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**AGENDA ITEM SUMMARY**

**Meeting Date:** 3/3/2020  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Melissa Cariño, DPW  
**Staff Phone No:** 541.744.4068  
**Estimated Time:** 20 minutes  
**Council Goals:** Promote and Enhance our Hometown Feel while Focusing on Livability and Environmental Quality

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**SPRINGFIELD  
PLANNING COMMISSION**

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**ITEM TITLE:** ZONING MAP AMENDMENT FROM HIGH DENSITY RESIDENTIAL TO MIXED USE RESIDENTIAL OF AN 8.53 ACRE VACANT PARCEL LOCATED NORTHEAST OF THE MAIN STREET AND 48<sup>TH</sup> STREET INTERSECTION (MAP 17-02-32-41, TAX LOT 400).

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**ACTION REQUESTED:** Conduct a public hearing and deliberations, and approve, approve with conditions, or deny a request for Zoning Map Amendment from High Density Residential (HDR) to Mixed Use Residential (MUR) consistent with the East Main Refinement Plan, as recently amended.

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**ISSUE STATEMENT:** The applicant is requesting to change the subject site's zoning from High Density Residential (HDR) to Mixed-Use Residential (MUR) to accommodate multi-family residential development. Either zoning district implements the Mixed-Use Area 2A East Main Refinement Plan designation of Mixed Use.

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**ATTACHMENTS:** Attachment 1: Application Submittal with Exhibits  
Exhibit A: Site Context Map  
Exhibit B: Location Overview Map  
Attachment 2: PC Order - Zoning Map Amendment Request 811-19-000244-TYP3  
Exhibit A: Property Description  
Exhibit B: Staff Report and Findings

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**DISCUSSION/  
FINANCIAL  
IMPACT:** The proposed re-zoning is permissible under the East Main Refinement Plan, as recently amended to add Mixed Use Residential zoning to East Main Refinement Plan Mixed Use Sub-Area 2A. The Springfield Planning Commission reached a Recommendation of Approval adding the option for MUR zoning on December 3, 2019 and Springfield City Council adopted the change on January 21, 2020. Planning Commission approval of this subsequent re-zoning would facilitate the development of multi-family residential development on the subject site.

The Planning Commission may approve, approve with conditions, or deny a Zoning Map Amendment based upon approval criteria Springfield Development Code (SDC) 5.22-115 C. The Planning Commission's decision is final unless appealed to the Springfield City Council as provided in SDC 5.3-120.

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# A Quasi-Judicial Application Requesting Amendment of the Springfield Zoning Map

## I. PROPOSAL DESCRIPTION

- A. Owner/  
Applicant** Housing Authority and Community Services Agency  
177 Day Island Rd  
Eugene, OR 97477
- Colin Kelley  
Timberview Construction  
3025 W. 7<sup>th</sup> Place  
Eugene, OR 97402
- B. Agent:** Karl Mueller; Land Use Consultant  
Mueller Planning  
846 A St. Springfield, OR 97477
- Jed Truett  
Metro Planning  
846 A St. Springfield, OR 97477
- C. Map/  
Taxlot(s):** 17-02-32-41-00400
- D. Site  
Address:** Vacant

## II. EXECUTIVE SUMMARY

This application is for an quasi-judicial amendment to the Springfield zoning map for an approximately 8.5 acre site located in Springfield, Oregon. The existing zoning is High Density Residential. The applicant requests application of the Mixed Use Residential District. The existing comprehensive planning designation is Mixed Use commercial.

The approval criteria for an application of this type are found at Springfield Development Code 5.22-105-125.

## III. THE PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT COMPLIES WITH THE SPRINGFIELD DEVELOPMENT CODE

The Springfield development Code provides procedures for amending the zoning map. This application is consistent with those procedures. SDC 5.22-105 provides:

**5.22-110 Review**

Official Zoning Map amendments may be initiated by the Director, the Planning Commission, the Hearings Official, the City Council or a citizen. Zoning Map amendments shall be reviewed as follows:

**B.** *Quasi-judicial Zoning Map amendments involve the application of existing policy to a specific factual setting, generally affecting a single or limited group of properties and may or may not include a Metro Plan diagram amendment. Quasi-judicial Zoning Map amendments are reviewed using Type III procedure, unless a Metro Plan diagram amendment is required. In this case, the Quasi-judicial Zoning Map amendment will be raised to a Type IV review.*

This is a citizen initiated application for a quasi-judicial zoning map amendment. The applicant’s refinement plan text amendment shall be heard first. Following approval of that application, the requested zone change will only involve the application of existing policy to a specific factual setting involving only a single property. The application shall be reviewed using type III procedures.

