



SPRINGFIELD
DEVELOPMENT CODE
UPDATE PROJECT

MEETING AGENDA

City of Springfield
Development Code Update Project

Community Technical Advisory Committee - Housing

Monday, May 20, 2019

2:30 – 4:30 p.m.

Library Conference Room

Springfield City Hall, 225 Fifth Street

Item	Time	Subject	Lead
1	3:00	Welcome <ul style="list-style-type: none">• Agenda• Meeting Objectives	Mark Rust
2	3:05	Discussion Topics: <ol style="list-style-type: none">1. Site Plan Review (SDC 5.17-100)2. Multi-unit design standards (SDC 3.2-250)	TAC Members
3	4:45	Next Steps	Mark Rust
4	5:00	Adjourn	All

Springfield Development Code							
Up	Previous	Next	Main	Collapse	Search	Print	No Frames

[CHAPTER 5 THE DEVELOPMENT REVIEW PROCESS AND APPLICATIONS](#)

Section 5.17-100 Site Plan Review

5.17-105 Purpose and Applicability

A. The purpose of Site Plan Review is to: facilitate and enhance the value of development; regulate the manner in which land is used and developed; ensure the provision of public facilities and services; maintain the integrity of the City's watercourses by promoting bank stability, assisting in flood protection and flow control, protecting riparian functions, minimizing erosion, and preserving water quality and significant fish and wildlife areas; provide for connectivity between different uses; utilize alternative transportation modes including and walking, bicycling and mass transit facilities; implement the Metro Plan, applicable refinement plans and specific area plans and development plans; minimize adverse effects on surrounding property owners and the general public through specific approval conditions; and otherwise protect the public health and safety.

B. Site Plan Review is required for:

1. Single-family and duplex dwellings on properties zoned Medium Density Residential and High Density Residential in order to meet the minimum density requirements of these zones;

EXCEPTION: Site Plan Review does not apply to certain single-family and duplex dwellings on properties zoned Medium Density Residential and High Density Residential subject to building permit approval when:

a. The lot/parcel size allows only 1 single-family or duplex dwelling, or

b. There is an addition, remodel or replacement of an existing single-family dwelling or duplex/or an accessory structure is proposed.

2. Multifamily residential, commercial, public and semi-public, and industrial development or uses, including construction of impervious surfaces for parking lots and storage areas, including:

a. New development on vacant sites and redevelopment as a result of demolition and removal of existing buildings and impervious surfaces on a formerly occupied site, except where a proposed development qualifies as an MDS Application in accordance with SDC Section 5.15.

b. Additions or expansions that exceed either 50 percent of the existing building gross floor area or 5,000 square feet or more of new building gross floor area and/or impervious surface area, except where a proposed development qualifies as an MDS Application in accordance with SDC Section 5.15.

- c.** Additions, expansions and changes of use, regardless of size or intervening use, that:
 - i.** Contain or are within 150 feet of the top of bank (as measured from the property line of the subject property) of any Water Quality Limited Watercourses (WQLW) identified on the WQLW Map on file in the Development Services Department;
 - ii.** Contain or are within 100 feet of the top of bank (as measured from the property line of the subject property) of any direct tributaries of WQLW identified on the WQLW Map on file in the Development Services Department;
 - iii.** Are located within the City's urbanizable area, outside of the city limits; or
 - iv.** Are located within 50 feet of residentially zoned or designated land (as measured from the property line of the subject property).
 - v.** **EXCEPTIONS:**

(a) The Director may determine that a Type II Site Plan Review does not apply to certain changes of use required under Subsections I2.c.i. through iv., above if a finding is made that the change of use will not have an adverse impact on water quality and/or residential uses. In this case, the change of use may be reviewed under Minimum Development Standards procedures specified in Section 5.5-100 or a Minor Site Plan Modification as specified in Section 5.17-145.

(b) Developed or partially developed industrial properties 5 acres or greater in size that have never obtained Final Site Plan Review approval prior to the adoption of this Code may obtain Final Site Plan Equivalent Map approval as specified in Section 5.17-135. This approval is necessary to allow the property owner to use the Site Plan Modification process specified in Section 5.17-145 for future additions or expansions.

