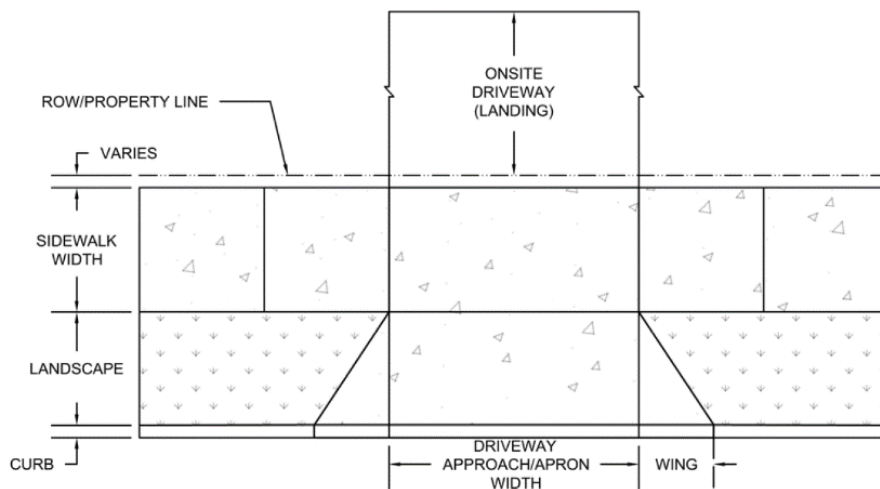
Dripline. A roughly circular land area measured beneath a tree. The approximate center of the area is the trunk of the tree, and the radii are equal to the horizontal measures of the longest branches.

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.

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 [flat scale drawing of the front, rear or side of a particular side](#) of a building.

Commented [RM18]: Added to 4.7.310 for duplex.

Also add to ADU section???

Commented [RM19]: 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)

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.

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.

E

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.~~

FCC. The Federal Communications Commission; the Federal agency that regulates interstate and international communications by radio, television, wire, satellite and cable.

Commented [RM20]: We should get rid of this. 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.

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.

Fence. A structure which serves as an enclosure, barrier or screen that is not part of a building.

Fence, Sight Obscuring. A fence which screens an area or object, including, but not limited to, solid wood or metal fences or slatted cyclone fences.

Fill. Sand, gravel, earth or other approved materials of any composition placed or deposited on the earth's surface by humans.

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.

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.

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.

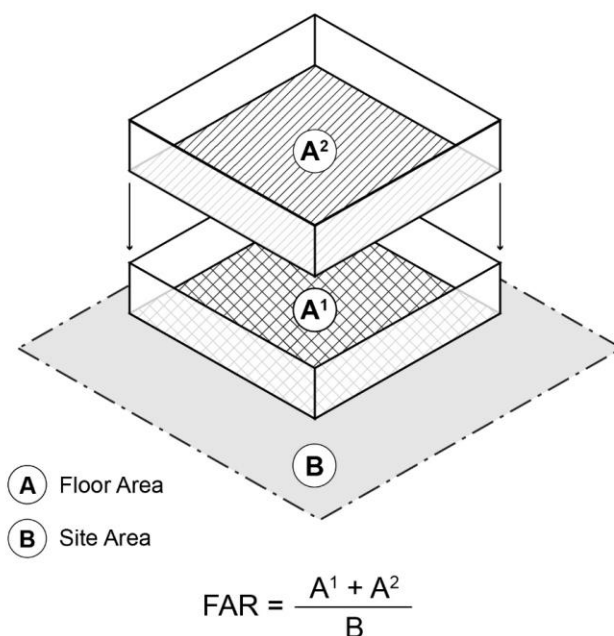
Flooding, Area of Shallow. A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and intermediate; and, velocity flow may be evident. AO is characterized as 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



Foster Home. 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.

Commented [RM21]: HB 2583 makes this regulation inapplicable. We likely cannot regulate foster homes differently than single dwellings.

Fourplex. Four dwelling units on one lot or parcel. Units may be attached vertically or horizontally or detached.

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 [RM22]: 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 [RM23]: 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.

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 ~~unrelated~~ 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.

Commented [RM24]: 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.

H

Halfway House. Any dwelling or facility for the care, boarding and housing of more than 5 ~~unrelated~~ 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.

Height. See "Building Height".

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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 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 [RM25]: Def from MS4 permit. Track change edits show potential changes to the MS4 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:

- (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).
- (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

Commented [RM26]: Is the term modular home defined by state? Kyle asks if the term modular home should be included.

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 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.

Commented [RM27]: See also new def for Sufficient Infrastructure from HB 2001.

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 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.

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.

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.

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.

Commented [RM28]: Still needed? Where is this term used? Search for it.

Comment from Molly. This term might be referenced in the Main Street Vision Plan.

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 [RM29]: 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 [RM30]: 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.