The approval criteria for a zone change are set out at SDC 5.22-115 which provides:

**A.** *Quasi-judicial Zoning Map Amendments. The Planning Commission or Hearings Official may approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria C.1. through 3., below. The Planning Commission or Hearings Official shall make the final local decision on all quasi-judicial Zoning map amendments that do not include a Metro Plan diagram amendment.*

The final local decision based upon approval criteria C1 through C.3 is made by the Planning Commission as the request does not involve a Metro plan diagram amendment but rather implements the existing Comprehensive Planning designation of Mixed Use commercial.

**B.** *Legislative Zoning Map Amendments and Quasi-judicial Zoning Map Amendments Raised to a Type IV Review. The Planning Commission or Hearings Official may make a recommendation to the City Council to approve, approve with conditions or deny Zoning Map amendments and Metro Plan diagram amendments based upon approval criteria in Subsection C. 1. through 4., below. The City Council shall make the final local decision on all Zoning Map amendments involving a Metro Plan diagram amendment.*

**C.** *Zoning Map amendment criteria of approval:*

- 1.** *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
- 2.** *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*

*3. The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

**1. The application is consistent with the Springfield Comprehensive Plan / Metro Plan , (SDC 5.22-115(A) 1.)**

Adoption of Springfield Ordinance #6268 included the new Springfield 2030 Refinement Plan Residential Land Use and Housing Element. Policies and implementation actions within that refinement plan replaced the goals, objectives and policies of the Metro Plan’s Residential Land Use and Housing Element. This relationship therefore requires the proposed amendment to be consistent with the Springfield Comprehensive Plan, the prevailing Comprehensive Plan for residential policies for and inventory analysis specific to this site.

The Springfield Comprehensive planning documents and Metro Plan diagram shows the subject property as Mixed Use Commercial. That designation is presently implemented by the existing zoning designation, HDR. The applicant request application of the MUR zone consistent with the plan diagram. The Springfield Development Code provides:

***3.2-605 Establishment of Mixed-Use Zoning Districts***

*The following mixed-use zoning districts are established to implement areas designated Mixed-Use by the Metro Plan, on adopted refinement plans, specific area plans and specific development plan diagrams and along transportation corridors designated for commercial development:*

***C. Mixed-Use Residential District (MUR).*** *The MUR District is established where a mix of medium and high density residential with commercial uses is intended. The MUR District shall only be applied to properties that are contiguous with property designated Community Commercial, Mixed-Use Employment or Mixed-Use Commercial on the Springfield Zoning Map. Development within the MUR District shall have a multifamily residential emphasis, but may include small-scale retail, office and service uses when they are developed as part of a mixed-use development in order to increase housing opportunities in close proximity to designated commercial zones; support the retail, office and service uses of the adjacent commercial zone; and to provide options for pedestrian-oriented lifestyles. Development areas 1 acre or more in size in the MUR District shall have frontage on either an arterial or collector street. Access to any MUR development area may be from a local street, if a Traffic Impact Study determines there is no negative impact on adjacent residential uses.*

The applicant is requesting the MUR zone intended to implement areas designated mixed use on the Metro Plan and on adopted refinement plans. The parcel is shown as Mixed Use Commercial on the Metro Plan diagram. The subject property is also designated mixed use and is Mixed Use area 2A on the applicable refinement plan. The requested zoning district implements the Comprehensive Planning designation. The subject property also meets the siting standards for the requested zoning district having frontage on an arterial, Main Street.

The application is consistent with both the Comprehensive Planning (Metro Plan) designation of the subject property and the following Metro Plan policies as addressed below. In Ordinance 6682, Springfield adopted the Springfield 2030 Plan which contains a Residential Lands and Housing Element setting forth policies related to housing specifically within Springfield's UGB. The new housing policies are unique to the Springfield Comprehensive Plan.

This application consistent with the Housing policies set out in the Springfield 2030 plan. Specifically, the amendment is consistent with the following policies:

Policy H.1.

*Based on the findings in the RLHNA and to accommodate projected growth between 2010 and 2030, Springfield has designated sufficient buildable residential land*

*(a) for at least 5,920 new dwelling units at an estimated density of at least 7.9 units per net buildable acre; and,*

*(b) to accommodate a new dwelling mix of 52 percent detached single family dwellings (including manufactured dwellings on individual lots), seven percent attached single family dwellings, one percent manufactured dwellings in parks, and 40% multi-family dwellings.*

Based on the RLHA Springfield has sufficient buildable land across all housing inventory types. The areas included within Areas #2A of the East Main Refinement Plan was not included in the supply side or the demand side analysis of that document. (Please see maps). Therefore, the inventory of high-density residential housing is legally sufficient and this application shall not have any detrimental effect on the inventory. The proposed zone change application will serve the interests of the residents of Springfield by increasing the supply of multi-family housing through on-site development. The practical effect of this application will be to increase the actual percentage of multi-family dwellings by facilitating the applicant's development plans. Inventory issues related to employment lands are addressed in the section specific to Statewide Planning Goal 9.