- d.** Discretionary Uses, where applicable.
- e.** Development within the area of adopted Development Area Plans and Conceptual Development Plans.
- f.** Any uses listed in the applicable zoning, overlay or plan district, which specifically require Site Plan Review.
- g.** Certain wireless telecommunications systems facilities. See Section 4.3-145 for siting standards and review process for applicable underlying zoning district.

C. No development permit will be issued by the City prior to approval of the Preliminary Site Plan application.

EXCEPTION: As may be permitted in the Springfield Municipal Code, 1997 and/or by Resolution No. 03-40, the Director may issue a Land and Drainage Alteration Permit prior to approval of the Preliminary Site Plan. (6274)

5.17-110 Review

- A.** Pre-Application Options. Although voluntary, prospective applicants are generally encouraged to request a Development Issues Meeting (informal process) or Pre-Application Report (formal process) as specified in Section 5.1-120.
- B.** Site Plans are reviewed under Type II procedure, unless otherwise specified elsewhere in this Code.

5.17-115 Phased Development

The Director may approve phasing of development with the Site Plan Review application, subject to the following standards and procedures:

- A.** A Phased Development Plan shall be submitted with the Site Plan Review application as specified in Section 5.17-120.
- B.** The Director shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 2 years, with a possible 1-time 1 year extension as specified in Section 5.17-135.

EXCEPTIONS:

- 1.** If a longer phasing time line is desired, the applicant may submit a Master Plan, as specified in the provisions of Section 5.13-100.
 - 2.** Multiple Type II Site Plan Modification applications shall not be permitted to circumvent the Master Plan process (See also Section 5.17-145).
- C.** Approval of a phased Site Plan Review application shall require satisfaction of the following approval criteria:
- 1.** The public facilities required to serve each phase shall be constructed in conjunction with or prior to each phase, unless during the Site Plan Review process the Director finds that a public facility necessary for a subsequent phase is necessary as part of an earlier phase; and
 - 2.** The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal.

5.17-120 Submittal Requirements

All Site Plan applications shall be prepared by an Oregon licensed Architect, Landscape Architect, Civil Engineer or Surveyor as determined by the Director. A Site Plan shall contain all the elements deemed necessary by the Director to demonstrate that provisions of this Code are being fulfilled and may include, but not be limited to, the following:

A. General Requirements. A Site Plan shall be drawn in ink on quality paper and shall contain the following information:

- 1.** The scale (appropriate to the area involved and sufficient to show detail of the plan and related data, for example: 1" = 30', 1" = 50' or 1" = 100'), north arrow, and date of preparation;
- 2.** The street address and assessor's map and tax lot number;
- 3.** The dimensions (in feet) and size (either square feet or acres) of the development area;
- 4.** Proposed and existing buildings: location, dimensions, size (gross floor area), conceptual floor plan, setbacks from property lines, distance between buildings and height;
- 5.** The location and height of proposed or existing fences, walls, outdoor equipment and storage, trash receptacles and signs;
- 6.** Proposed number of employees and future expansion plans;
- 7.** Area and percentage of the site proposed for buildings, structures, driveways, sidewalks, patios and other impervious surfaces. This information is necessary to allow staff to determine the Site Plan Review fee;
- 8.** Observance of solar access requirements as specified in the appropriate zoning district;
- 9.** Exterior elevations of all buildings and structures proposed for the development site;
- 10.** Area and dimensions of all property to be conveyed, dedicated or reserved for common open spaces, recreational areas and other similar public and semi-public uses.