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~~R-1 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 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 [RM31]: 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 [RM32]: 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.

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 [RM33]: See ORS 443.400(7)

- (1) For six or more socially dependent individuals or individuals with physical disabilities; or
- (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 [RM34]: 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 [MR35]: 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, but not meals, is provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

Run-Off. Water that flows across the land surface rather than being absorbed.

S

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 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.

Commented [RM36]: Delete if removing solar setback standards?

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.

Commented [RM37]: This is a problem under HB 2583, likely just need to regulate as a single dwelling unit.

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 residential building [occupancy] including single unit homes, multiplexes, multi-unit housing, etc.

Commented [RM38]: Move to special standards or leave here in def's?

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.

Commented [RM39]: Needed if solar setback standard removed?

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.

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.

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.

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.

Commented [RM40]: Michael comment

Need to talk about matching code language with Section 4.2-120.

- (4) Storm drainage facilities capable of meeting established service levels for storm drainage.

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

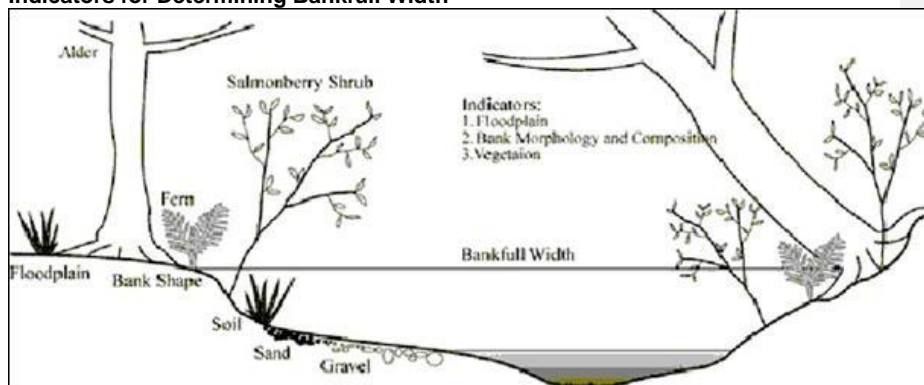
Tentative Plan. A clearly legible drawing of the lots or parcels and other elements of a partition or subdivision which provides a basis for the approval authority to approve or disapprove the general layout of the development.

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).

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 [site-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.

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.

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 [RM41]: 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, marches, bogs, and similar areas excluding those constructed as water quality or quantity control facilities.

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.

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.

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.

AGENDA ITEM SUMMARY**SPRINGFIELD
PLANNING COMMISSION**

Meeting Date: 9/21/2021
Meeting Type: Regular Meeting
Staff Contact/Dept.: Melissa Cariño, DPW
Staff Phone No: 541.744.4068
Estimated Time: 10 minutes
Council Goals: Promote and Enhance
our Hometown Feel
while Focusing on
Livability and
Environmental Quality

ITEM TITLE: MAJOR VARIANCE APPLICATION FOR BUILDING SETBACK LOCATED AT 5409 IVY STREET AND IDENTIFIED AS ASSESSOR'S MAP 18-02-04-00, TAX LOT 300.

ACTION REQUESTED: Conduct a public hearing and deliberations, and approve as presented, approve with changes to the findings or conditions, or deny a request for a Type III Major Variance application for the construction of a new garage/shop that does not meet Springfield Development Code (SDC) setback requirements.

ISSUE STATEMENT: The applicant has requested a review of the Major Variance criteria (SDC 5.21-130) for a proposed garage/shop located at 5409 Ivy Street (Map 18-02-04-00, Tax Lot 300), which does not meet SDC setback requirements for the Low Density Residential (LDR) zoning district.

ATTACHMENTS: Attachment 1: PC Order –811-21-000198-TYP3
Exhibit A: Applicant Site Plan
Exhibit B: Vicinity Map
Exhibit C: Staff Report and Findings

Attachment 2: Applicant Submittal for Major Variance

**DISCUSSION/
FINANCIAL
IMPACT:** The Planning Commission is asked to consider approving a Major Variance request for a reduced front yard setback for a proposed garage/shop on the applicant's property located at 5409 Ivy Street (Map 18-02-04-00, Tax Lot 300). The property is zoned Low Density Residential (LDR), and SDC 3.2-215 states that there is a minimum 18-foot front yard setback for garages and carports.

Initially, the applicant sought Right-of-Way (ROW) Vacation approval in late 2020 (Case #811-20-000240-TYP4), but due to complications, the applicant is now seeking Major Variance approval to reach his goal to build a new detached garage and shop on his property. The attached Staff Report finds that the proposal meets the Criteria for Approval for Major Variances under SDC 5.21-130.