The action is also consistent with Policy H.3:

*H.3 Support community wide, district wide and neighborhood specific livability and redevelopment objectives and regional land use planning and transportation planning policies by locating higher residential development and increasing the density of development near employment or commercial services, within transportation efficient Mixed-Use nodal development centers and along corridors served by frequent transit service.*

The proposed amendment will support neighborhood specific livability, facilitate new quality multi-family housing on the subject property adjacent to a major transit corridor consistent with this policy. The subject property is adjacent to Main Street. LTD's #11 route serves the Main Street corridor at frequent intervals.

The action is consistent with Policy H.9:

*H.9 Provide a broad range of quality accessible and affordable housing for very low, low and moderate income residents. Affordable housing is defined as housing for which persons or families pay 30 percent or less of their gross income for housing, including necessary and essential utilities [Oregon Revised Statute 456.055].*

Population growth has resulted in ongoing demographic shifts. Between 2010 and 2030, Springfield expects 27% population growth within city limits (RLS, EcoNorthwest, pg. ii) The population of Springfield is also growing younger and the percentage of households that are housing cost burdened has increased substantially. These changing circumstances mean that providing sound and affordable housing is an ongoing challenge; however, as indicated in the Springfield Comprehensive Plan, the jurisdiction is committed to meeting this challenge.

One way to address this issue is through planning actions such as this proposal that increase the existing amount of housing and number dwelling units within the existing UGB while otherwise avoiding adverse impacts to exiting employment lands inventories. Approval of this amendment will allow the applicant to develop higher density residential housing in the very near term providing affordable housing to area residents in convenient proximity to services.

The statutory obligation to provide an adequate supply of buildable land in the applicable district has been met. Given this surplus and the known challenge in providing affordable housing in Springfield because housing costs have risen more quickly than income, it is responsible, reasonable and appropriate to consider and approve planning measures such as this application. The application will result in the construction of additional dwelling units within the existing UGB, increasing the overall supply.

*H.11 Continue to seek ways to update development standards to introduce a variety of housing options for all income levels in both existing neighborhoods and new residential areas that match the changing demographics and lifestyles of Springfield residents.*

This application shall create the opportunity for a variety of housing options in this area (2A) whereas the present zoning allows only for high density residential use in this area. The applicant's proposed zoning district would allow more types of housing development than the current zoning district including those characterized by having a mix of commercial uses, improving neighborhood character and allowing development responsive to community needs and the changing demographics and lifestyles of Springfield residents.

*H.13 Promote housing development and affordability in coordination with transit plans and in proximity to transit stations.*

This application will promote housing development in convenient proximity to transit services and stations.

Similar to the manner in which the Metro plan was amended to create a Springfield specific housing polices, the Springfield Comprehensive Plan contains its own economic element which

supplants the Metro Plan policies. The Economic policies and inventory analysis are also relevant to this request because the subject property is planned for Mixed use which is an employment lands district. Oregon state law requires the City of Springfield to maintain an adequate supply of employment lands through the planning horizon period. The results of the City of Springfield: Commercial and Industrial Buildable Lands Inventory and Economic Opportunity Analysis (September 2009) demonstrate the UGB will have to be accommodated to meet additional employment lands needs.

This application itself shall have no impact on Employment land inventories. The application changes only the zoning but retains the Commercial Mixed Use comprehensive planning designation of the subject property. The methodology outlined in the City of Springfield: Commercial and Industrial Buildable Lands Inventory and Economic Opportunity Analysis (September 2009) provides that the Mixed use district was included in the analysis at page 6. By retaining the existing comprehensive planning designation, the supply of employment land is not impacted by this application; however, Employment land policies of the Springfield Comprehensive Plan are relevant.

The application is consistent with the following Springfield Economic Development Policies:

*E.1 Designate an adequate supply of land that is planned and zoned to provide sites of varying locations, configurations, size and characteristics as identified and described in the Economic Opportunity Analysis to accommodate industrial and other employment over the planning period ....*

The proposed zone change retains the employment land designation of the subject property consistent with this policy.

*E.6 Facilitate short term and long term redevelopment and increased efficiency of land use through the urban renewal program, update to refinement plans and the development review process.*

The proposal is consistent with this policy. The proposed refinement amendment will facilitate short term development of this site increasing urban density and increasing efficiency of land use through the development review process.

The amendment is consistent with Economic Policy E.7:

*E.7 Where possible concentrate development on sites with existing infrastructure or on sites where infrastructure can be provided relatively easily and at low cost.*

The proposed zoning map amendment will facilitate development on the subject property where infrastructure can be provided relatively easily and at low cost consistent with this policy.

The proposed text amendment is consistent with all applicable Springfield Comprehensive Plan policies. No policies are identified that conflict with the application. This criterion is met.