B. A Site Assessment of the entire development area prepared by an Oregon licensed Landscape Architect or Engineer and drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and delineates the areas described below. Proposed modifications to physical features shall be clearly indicated. The Director may waive portions of this requirement if there is a finding that the proposed development will not have an adverse impact on physical features or water quality, either on the site or adjacent to the site. Adjacent properties include those within the distances specified in Section 5.17-105. Information required for adjacent properties may be generalized to show the connections to physical features. A Site Assessment shall contain the following information:

- 1.** The name, location, dimensions, direction of flow and top of bank of all watercourses that are shown on the Water Quality Limited Watercourse Map on file in the Development Services Department;
 - 2.** The 100-year floodplain and floodway boundaries on the site, as specified in the latest adopted FEMA Flood Insurance Rate Maps or FEMA approved Letter of Map Amendment or Letter of Map Revision;
 - 3.** The Time of Travel Zones, as specified in Section 3.3-200 and delineated on the Wellhead Protection Areas Map on file in the Development Services Department;
 - 4.** Physical features including, but 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; and
 - 5.** Soil types and water table information as mapped and specified in the *Soils Survey of Lane County*.
 - 6.** Natural resource protection areas as specified in Section 4.3-117.
- C.** An Access, Circulation and Parking Plan complying with the provisions of this Code and containing the following information:
- 1.** The location, dimensions and number of typical, compact and disabled parking spaces; including aisles, landscaped areas, wheel bumpers, directional signs and striping;
 - 2.** On-site vehicular and pedestrian circulation;
 - 3.** Access to streets, alleys and properties to be served, including the location and dimensions of existing and proposed driveways and driveways proposed to be closed;
 - 4.** Exterior lighting as specified in Subsection H. below;
 - 5.** The location, type and number of bicycle spaces;
 - 6.** The amount of gross floor area applicable to the parking requirement for the proposed use;
 - 7.** The location of off-street loading areas;
 - 8.** Existing and proposed transit facilities;
 - 9.** A copy of a Right-of-way Approach Permit application, where the property has frontage on an Oregon Department of Transportation (ODOT) facility; and

10. A Traffic Impact Study prepared by a Traffic Engineer as specified in Section 4.2-105A.4.

D. A Landscape Plan, drawn by a Landscape Architect or other professional approved by the Director, complying with the provisions of this Code that contains the following information.

- 1.** Screening as specified in Section 4.4-110;
- 2.** The use of plantings in erosion control and stormwater treatment facilities, if any;
- 3.** A permanent irrigation system, unless specifically exempted as specified in Section 4.4-100;
- 4.** Street trees as specified in Section 4.2-140;
- 5.** A specifications list for all materials to be used shall accompany the Planting Plan. Plant sizes shall be listed at the time of installation, and shown on the Planting Plan at mature size; and
- 6.** A description of planting methods as specified in Section 4.4-100.

E. An Improvements Plan complying with the standards of Sections 4.1-100, 4.2-100 and 4.3-100 that contains the following information:

- 1.** The name and location of all existing and proposed public and private streets within or on the boundary of the proposed development site including the right-of-way and paving dimensions, and the ownership and maintenance status, if applicable;
- 2.** Location of existing and required traffic control devices, fire hydrants, streetlights, power poles, transformers, neighborhood mailbox units and similar public facilities;
- 3.** The location, width and construction material of all existing and proposed sidewalks, sidewalk ramps, pedestrian access ways and trails; and
- 4.** The location and size of existing and proposed utilities and necessary easements and dedications on and adjacent to the site including sanitary sewer mains, stormwater management systems, water mains, power, gas, telephone, and cable TV. Indicate the proposed connection points.

F. A Grading, Paving and Stormwater Management Plan drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and addresses the information described below. In areas where the percent of slope is 10 percent or more, contours may be shown at 5-foot intervals. This plan shall show the stormwater management system for the entire development area. For Site Plans with more than 5,000 square feet of new paving area, an Oregon licensed Civil Engineer shall prepare the plan. Where plants are proposed as part of the stormwater management system, an Oregon licensed Landscape Architect may be required. The plan shall include the following components:

- 1.** Roof drainage patterns and discharge locations;