The Planning Commission may do the following for this Type III Major Variance request:

- Approve the application with conditions as presented;
- Modify the findings and/or conditions of approval; or
- Deny the application based on the Commissions' findings in response to criteria found in SDC 5.21-130

The Planning Commission's decision is final unless appealed to the Springfield City Council as provided in SDC 5.3-120.

**BEFORE THE PLANNING COMMISSION OF SPRINGFIELD, OREGON
FINAL ORDER FOR:**

MAJOR VARIANCE APPLICATION FOR FRONT YARD SETBACK AT 5409 IVY STREET IDENTIFIED AS TAX ASSESSOR'S MAP 18-02-04-00, TAX LOT 300]
] **811-21-000198-TYP3**
]

NATURE OF THE APPLICATION

Major Variance Approval for the front yard setback for garages/carports from the required 18-feet from the front property line to approximately 2-feet for a side-facing garage as shown in the submitted Site Plan, which is **Exhibit A** to this order. The subject site is located at 5409 Ivy Street (Map 18-02-04-00, Tax Lot 300). The subject property is shown in the Vicinity Map for the subject site, which is **Exhibit B** to this Order.

Timely and sufficient notice of the public hearing has been provided, pursuant to Springfield Development Code (SDC) 5.2-115.

On September 21, 2021, the Springfield Planning Commission held a public hearing and conducted deliberations on the proposed Major Variance application. The staff report, written comments, and any testimony of those who spoke at the public hearing were entered into the record.

CONCLUSION

On the basis of this record, the proposed Major Variance request is consistent with the criteria of SDC 5.21-130 with specific conditions of approval. This general finding is supported by the specific findings of fact and conclusion in the Staff Report and Findings, attached hereto as **Exhibit C**.

ORDER/RECOMMENDATION

It is ORDERED by the Springfield Planning Commission that Case Number 811-21-000198-TYP3 be approved as conditioned in **Exhibit C**. This ORDER was presented to and approved by the Planning Commission on September 21, 2021.

Planning Commission Chairperson

Date

ATTEST

AYES:

NOES:

ABSENT:

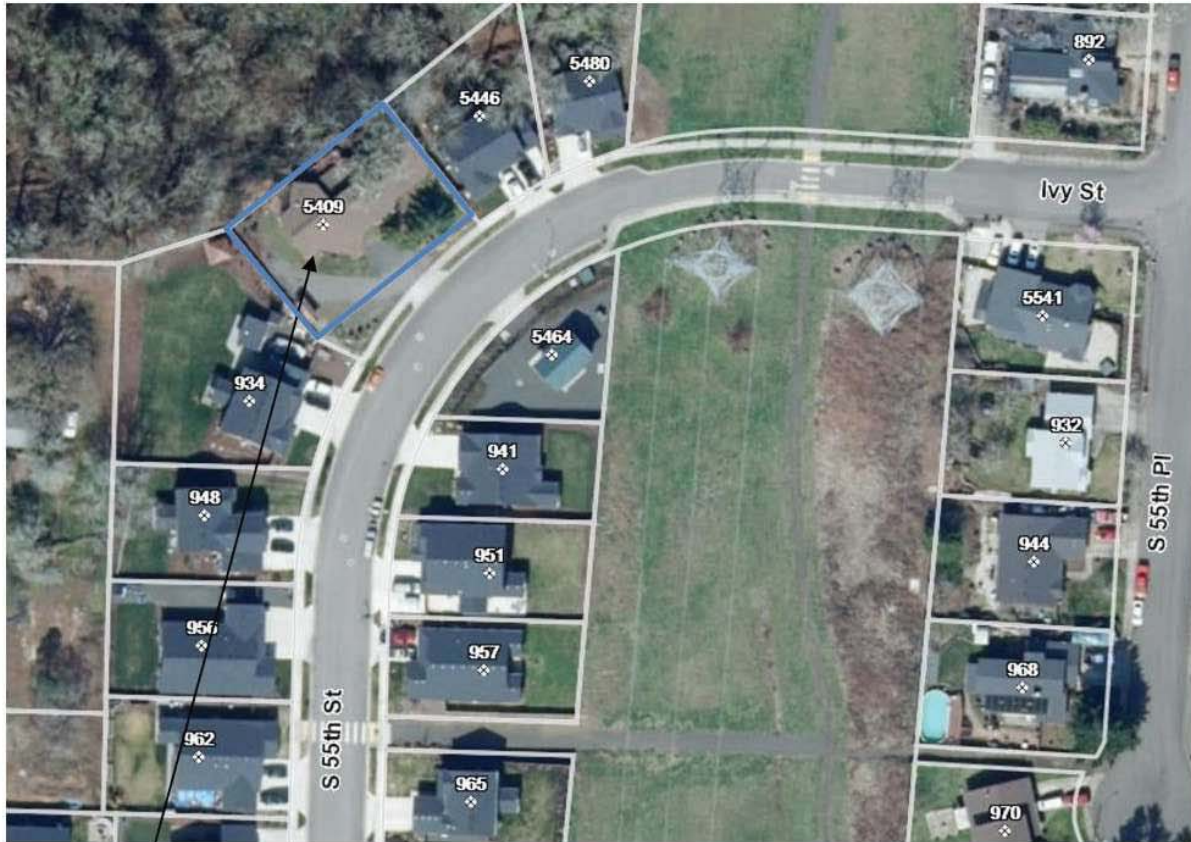
ABSTAIN:



SCALE: 1" = 1'-0"



Attachment 1, Exhibit A



SITE



VICINITY MAP
811-21-000198-TYP3 Major Variance
18-02-04-00 TL 300
5409 Ivy Street
Bruce Hamovitz

**Staff Report and Findings
Planning Commission
Major Variance Application for
Bruce Hamovitz, 5409 Ivy Street**

Hearing Date: September 21, 2021

Case Number: 811-21-000198-TYP3

Applicant: Bruce Hamovitz

Property Owner: Bruce & Anita Hamovitz

Site: The 0.23-acre subject property is municipally addressed as 5409 Ivy Street (Assessor's Map 18-02-04-00, Tax Lot 300). The property is both designated and zoned Low Density Residential (LDR) in accordance with the *Metro Plan* and Zoning Map diagrams.

REQUEST

The Planning Commission is asked to conduct a public hearing and deliberations, and approve, approve with conditions, or deny a request for Major Variance Approval for a reduced front yard setback for garages/carports. The applicant aims to build a new detached garage and shop on his property, but the applicant's plans do not provide the 18-foot minimum setback as required in the Springfield Development Code (SDC) 3.2-215.

SITE INFORMATION/BACKGROUND

The applicant recently purchased the property located at 5409 Ivy Street (Assessor's Map 18-02-04-00, Tax Lot 300). The current property owners are interested in constructing a garage/shop on-site in the southwest portion of the tax lot. However, because of the existing public right-of-way (ROW) located along the property's street frontage, the 18-foot minimum setback requirement as detailed in SDC 3.2-215 for Low Density Residential (LDR) properties could not be met unless the subject portion of public ROW is successfully vacated by City Council or, alternatively, a major variance approval is obtained from the Planning Commission for an approximately 2-foot setback from the front property line, which is a considerable reduction of the required front yard setback.

Initially, the applicant submitted a ROW Vacation application in late 2020. The approximately 1,500 sq. ft. area proposed for vacation is a portion of public ROW, which abuts private property located at 5409 Ivy Street. This public ROW was dedicated to the City of Springfield when a former property owner sold the parcel and surrounding lands to Hayden Homes in 2015 and retained the rectangular shape of Tax Lot 300. This section of ROW is inconsistent with the dimensions of the public road ROW in the immediate vicinity because of the additional wedge-shaped portion of ROW abutting Tax Lot 300, which was the subject for the proposed vacation.



After a City Council public hearing on the proposed ROW vacation (Case #811-20-000240-TYP4), further legal research into the vacation proposal indicated that this area of ROW would revert to the tract across the street from the applicant's property, and not to the applicant. In response to this new information, the applicant determined with City staff that a Major Variance review process is the more appropriate development review process to seek approval for the proposed garage/shop.

Notification and Written Comments

Notification of the September 21, 2021 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the outer boundary of the subject site on August 25, 2021. Staff posted notices on the subject site, the City's website, and the Digital Displays located in City Hall by September 7th. Notification was also published in the September 12th edition of *The Register Guard*. Staff received no public comments regarding this application.

* * *

On April 16, 2020, the Governor issued Executive Order 20-16, which requires governing bodies to hold public meetings and hearings by telephone, video, or through other electronic or virtual means whenever possible. On June 30, 2020, Oregon Legislature enacted House Bill 4212 (HB 4212), which waives requirements under the Oregon Public Meetings Law and other statutes to facilitate public meetings online or by phone. Under HB 4212, the governing body must make available a method by which the public can listen to or virtually attend the public meeting or hearing at the time it occurs. House Bill 4212 allows governing bodies to accept public testimony by telephone or video conferencing technology, or to provide a means to submit written testimony (including email or other electronic methods) that the governing body can consider in a timely manner. House Bill 4212 overrides conflicting requirements for quasi-judicial public hearings in state law or in the Springfield Development Code or Metro Plan.

The September 21st public hearing is being conducted via online meeting platform that allows members of the public to listen to the meeting online or by calling a toll-free number. Members of the public may provide testimony to the Planning Commission by joining the online meeting remotely. Details regarding how to join the online meeting were provided in the Planning Commission meeting agenda and posted on the SpringfieldOregonSpeaks online platform¹.

Criteria of Approval

A Major Variance may be approved only if the Planning Commission finds that the proposal conforms with the criteria of approval in SDC 5.21-130.