**2. The application is consistent with the East Main Refinement Plan , (SDC 5.22-115(A) 2.)**

The applicant has submitted a concurrent application to amend the text of the East Main Refinement Plan prior to final action on this application. The text amendment is necessary because without the requested text amendment, the requested zoning district would not be permitted on the subject property. However, the requested zoning district is allowed under the text of the East Main refinement plan as amended which reads:

*A) All properties shall be legislatively rezoned to High Density Residential subject to the following:*

*A) All uses permitted in the High Density Residential Zoning District, Article 16, of the Springfield Development Code, shall be permitted.*

*B) Community Commercial or Light Medium Industrial uses shall be permitted on a maximum of 40% (3.4 acres) of the property as follows: a Development Area Plan for the entire site shall be prepared in accordance with Plan Implementation Policy #3 prior to rezoning the 3.4 acres to either Community Commercial or Light Medium Industrial. Upon completion of the rezone subsequent uses shall be subject to the provisions of that zoning district.*

*C) No partitioning or lot line adjustments shall be allowed prior to the approval of a DAP in conformance with Plan Implementation Policy #3 and these policies.*

*B) As an alternative subsection 3A above, the Mixed-Use Residential (MUR) zoning district is also appropriate and may be applied upon City approval of a zone change request initiated by the property owner.*

The requested zoning designation is consistent with these policies, particularly Policy (B) as well as the unamended portions of the East Main Refinement Plan, including the siting standards for a Mixed Use designation set out at page 10 of the East Main refinement plan.

**3. The property is presently provided with all requisite and public facilities and services including transportation facilities**

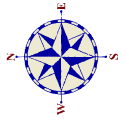
The subject property is located at 48<sup>th</sup> and Main Street. This area is built out and fully served with urban amenities including water, sanitary sewer, electricity, telephone and all other required public facilities. Th transportation network in the vicinity of the subject property is adequate to accommodate the proposed zoning district. Please see attached traffic scoping work prepared by Kelly Sandow which positively demonstrates that the proposed zone change,



as proposed will not have a significantly adverse effect on any existing or planned transportation facility.

#### **IV. CONCLUSION**

For the reasons set forth in this narrative, the applicant respectfully requests approval of this zone change request.



**CASE 811-19-000244-TYP3 – ZONING MAP AMENDMENT  
FOR PROPERTY AT MAIN STREET AND 48<sup>TH</sup> STREET  
(ASSESSOR'S MAP 17-02-32-41, TAX LOT 400)**

**SITE CONTEXT MAP**



# LOCATION OF PROPERTY SUBJECT TO ZONE CHANGE



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

<b>AMENDMENT TO THE SPRINGFIELD ZONING MAP TO REZONE</b>	<b>] 811-19-000244-TYP3</b>
<b>APPROXIMATELY 8.53 ACRES OF LAND IDENTIFIED AS ASSESSOR'S MAP 17-</b>	<b>]</b>
<b>02-32-41, TAX LOT 400 FROM HIGH DENSITY RESIDENTIAL (HDR) TO MIXED-</b>	<b>]</b>
<b>USE RESIDENTIAL (MUR)</b>	<b>]</b>

**NATURE OF THE APPLICATION**

Rezone an approximately 8.53 acre parcel located northeast of the Main Street and 48<sup>th</sup> Street intersection (Map 17-02-32-41, Tax Lot 400) from High Density Residential (HDR) to Mixed-Use Residential (MUR). The subject property is generally depicted and more particularly described in **Exhibit A** to this Order.

Timely and sufficient notice of the public hearing has been provided, pursuant to SDC 5.2-115.

On March 3, 2020, the Springfield Planning Commission held a public hearing and conducted deliberations on the proposed Zoning Map amendment. The staff report, written comments, and testimony of those who spoke at the public hearing were entered into the record.

**CONCLUSION**

On the basis of this record, the proposed Zoning Map amendment is consistent with the criteria of SDC 5.22-115. This general finding is supported by the specific findings of fact and conclusion in the Staff Report and Findings, attached hereto as **Exhibit B**, and any additional information submitted for the March 3, 2020 public hearing.

**ORDER/RECOMMENDATION**

It is ORDERED by the Springfield Planning Commission ~~that approval of that~~ Case Number 811-19-000244-TYP3, Zoning Map Amendment, be approved. This ORDER was presented to and approved by the Planning Commission on March 3, 2020.