- 2.** Pervious and impervious area drainage patterns;
 - 3.** The size and location of stormwater management systems components, including but not limited to: drain lines, catch basins, dry wells and/or detention ponds; stormwater quality measures; and natural drainageways to be retained;
 - 4.** Existing and proposed elevations, site grades and contours; and
 - 5.** A stormwater management system plan with supporting calculations and documentation as required in Section 4.3-110 shall be submitted supporting the proposed system. The plan, calculations and documentation shall be consistent with the *Engineering Design Standards and Procedures Manual* to allow staff to determine that the proposed stormwater management system will accomplish its purposes.
- G.** A Phased Development Plan, where applicable, that indicates any proposed phases for development, including the boundaries and sequencing of each phase as specified in Section 5.17-115. Phasing shall progress in a sequence that promotes street connectivity between the various phases and accommodates other required public improvements, including but not limited to, sanitary sewer, stormwater management, water and electricity.
- H.** An On-site Lighting Plan showing the location, orientation, and maximum height of all proposed exterior light fixtures, both free standing and attached. The lighting plan shall also detail the type and extent of shielding, including cut-off angles and the type of illumination, the wattage, luminous area, and a photometric test report for each light source.
- I.** Additional information and/or applications required at the time of Site Plan Review applications submittal shall include the following items, where applicable:
- 1.** A brief narrative explaining the purpose of the proposed development and the existing use of the property.
 - 2.** If the applicant is not the property owner, written permission from the property owner is required as specified in Subsection 5.4-105 .2.
 - 3.** A Vicinity Map drawn to scale showing bus stops, streets, driveways, pedestrian connections, fire hydrants and other transportation/fire access issues within 200 feet of the proposed development area.
 - 4.** How the proposal addresses the standards of the applicable overlay district, where applicable.
 - 5.** How the proposal addresses Discretionary Use criteria, where applicable.
 - 6.** A Tree Felling Permit as specified in Section 5.19-100.

- 7.** An Annexation application, as specified in Section 5.7-100, where a development is proposed outside of the city limits but within the City's urban service area and can be serviced by sanitary sewer.
- 8.** A wetland delineation approved by the Department of State Lands shall be submitted concurrently, where there is a wetland on the property.
- 9.** Evidence that any required Federal or State permit has been applied for or approved shall be submitted concurrently.
- 10.** A Geotechnical Report prepared by an Engineer shall be submitted concurrently, if the required Site Assessment specified in Section 5.17-120 indicates the proposed development area has unstable soils and/or a high water table as specified in the *Soils Survey of Lane County*. (6274; 6211)

5.17-125 Criteria

The Director shall approve or approve with conditions: a Type II Site Plan Review application upon determining that approval criteria in Subsections A. through E., below have been satisfied. If conditions cannot be attached to satisfy the approval criteria, the Director shall deny the application.

- A.** The zoning is consistent with the Metro Plan diagram, and/or the applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.
- B.** Capacity requirements of public and private facilities, including, but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.
- C.** The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.
- D.** Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize driveways on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.
- E.** Physical features, including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility of flooding; significant clusters of trees and shrubs; watercourses shown on the WQLW Map and their associated riparian areas; other riparian areas and wetlands specified in Section 4.3-117; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 35 .905-955 and 390.235-240, shall be protected as specified in this Code or in State or Federal law.

5.17-130 Conditions

To the extent necessary to satisfy the approval criteria of Section 5.17-125, comply with all applicable provisions of this Code and to mitigate identified negative impacts to surrounding properties, the Director may impose approval conditions. Conditions imposed to satisfy the Site Plan application approval criteria shall not be used to exclude "needed housing" as defined in OAR 660-0 -015. All conditions shall be satisfied prior to Final Site Plan approval. Approval conditions may include, but are not limited to:

- A.** Dedication of right-of-way and/or utility easements.
 - 1.** Right-of-way, when shown in: TransPlan; transportation elements of refinement plans; or on the most recent Conceptual Local Street Plan Map; and as specified in Table 4.2-1.
 - 2.** Easements as specified in Section 4.3-140, when necessary to provide services, including, but not limited to: sanitary sewers, stormwater management, water and electricity, to the site and neighboring properties. The dedication of easements shall also include any easements required to access and maintain watercourses or wetlands that are part of the City's Stormwater Management System.
- B.** Installation of a sight obscuring fence, and/or vegetative screen whenever a party of record or the Director identifies a land use conflict.
- C.** Installation of medians, traffic signals and signs; restricting access to and from arterial or collector streets; requiring a frontage road; restricting and strategically locating driveways; and/or requiring the joint use of driveways to serve 2 or more lots/parcels through a Joint Use/Access Agreement when transportation safety issues are identified by the Transportation Planning Engineer and/or a Traffic Impact Study.
- D.** Modification of the layout of structures caused by the location of streets, required stormwater management systems, including, but not limited to: swales and detention basins or when required by the Geotechnical report specified in Section 5.17-120.
- E.** Installation of a noise attenuating barrier, acoustical building construction and/or site modifications as specified in Section 4.4-110, or similar measures approved by an acoustical engineer registered in the State of Oregon, to minimize negative affects on noise sensitive property from noise found to exceed acceptable noise levels prescribed in the Oregon Administrative Rules or the Federal Highway Administration Noise Abatement Criteria.
- F.** Limiting the hours of operation whenever a land use conflict is identified by the Director or a party of record, including, but not limited to: noise and traffic generation.
- G.** Phasing of development to match the availability of public facilities and services, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls when these facilities and services are near capacity, as determined by the Public Works Director or the utility provider.
- H.** Submittal of a Land and Drainage Alteration Permit.

- I.** Retention and protection of existing physical features and their functions, including but not limited to: significant clusters of trees and shrubs, watercourses shown on the WQLW Map and their riparian areas and wetlands by:
- 1.** Planting replacement trees where encroachment is allowed into riparian areas shown on the WQLW Map on file in the Development Services Department;
 - 2.** Re-vegetation, including, but not limited to: trees and native plants, of slopes, ridgelines, and stream corridors;
 - 3.** Restoration of native vegetation;
 - 4.** Removal of invasive plant species, based upon the Invasive Plants List on file in the Development Services Department;
 - 5.** Relocating the proposed development on another portion of the site;
 - 6.** Reducing the size of the proposed development; and/or
 - 7.** Mitigation of the loss of physical features caused by the proposed development with an equivalent replacement either on site or on an approved site elsewhere within the City's jurisdiction, as approved by the Director.
- J.** Installation of lighting for outdoor circulation, parking and safety, including approval of the type and placement of the outdoor lighting as specified in Section 4.5-100.
- K.** The Director may waive the requirement that buildable City lots/parcels have frontage on a public street when the following apply:
- 1.** The lots/parcels have been approved as part of a Subdivision or Partition application; and
 - 2.** Access has been guaranteed via a private street to a public street or driveway by an irrevocable joint use/access agreement.
- L.** The applicant shall submit copies of required permits to demonstrate compliance with applicable: Federal programs, regulations and statutes; State programs, regulations and statutes; and/or local programs, regulations and statutes prior to the approval of the Final Site Plan. When a Federal or State agency issues a permit that substantially alters an approved Preliminary Site Plan, the Director shall require the applicant to submit a Site Plan Modification as specified in Section 5.17-145.
- M.** Approval of a Stormwater Management Plan for the development demonstrating compliance with the applicable provisions of Section 4.3-110 and the *Engineering Design Standards and Procedures Manual*.

5.17-135 Final Site Plan/Final Site Plan Equivalent Map

A. Final Site Plan, Generally. Within 90 days of an affirmative decision by the Approval Authority, a complete Final Site Plan shall be submitted to the Development Services Department. The Final Site Plan submittal shall incorporate all approval conditions listed in the staff report. The Final Site Plan shall become null and void if construction has not begun within 2 years of the signing of the Development Agreement required in Section 5.17-140.