CRITERIA OF MAJOR VARIANCE APPROVAL:

SDC 5.21-130 contains the Major Variance criteria that are applicable to this application. The applicable criteria from this section are as follows:

- A. An unusual condition exists that is unique to: a lot/parcel, building or structure; lot/parcel size, shape or topography; the location or size of physical improvements; or other similar circumstances not anticipated by this Code but related to the property that would deprive the owner of rights commonly enjoyed by other property owners similarly situated in the same zoning district;**

Finding 1: The applicant provides the following narrative for this criterion: *"Due to the way this area was platted for the Hayden Homes' Pinehurst Residential Subdivision, the ROW dedication was not uniform along Ivy Street. Vacating the ROW would transfer ownership to the Homeowners' Association, not me. Therefore, I am deprived of having the same amount of property allocated behind the public sidewalk as my neighbors. This prevents me from adhering to Development Code requirements when building the planned garage."*

Finding 2: Ivy Street is fully improved to current City standards, and there are no adopted plans to change the street classification, which may lead to the need for additional improvements in the undeveloped right of way edge. Ivy Street is a local street developed with sidewalks, planter strip, and two 10-foot wide travel lanes, which all meet the minimum street standards in SDC 4.2-105.C. As shown in Table 4.2-1 within SDC 4.2-105.C, the minimum overall

¹ SpringfieldOregonSpeaks can be accessed at <https://springfieldoregonspeaks.org>

ROW width is anticipated to correspond to the minimum area needed to accommodate the full ROW improvements by street width. However, at the subject property's western edge, the full ROW width is approximately 18' wider than the area needed to accommodate the improvements in the ROW.

Finding 3: Because of the way the ROW for Ivy Street was dedicated, the front property line of neighboring lots is located about two feet from the back edge of the public sidewalk while the applicant's front property line is about 20 feet behind the back edge of the abutting public sidewalk on the west end and angles to about 2 feet from the back edge of the sidewalk on the east end. This is an area of approximately 1,500 sq. ft. that would be considered part of the front yard setback if the ROW boundary was similar to the adjacent properties.

Finding 4: The circumstances around the subject property's right-of-way boundary lines deprives the applicant/property owner from rights commonly enjoyed by other property owners similarly situated in the same LDR zoning district, because it requires the applicant to set back the garage much further from the sidewalk area than other similarly situated properties. For other LDR properties abutting Ivy Street in the surrounding area, the ROW extends only up to two feet behind the back of sidewalk. The ROW adjacent to applicant's property, however, is significantly wider on the west side. This difference in ROW location requires the applicant to set back his proposed garage much further from the public travel area (the sidewalk) than he would if the ROW boundary was in line with the others along the street.

Finding 5: The configuration of the lot, the location of the ROW, and existing development prevents the applicant from building the proposed detached garage/shop with the required 18-foot minimum front yard setback. While the proposed detached garage is at least 18-feet away from the back edge of the public sidewalk, the building would only be 2-feet away from the property line.

Conclusion: As proposed, this proposal meets Criterion A for Major Variance review.

B. The Variance shall not be inconsistent with the development standards of this Code or of any applicable Refinement Plan diagram, Plan District map, Conceptual Development Plan, or other applicable plans or studies;

Finding 6: The applicant provides the following narrative for this criterion: *"The garage/shop and driveway will be constructed with entrance parallel to the road. No motor vehicles will block the public sidewalk, which is consistent with Development Code requirements."*

Finding 7: The subject site is designated Residential on the *Metro Plan* diagram, which is consistent with the City's Zoning Map and the policies of the City's current Transportation System Plan. No changes of zoning or *Metro Plan* designation occur from vacation of the unimproved right-of-way.

Finding 8: The subject parcel is not located in any Refinement Plan so there are no additional standards to conform to for this specific neighborhood.

Finding 9: The variance would allow construction of a new garage, and driveway associated with the garage. The new driveway would be located substantially within the ROW area. In accordance with SDC 4.2-120.C and Table 4.2-2, footnote 3, driveways serving single family dwellings must be paved from the existing street pavement for a distance of at least 18 feet from the property line when abutting a paved street. To be consistent with this development standard, the applicant's new driveway must be paved its entire length from the edge of street pavement to the proposed detached garage/shop.

CONDITION OF APPROVAL:

- 1. In accordance with SDC 4.2-120.C and Table 4.2-2, footnote 3, driveways serving single family dwellings must be paved from the existing street pavement for a distance of at least 18 feet from the property line**

when abutting a paved street. To be consistent with this development standard, the applicant's new driveway must be paved its entire length from the edge of street pavement to the proposed detached garage/shop.

Conclusion: As conditioned, this proposal meets Criterion B for Major Variance review.