\_\_\_\_\_  
Planning Commission Chairperson

\_\_\_\_\_  
Date

**ATTEST**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

## LEGAL DESCRIPTION

Beginning at a point on the North Line of the A. W. Hammitt Donation Land Claim No. 38, Township 17 South, Range 2 West of the Willamette Meridian, 346.83 feet East from the Northwest corner of said Claim; from said beginning point run East along said North line 345.83 feet; thence leaving said North line and run South 1,214.66 feet to the North line of the McKenzie Highway right-of-way; thence 89° 44' West along said right-of-way line 179.31 feet; thence leaving said right-of-way line and run 300.9 feet; thence West 167.52 feet to the East right-of-way line of County Road No. 1238; thence North along the East line of said road 912.27 feet to the place of beginning, being a part of the said A.W. Hammitt Donation Land Claim, in Lane County, Oregon **(Map/Tax Lot # 17-02-32-41-00400)**

**Staff Report and Findings  
Planning Commission  
Zoning Map Amendment Request  
(MetroHousing on behalf of Timberview Construction)**

**Hearing Date:**           **March 3, 2020**

**Case Number:**         **811-19-000244-TYP3**

**Applicant:**             **Colin Kelley, Timberview Construction**

**Property Owner:**      **Homes For Good**

**Site:** Vacant property located northeast of the 48<sup>th</sup> Street and Main Street intersection (Assessor's Map 17-03-32-41, Tax Lot 400)

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**REQUEST**

The Planning Commission is asked to conduct a public hearing then deliberate and approve, approve with conditions, or deny the Zoning Map Amendment from High Density Residential (HDR) to Mixed-Use Residential (MUR).

**SITE INFORMATION/BACKGROUND**

The Zoning Map Amendment is requested for an 8.53-acre vacant parcel located northeast of the 48<sup>th</sup> Street and Main Street intersection. The subject site is within City limits, has not yet been assigned a municipal street address, and is identified as Assessor's Map 17-02-32-41, Tax Lot 400. The proposed Zoning Map Amendment would help facilitate future development of multi-unit residential (approximately 21 units/acre density) and planned commercial development along the Main Street frontage to serve the neighborhood.

This application was submitted initially on October 15, 2019; however, because the applicant's East Main Refinement Plan Text Amendment application needed to be processed fully before a Zoning Map Amendment could be considered, the applicant submitted an extension of the ORS 227.178 requirement for final action within 120 days. . With the applicant's extension, the City has until March 31, 2020 to render a final decision.

In accordance with Section 3.2-605.C of the Springfield Development Code (SDC), the Mixed-Use Residential (MUR) land district: (1) establishes sites where a mix of medium and high density residential with commercial uses is intended; and (2) emphasizes multi-family residential and increases housing opportunities in close proximity to designated commercial zones. Limited commercial development is permitted to serve new neighborhoods and transit corridors. The proposed change of zoning from High Density Residential (HDR) to Mixed-Use Residential (MUR) does not affect the adopted *East Main Refinement Plan* diagram or plan designation so it is being a processed as a Type III Zoning Map amendment.

**Notification and Written Comments**

Notification of the March 3, 2020 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the outer boundary subject site on February 13, 2020. Notification was also published in the February 23, 2020 edition of *The Register Guard*. Staff also posted notices on the subject site and within City Hall. No written comments were received.

**Criteria of Approval**

Section 5.22-100 of the SDC contains the criteria of approval for Zoning Map amendments. The Criteria of Zoning Map amendment approval criteria are as follows:

*SDC 5.22-115 APPLICABLE CRITERIA**C. Zoning Map amendment criteria of approval:*

1. *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
2. *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*
3. *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*
4. *Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
  - a. *Meet the approval criteria specified in Section 5.14-100; and*
  - b. *Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.*

**Proposed Findings In Support of Zone Change Approval****Criterion: Zoning Map amendment criteria of approval:****1. Consistency with applicable *Metro Plan* policies and the *Metro Plan* diagram;**

Finding 1: The adopted neighborhood Refinement Plan specific to this area of Springfield is the *East Main Refinement Plan (EMRP)*, which was adopted on April 4, 1988. The EMRP refines the *Metro Plan* for the specific geographic area and neighborhood; therefore, the EMRP diagram remains the prevailing comprehensive plan diagram for this site.

Finding 2: The subject site is within the boundaries of the East Main Refinement Plan (EMRP), as adopted and amended. EMRP Diagram attached.

Finding 3: The *East Main Refinement Plan* designates the subject site as Mixed Use Sub-Area #2A, and Mixed-Use Element Policy 3.B permits Mixed Use Residential Zoning upon request by an applicant. See Criterion of Approval 2 below for more information.

Finding 4: Policy A.2 of the *Metro Plan* states, “Residentially designated land within the UGB should be zoned consistent with the *Metro Plan* and applicable plans and policies[.]” To the extent that the EMRP Mixed Use Sub-Area #2A is a residential designation, this zone change is consistent with this policy as described under Criterion of Approval 2 below. See attached maps for existing and proposed zoning of the subject site.

**2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;**

Finding 5: The adopted neighborhood Refinement Plan specific to this area of Springfield is the *East Main Refinement Plan (EMRP)*, which was adopted on April 4, 1988. The EMRP refines the *Metro Plan* for the specific geographic area and neighborhood; therefore, the EMRP diagram remains the prevailing comprehensive plan diagram for this site.