B. Final Site Plan Equivalent Map. In the case of developed or partially developed industrial properties of more than 5 acres in size that did not receive Final Site Plan approval prior to the adoption of this Code, the Director may approve a Final Site Plan Equivalent Map to allow the property owner to use the Site Plan Modification process specified in Section 5.17-145 for future additions or expansions.

1. Final Site Plan Equivalent Map Review.

a. Final Site Plan Equivalent Map applications are reviewed under Type I Procedure.

b. The approval criteria is compliance with the submittal requirements of Subsection 2., below.

c. In the staff report, the Director shall condition the approved Final Site Plan Equivalent Map to require its submittal with any future Site Plan Modification application.

2. Final Site Plan Equivalent Map Submittal Requirements. The Final Site Plan Equivalent Map application may be submitted concurrently with a Site Plan Review Modification application. The applicant shall submit a map based on City Geographic Information System maps at a scale not less than 1" =100' that contains the following information:

a. The property lines;

b. The location of all existing buildings to include their use and dimensions;

c. Paved parking areas to include the number of parking spaces;

d. The location of public utilities on the property, specifically stormwater, sanitary sewer, electricity and water;

e. The location and identification of all outfalls, if there are waterways that abut the property. For properties that abut Water Quality Limited Watercourses the approximate location of top of bank, and the 150 foot required setback from top of bank;

f. Existing landscaping along the frontage of abutting public rights-of-way; and

- A.** The Site Plan Modification process establishes procedures to allow certain adjustments to an approved Site Plan, either after Preliminary Approval or after Final Approval. This process shall assure that any proposed Major Site Plan Modification continues to comply with the approval criteria specified in Section 5.17-125.
- B.** The Site Plan Modification process shall only apply to Site Plan applications approved after June 5, 1996.
- 1.** The Site Plan Modification process shall not apply to any proposed development that qualifies as an MDS application.
 - 2.** Where there is a change of use on a property that received Site Plan Review approval, the Director may perform a site visit prior to a Site Plan Modification application submittal. If the property is currently in compliance with all criteria of approval specified in Section 5.17-125, no Site Plan Modification application will be required.
- C.** The Director shall determine whether the Site Plan Modification will be processed under the Type I or Type II review process as follows:
- 1.** A Minor Site Plan Modification application is evaluated under the Type I review process. The application is reviewed based upon a particular standard as specified in this Code that does not involve a Type II or Type III Variance, e.g., a modification in the location or type of required landscaping or an insignificant change in the number and/or layout of parking spaces.
 - 2.** A Major Site Plan Modification application is evaluated under the Type II review process. The application is reviewed based upon a particular criterion as specified in Section 5.17-125, e.g., a revision of the stormwater management plan, a substantial increase in the size of the building or when commercial or industrial development abuts property zoned residential. The Type II review process shall also be applied when:
 - a.** The modification involves any items listed in Subsection 5.17-105;
 - b.** A Federal or State agency issues a permit that substantially alters an approved Site Plan; or
 - c.** Pad sites in shopping centers or future phases shown on an approved Final Site Plan have not been constructed within the time line specified in Section 5.17-135.
- D.** The criteria of approval for a Site Plan Modification application shall be in compliance with the applicable standard and/or criteria of approval specified in Section 5.17-125.
- E.** The Director may require approval conditions as specified in Section 5.17-130.
- F.** A Final Site Plan and Development Agreement is required as specified in Sections 5.17-135 and 5.17-140.
-

5.17-150 Security and Assurances

All required improvements shall be installed prior to the issuance of a Certificate of Occupancy or Final Building Inspection for the development, unless specified in Section 5.15-100 or improvements may be deferred for good cause by the Director if security as specified in Subsection C., below is approved to the satisfaction of the City Attorney.

- A.** A Temporary Certificate of Occupancy may be issued prior to complete installation and approval of improvements, if security is filed with the City.
- B.** Required security shall equal 110 percent of the cost of the design, materials and labor, as determined by the Director. Required security may consist of cash, certified check, time certificate or deposit, or lending agency certification to the City that funds are being held until completion.
- C.** If the installation of improvements is not completed within the period stipulated by the Director, or if the improvements have been improperly installed, the security may be used by the City to complete the installation, or the security may be held by the City and other enforcement powers employed to prevent final occupancy until the improvements are completed.
- D.** Upon completion of the improvements as certified by the Director, any portion of the remaining security deposited with the City, including any accrued interest, shall be returned.