C. The Variance shall have no significant adverse affects on other properties in the same zoning district and/or vicinity, or the request can be conditioned so that there are no significant adverse effects;

Finding 10: The applicant provides the following narrative for this criterion: *"My next door neighbors already signed the petition to approve the previous ROW vacation application."*

Finding 11: The proposed variance does not have a negative effect on the subject site or adjacent properties because there are no off-site changes to existing access, emergency response, and traffic circulation.

Finding 12: The intention behind the 18-foot front yard setback listed in SDC 3.2-215 is to provide enough area between the garage and public travel areas to prevent vehicles parked in a residential driveway from encroaching onto the adjacent public travel areas and preventing full access for pedestrians and other users. Typical front-facing garage designs allow space to park in the driveway as can be seen at other homes in the neighborhood.

Finding 13: Based on the applicant's submitted site plan, the proposed detached garage/shop doors do not face Ivy Street; instead, the doors face east rather than the front of the property. This configuration will not allow vehicular parking between the garage and the sidewalk, but there is still space to park vehicles in the driveway while also not encroaching onto and preventing full access of the public sidewalk.

Conclusion: As proposed, this proposal meets Criterion C for Major Variance review.

D. The unusual condition described in Subsection A. above shall not arise from a previous Code violation or rely only on loss of profit or financial need;

Finding 13: The applicant provides the following narrative for this criterion: *"No code violations are affiliated with this property or variance request."*

Finding 14: The unusual condition for the subject property as detailed in Findings 3 & 4 did not occur from a Code violation or rely only on loss of profit or financial need.

Conclusion: As proposed, this proposal meets Criterion D for Major Variance review.

E. The Variance requested is the minimum necessary to alleviate the unusual condition.

Finding 15: The applicant provides the following narrative for this criterion: *"An approval of this major variance will be the minimum necessary for me to construct a compliant detached garage/shop. Without this building, the other renovations become unfeasible."*

Finding 16: While the proposed location for the detached garage/shop is located at least 18-feet away from the back edge of the public sidewalk abutting the subject property, it is located only approximately 2 feet away from the front property line. As described in Findings 12 & 13, the intention of the SDC's 18-foot setback is still met with the applicant's proposal and variance request.

Finding 17: To meet the required 18-foot minimum front yard setback and to keep close to the configuration in the submitted site plan, the building for the proposed detached garage/shop would need to be relocated further north on the property and the square footage would need to be reduced considerably to meet other setback requirements (side, rear, accessory structure setbacks) listed in SDC 3.2-215 due to the location of the existing dwelling unit on site. The size and location of the applicant's proposed garage are reasonable as compared to development on other similarly situated properties.

Finding 18: To keep the applicant's proposed detached garage/shop as planned, the SDC's required 18-foot front yard setback cannot be met. Because the subject property has an unusual condition (where the public ROW area measured from the back edge of the adjacent sidewalk to the front property line is greater than those of other nearby properties), variance approval would allow a 2-foot front yard setback, which is the minimum necessary to meet the proposed location and size of the garage/shop while still complying to the intentions behind the garage front yard setback requirement.

Conclusion: As proposed, this proposal meets Criterion E for Major Variance review.

CONDITIONS OF APPROVAL

SDC Section 5.21-135 allows for the Approval Authority to attach conditions of approval to a Minor or Major Variance review request to ensure the application fully meets the applicable criteria of approval:

SUMMARY OF CONDITIONS:

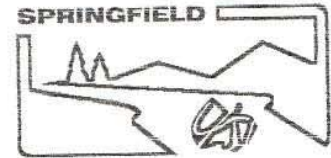
- 1. In accordance with SDC 4.2-120.C and Table 4.2-2, footnote 3, driveways serving single family dwellings must be paved from the existing street pavement for a distance of at least 18 feet from the property line when abutting a paved street. To be consistent with this development standard, the applicant's new driveway must be paved its entire length from the edge of street pavement to the proposed detached garage/shop.**

CONCLUSION: Based on the above-listed criteria, City staff recommends that the Planning Commission provide approval with conditions for the proposal because it meets the Major Variance criteria as listed in SDC 5.21-130.

DEVELOPMENT ADVISORY NOTES:

- Aside from minor landscaping in the ROW portion abutting 5409 Ivy Street, no structures or fences/walls are permitted unless there is a Right-of-Way (ROW) Use Agreement with the City. See Springfield Municipal Code 3.224(1).**
- Springfield Utility Board (SUB) advises that there is an existing electric supply power vault located behind the edge of sidewalk and near the western property line of 5409 Ivy Street to serve the proposed detached garage/shop. The vault is located just west of the western boundary of the subject ROW portion that was previously considered for vacation.**