Finding 6: The *East Main Refinement Plan* designates the subject site as Mixed Use Sub-Area #2A, and Mixed-Use Element Policy 3 originally stated that “all properties shall be legislatively rezoned as High Density Residential (HDR).”

Finding 7: On January 21, 2020, the Springfield City Council unanimously adopted an *East Main Refinement Plan* Text Amendment thru Ordinance 6410, amending Policy 3 as follows for the Mixed-Use Element Policies (added text is ***bolded and italicized***):

3) AREA #2A

- A) All properties shall be legislatively rezoned to High Density Residential ***subject to the following***:
- A) All uses permitted in the High Density Residential Zoning District, Article 16, of the Springfield Development Code, shall be permitted.
- B) Community Commercial or Light Medium Industrial uses shall be permitted on a maximum of 40% (3.4 acres) of the property as follows: a Development Area Plan for the entire site shall be prepared in accordance with Plan Implementation Policy #3 prior to rezoning the 3.4 acres to either Community Commercial or Light Medium Industrial. Upon completion of the rezone subsequent uses shall be subject to the provisions of that zoning district.
- C) No partitioning or lot line adjustments shall be allowed prior to the approval of a DAP in conformance with Plan Implementation Policy #3 and these policies.
- B) As an alternative to subsection 3A above, the Mixed-Use Residential (MUR) zoning district is also appropriate and may be applied upon City approval of a zone change request initiated by the property owner.***

Finding 8: Pursuant to the amended EMRP’s Mixed-Use Element Policy 3.B, the property owner initiated the zone change request for a permitted zoning district by submission of a complete Zoning Map Amendment application in accordance with the submittal standards applicable to the request.

Finding 9: Approval of the proposed zone change pursuant to the EMRP provisions above will allow development of the site under MUR standards at SDC 3.2-630 Mixed-Use Zoning Districts. There are no other qualifying requirements for EMRP’s Mixed-Use Element Policy 3.B, therefore compliance of the quasi-judicial zoning map amendment with this criterion has been met.

- 3. The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.**

Finding 10: The subject site is located at the intersection of existing streets within the City of Springfield and has a full range of public utilities and services provided to the development area including the primary services of sanitary, storm sewer, water, electric and access available with capacity to serve the site from surrounding public rights of way. The site is adjacent to a transportation network along 48<sup>th</sup> and Main Street(s). Access and a full suite of utilities can be designed and extended to, and through the property under standard site plan review procedures as future development occurs on the site.

- 4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:**



- a. **Meet the approval criteria specified in Section 5.14-100; and**
- b. **Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Finding 11: The requested Zone Change is being undertaken as a quasi-judicial, site-specific change in compliance with provisions of the adopted *Metro Plan* and Section 3.2-205.C of the Springfield Development Code (SDC). Because the proposed MUR zoning is consistent with the Mixed-Use land use designation found on both the *Metro Plan* and *East Main Refinement Plan* diagram, a Comprehensive Plan amendment is not required or warranted. Therefore, the criterion to comply with SDC 5.14-100 is not applicable.

Finding 12: The Transportation Planning Rule (TPR), OAR 660-012-0060(1), requires a local government to put in place certain mitigation measures if an amendment to a land use regulation (including a zoning map amendment) would “significantly affect” an existing or planned transportation facility. OAR 660-012-0060 (9) provides that the “local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility” if all the requirements in subsections (a)-(c) are met.

Finding 13: OAR 660-012-0060-(9)(a) requires that the proposed zoning map amendment be consistent with the existing comprehensive plan map designation, and the map amendment does not change the comprehensive plan map. As found above, the proposal amends only the Springfield Zoning Map, and not the *Metro Plan* or *East Main Refinement Plan* diagram.

Finding 14: OAR 660-012-0060-(9)(b) requires that the local government has an acknowledged Transportation System Plan (TSP) and that the proposed zoning map amendment is consistent with the TSP. The *Springfield 2035 TSP* was acknowledged by DLCDC, and the proposed zone change is consistent with the TSP, and does not affect TSP policies or projects.

Finding 15: OAR 660-012-0060-(9)(c) requires that the area subject to the proposed zoning map amendment is not subject to an exemption from the TPR standards pursuant to a prior UGB amendment or TSP amendment to account for urbanization of the area. The subject site is within the Springfield UGB and City limits, so this criterion is not applicable.

Finding 16: Because the proposed zoning map amendment meets all the criteria of OAR 660-012-0060-(9)(a)-(c), the proposed amendment does not “significantly affect” an existing or planned transportation facility under OAR 660-012-0060(1) and therefore complies with the TPR. . . ,

**Conclusion:** Based on the above-listed criteria, staff recommends that the Planning Commission approve the proposal because it meets the stated criteria for Zoning Map Amendments in SDC 5.22-115.