5.17-155 Maintaining the Use

Once a Certificate of Occupancy has been granted or a Final Building Inspection has taken place:

- A.** The building and site shall be maintained as specified in this Code in order to continue the use.
- B.** It shall be the continuing obligation of the property owner to maintain the planting required by Section 4.4-100 in an attractive manner free of weeds and other invading vegetation. Plantings in the vision clearance area shall be trimmed to meet the 2-1/2-foot height standard as specified in Section 4.2-130.
- C.** Parking lots shall be maintained by the property owner or tenant in a condition free of litter and dust, and deteriorated pavement conditions shall be improved to maintain conformance with these standards.
- D.** Undeveloped land within a development area shall be maintained free of trash and stored materials in a mowed and attractive manner. Undeveloped land shall not be used for parking.

View the [mobile version](#).

Springfield Development Code							
Up	Previous	Next	Main		Search	Print	No Frames

[CHAPTER 3 LAND USE DISTRICTS](#)[Section 3.2-200 Residential Zoning Districts](#)

3.2-250 Multi-unit Design Standards Variances

A. Description. The Director may approve an adjustment of up to 20 percent to the multifamily design standards listed in Section 3.2-240. The multifamily design standards are: Building Orientation; Building Form; Storage; Transition and Compatibility Between Multi-unit and LDR Development; Open Space; Landscaping; Pedestrian Circulation; Parking; and Vehicular Circulation. There is 1 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 K., below. The Director shall 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 shall not require a finding by the Director, and shall not be subject to review under this Section. Requests to modify the standards of Section 3.2-240 by more than 20 percent shall require review under Section 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 5 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 5 inches (dbh) in caliper (i.e., screening allows for contrasting building form).

2. In addition to the 20 percent adjustment provided by Subsection B., above and Subsection 3.2-240D.2., the Director may approve alternative roof forms where the developer demonstrates that adjacent structures, or the majority of structures within 300 feet, have roofs similar to what is proposed.

E. Storage. The adjustment provides an equivalent degree of privacy and protection for residents and adjacent uses. Protection from visual, noise, odor, light, vibration, glare and other impacts shall be provided to effectively accomplish the intent of this standard.

F. Transition and Compatibility Between Multi-unit and Low Density Residential Development. The adjustment results in better overall transition between multi-unit dwellings and neighboring LDR areas, such as: protecting and preserving vegetation and trees 5 inches (dbh) in caliper or greater; a reduction in noise and/or light that would otherwise impact adjacent LDR areas; stepping down

building height; providing roof lines that compliment adjacent uses; and similar elements that effectively accomplish the intent of the standard.

G. Open Space.

1. The adjustment results in better overall compliance with Subsection 3.2-240D.5. to provide common and private open space, such as protecting vegetation and preserving trees 5 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 Section 3.2-240D.5.]; 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.

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 shall not apply to required active recreation areas.

H. Landscaping.

1. The adjustment results in a better overall transition from neighboring LDR areas, such as: protecting and preserving trees 5 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 LDR uses.

I. 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, not withstanding by Subsection B., above and Subsection 3.2-240D.7. if the residents do not require an internal sidewalk system in full compliance with the pedestrian circulation standards.

J. Parking. The adjustment results in the protection and preservation of trees 5 inches (dbh) in caliper or greater or significant vegetation that provides parking lot screening.

K. Vehicular Circulation.

1. The adjustment provides an equivalent degree of vehicular circulation, as provided by the vehicular circulation standards.

- 2.** The Director may approve an adjustment in the vehicular circulation standard, not withstanding by Subsection B., above and Subsection 3.2-240D.9., when the development provides more building area oriented to the street than is required by Subsection 3.2-240D.1.

View the [mobile version](#).