City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477



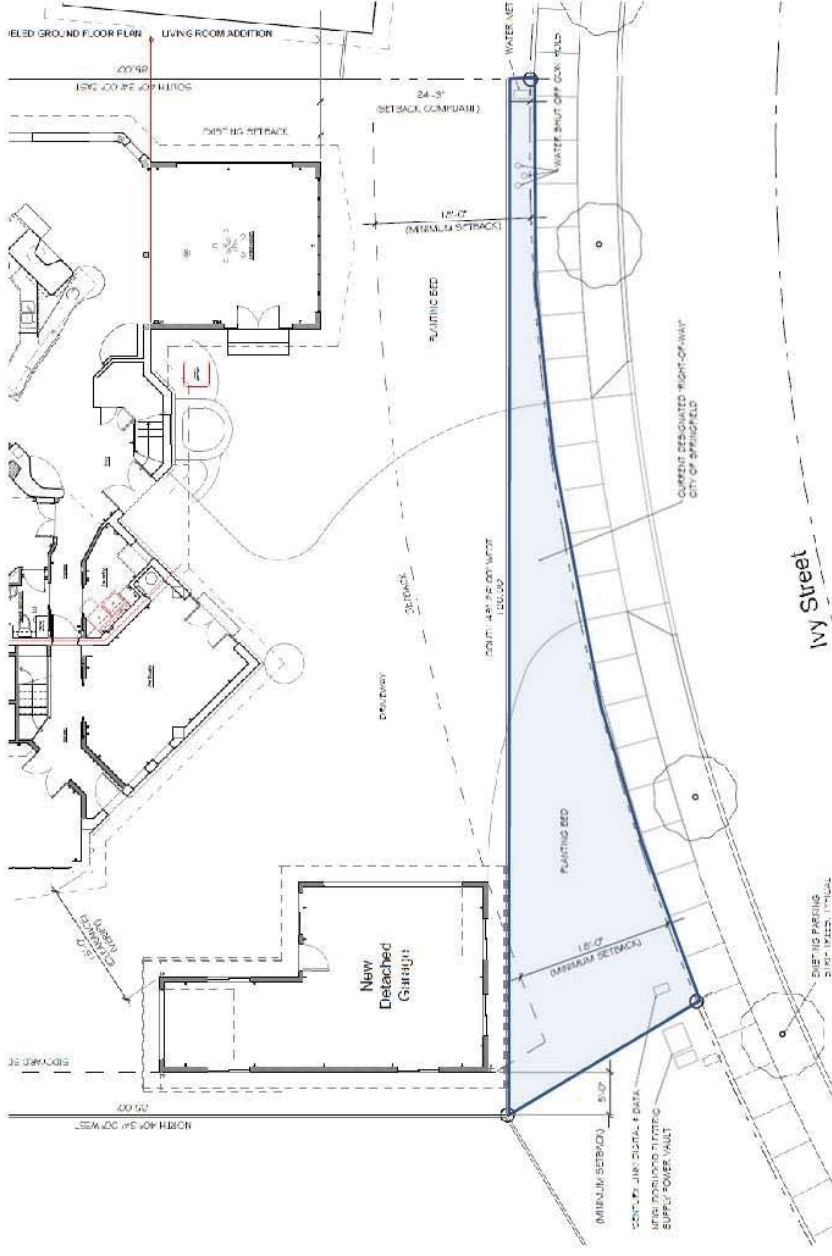
Major Variance

Required Project Information		(Applicant: complete this section)	
Applicant Name: <i>Bruce Hamovitz</i>		Phone: <i>541-520-1136</i>	
Company:		Fax:	
Address: <i>5409 Ivy Street, Springfield, OR 97478</i>			
Applicant's Rep.:		Phone:	
Company:		Fax:	
Address:			
Property Owner: <i>Bruce Hamovitz</i>		Phone: <i>541-520-1136</i>	
Company:		Fax:	
Address: <i>5409 Ivy Street, Springfield, OR 97478</i>			
ASSESSOR'S MAP NO: <i>18-02-04-00</i>		TAX LOT NO(S): <i>300</i>	
Property Address: <i>5409 Ivy Street</i>			
Size of Property: <i>10,200</i>		Acres <input type="checkbox"/> Square Feet <input checked="" type="checkbox"/>	
Description of Proposal: <i>Construction of garage</i> <small>If you are filling in this form by hand, please attach your proposal description to this application.</small>			
Existing Use: <i>Gravel driveway</i>			
Signatures: Please sign and print your name and date in the appropriate box on the next page.			
Required Project Information		(City Intake Staff: complete this section)	
Associated Applications:		Signs:	
Case No.:	Date:	Reviewed by:	
Application Fee: \$	Technical Fee: \$	Postage Fee: \$	
TOTAL FEES: \$		PROJECT NUMBER:	

Signatures

The undersigned acknowledges that the information in this application is correct and accurate.	
Applicant:	
	Date: 7/19/21
Signature	
Bruce J. Hamovitz	
Print	

If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf.	
Owner:	
	Date:
Signature	
Print	



- Minor Variance = up to 30% difference in building setbacks + OR registered surveyor needed; 12.6 feet setback max to qualify for Minor Variance
- Otherwise, Major Variance application (difference = \$2005.15). Intention of development standard/setback still met for Major Variance criteria (SDC 5.21-130.A-E)
- REDESIGN? Updated drawings/site plan based on actual property lines, not what was anticipated after ROW Vacation
- How far will paving go along driveway?