### **CONDITIONS OF APPROVAL**

SDC Section 5.22-120 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure the application fully meets the criteria of approval. The specific language from the code section is cited below.

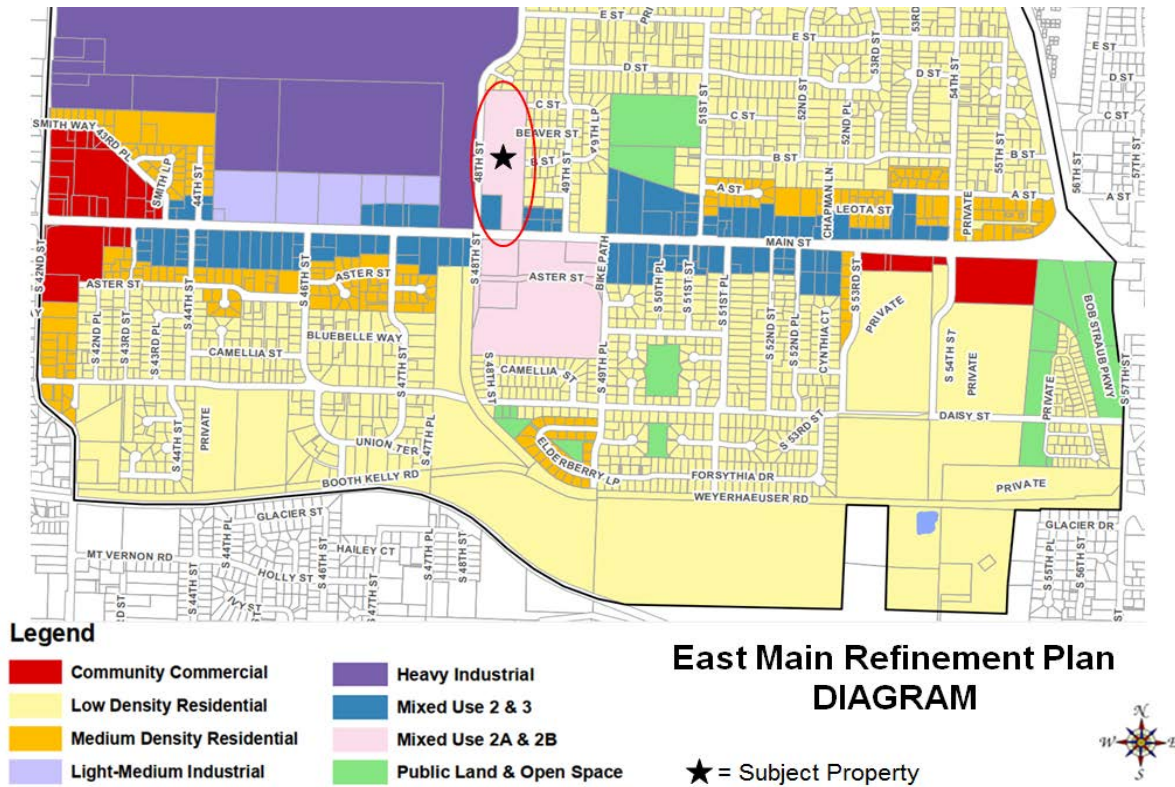
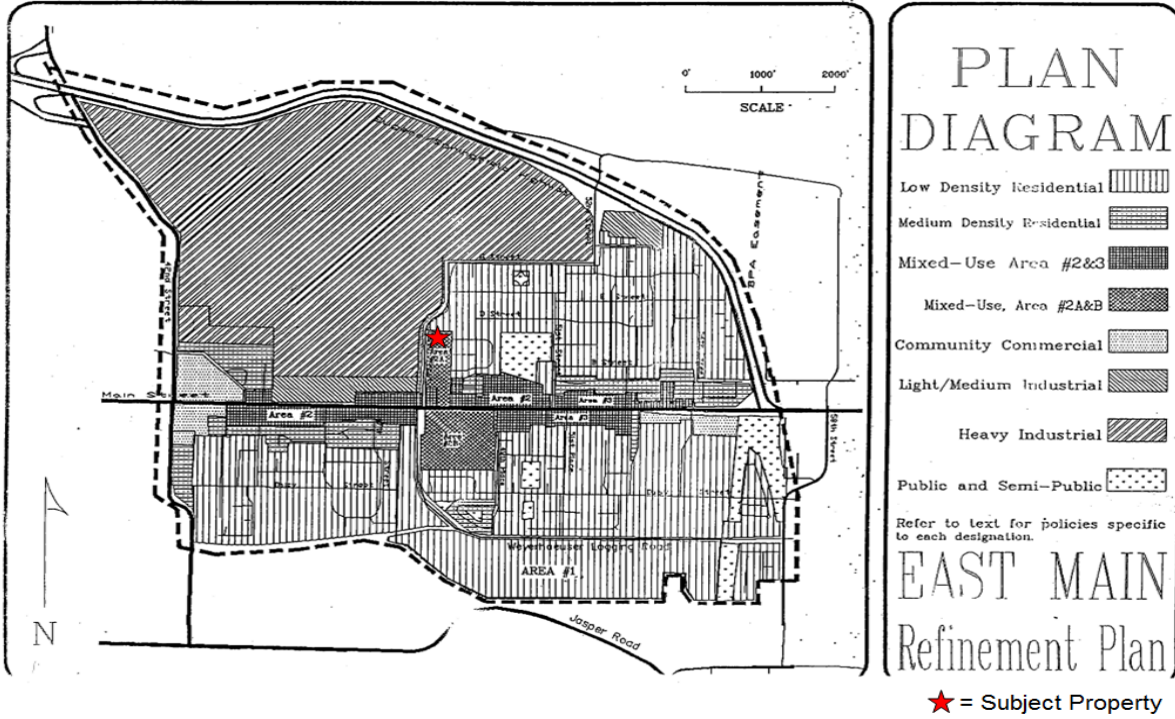
#### **5.22-120 CONDITIONS**

**The Approval Authority may attach conditions as may be reasonably necessary in order to allow the Zoning Map amendment to be granted.**

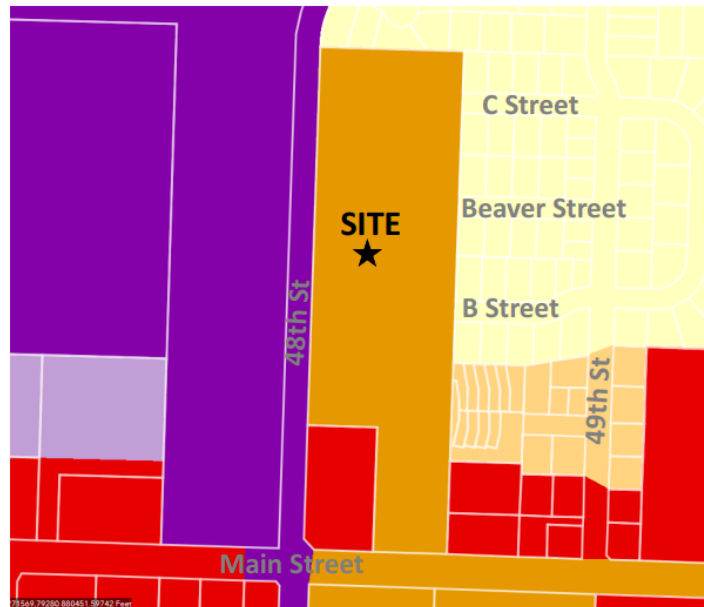
**No recommended conditions of approval.**

The Planning Commission may choose to apply conditions of approval as necessary to comply with the Zone Change criteria.

# ATTACHMENTS



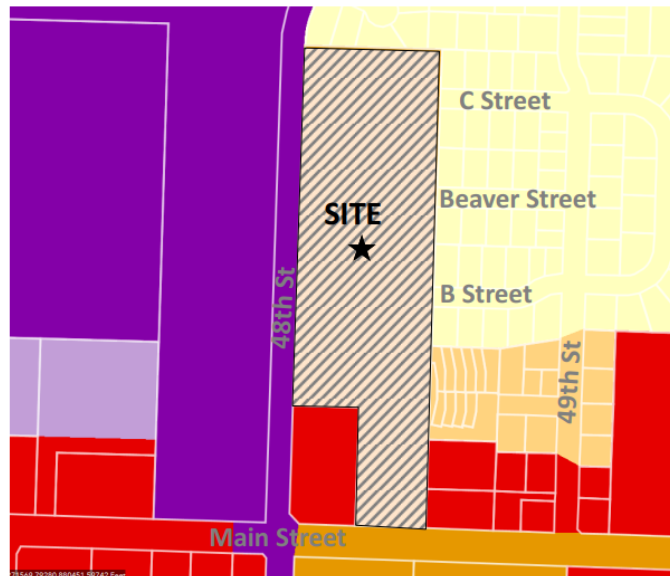
**CURRENT ZONING FOR PROPERTY REQUESTING ZONING MAP AMEMENDMENT  
48TH STREET AT MAIN STREET (ASSESSOR'S MAP 17-02-32-41, TAX LOT 400)**



**ZONING MAP LEGEND**



**PROPOSED ZONING FOR PROPERTY REQUESTING ZONING MAP AMEMENDMENT  
48TH STREET AT MAIN STREET (ASSESSOR'S MAP 17-02-32-41, TAX LOT 400)**



**ZONING MAP LEGEND**