In August 2020, my wife, Anita, and I purchased the property at 5409 Ivy Street. The property was in foreclosure and was sold "as is". Coming from Eugene, we had been looking for a place that we could remodel into our dream home. After looking at this property and reviewing our budget, we took the plunge.

We hired Ellis Design Group to help us plan the renovations, which include converting the 900 square foot garage into living space, a stand-alone garage/shop West of the house, and an expansion of the living room area. We also plan to do many upgrades of the existing house, including a paved driveway, landscaping and a new retaining wall by the street.

Unknown to us, the property line did not extend to the sidewalk. A surveyor report was included with the title, but we never thought to hire a surveyor to explain the details. That was our mistake. After a preliminary meeting with representatives of the city, we learned that when the previous owner, Barbara Parmenter, had sold the surrounding land to Hayden Homes, she kept this house on a rectangular lot. When Hayden Homes built the street, it created a wedge of land between the street and our home that is designated a Right of Way.

We are requesting a Major Variance so that the stand-alone garage can be built. I believe we meet the criteria for doing so:

- A. Due to the way this area was platted for the Hayden Homes' Pinehurst Residential Subdivision, the ROW dedication was not uniform along Ivy Street. Vacating the ROW would transfer ownership to the Homeowner's Association, not me. Therefore I am deprived of having the same amount of property allocated behind the public sidewalk as my neighbors. This prevents me from adhering to Development Code requirements when building the planned garage.
- B. The garage/shop and driveway will be constructed with entrance parallel to the road. No motor vehicles will block the public sidewalk, which is consistent with Development Code requirements.
- C. My next door neighbors already signed the petition to approve the ROW vacation.
- D. No code violations are affiliated with this property or variance request.
- E. An approval of this major variance will be the minimum necessary for me to construct a compliant detached garage/shop. Without this building, the other renovations become unfeasible.

Thank you for your assistance,

Bruce Hamovitz

AGENDA ITEM SUMMARY**SPRINGFIELD
PLANNING COMMISSION**

Meeting Date: 9/21/2021
Meeting Type: Regular Meeting
Staff Contact/Dept.: Courtney Griesel/CMO
Staff Phone No: 541-954-9722
Estimated Time: 10 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

ITEM TITLE: GLENWOOD RIVERFRONT DESIGN REQUEST FOR QUALIFICATIONS

ACTION REQUESTED: Learn about the role of the Technical Recommending Committee in the selection of a developer.

ISSUE STATEMENT: The City of Springfield Oregon's urban renewal agency, Springfield Economic Development Agency (SEDA), seeks a well-qualified developer to implement the community vision for the SEDA owned Glenwood Riverfront land. This vision for the nine acres is outlined within the Glenwood Refinement Plan and includes the development of a vibrant riverfront neighborhood that promotes density and a mix of housing, a focus on access to the riverfront and open spaces, and incorporation of hospitality and commercial opportunities.

ATTACHMENTS: None

DISCUSSION: The Springfield Economic Development Agency (SEDA) has released a Request for Qualifications for Developers specific to interest in the SEDA owned Glenwood-Springfield area riverfront site. This is a rare opportunity for a developer to engage with a passionate SEDA Board and community on the redevelopment of a significant waterfront site.

A well-qualified developer will have demonstrable master development experience in not only planning, financing, and construction of high design quality, but experience and attentiveness in emerging markets, community process and engagement, with established and verifiable business practice policies that prioritize diversity, equity, inclusion, and local sourcing, and values of sustainable design. Additionally, a qualified developer will be able to demonstrate financial capacity and experience utilizing alternative financing tools.

Responses to the Request for Qualifications are due on October 15th. A key part of the process will be the engagement of a Technical Recommending Committee. At an upcoming meeting, the Planning Commission will be asked to appoint one representative to participate on this technical committee. The primary time commitment would occur from October 18th through November 19th and consist of reviewing and scoring received submissions and participating in developer virtual interviews and Committee deliberations in order to make a recommendation to the SEDA Board.

At the meeting, staff will outline the goal of the Request for Qualifications and what to expect. To view and learn more about our Request for Qualifications, please visit the City of Springfield RFQ website at [Glenwood Riverfront Design RFQ - City of Springfield Oregon \(springfield-or.gov\)](https://www.springfield-or.gov/glenwood-riverfront-design-rfq)

