

Legislative Version of Amendments to the Springfield Development Code to Correct Errors and Provide Clarification

AMENDMENTS

Various Sections of the Springfield Development Code (SDC) are amended to correct errors and provide clarification. The proposed amendments are shown in legislative format (deleted text with ~~strike thru red~~ font and new text with double underline red font). For ease of review, this legislative format does not show where code language was moved from one place to another. Commentary is shown in *purple italics font*, preceding the text to which it is referring.

COMMENTARY: This change is to clarify this section.

3.2.225 Lot Coverage and Impervious Surface Standards.

- (A) Lot Coverage and ~~the amount of~~ Impervious ~~s~~Surface, may not exceed the standards listed in SDC 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.

COMMENTARY: Correct the sentence to remove typographical error and clarify that a garage can also be off street parking.

3.2.255 Triplex and Fourplex.

- (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 subsections (C)(1) and (2) below.
- (1) The garage ~~of~~ or other 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.

COMMENTARY: Provide correct reference. Existing SDC section is incorrect/outdated.

3.2.275 Accessory Dwelling Unit (ADU).

(D) Review. An accessory dwelling unit is reviewed under Type 1 procedure except in some cases in the Historic Overlay District or except as provided in SDC ~~3.2.275(F)~~ and SDC ~~3.2.275(H)(3)~~, 3.2.275(G)(3) when the accessory dwelling unit is reviewed under a Type 2 procedure.

COMMENTARY: Existing SDC section is incorrect/outdated and not necessary. Removed for clarification.

(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).

COMMENTARY: Table 3.2.320 for Permitted Uses, under the “Industrial” heading, for the use of “Manufacturing or assembly of goods or products to be sold on premises” the applicable code standard reference should be SDC 4.7.175.

SDC 3.2.300 – Commercial Districts. Table 3.2.320 Permitted Uses

Land Use	NC	CC	MRC	GO	Applicable code standards
Industrial					
Manufacture or assembly of goods or products to be sold on premises	N	P*	N	N	SDC 4.7.145 4.7.175
Warehouse and Wholesale Sales	N	P*	N	N	SDC 4.7.245 4.7.175

COMMENTARY: Table 3.2.320 for Permitted Uses. Instead of deleting this reference, it should be changed to “SDC 4.7.320” instead. This applicable code standard is only applicable to the GO land use district.

3.2.320 Permitted Uses.

Other					
Secondary Use (as defined)	P	D	D	P*	SDC 4.7.145 <u>4.7.320</u>

* Permitted subject to cited code standards.

COMMENTARY: SDC 3.2.325(B)(3)(a)(i)(A) for building setbacks needs to be modified. The current code setback requirement is 10 feet for all setbacks (front, side, rear, etc.). In the code prior to the comprehensive update in 2022, this 10-foot setback requirement was only applicable to “front, street side yard, and through lot rear yard” setbacks. Also, language was left out for “interior side, rear yard setbacks when abutting residential or CI Districts”, these setbacks should be 10 feet. This change will allow the previous zero setback for side and rear yards.

3.2.325 Development Standards.

(B) Setbacks.

(1) Setbacks provide separation between commercial and non-commercial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation. All developments must meet applicable fire and building code standards, which may require greater setbacks than those listed in this section (e.g., for combustible materials, etc.).

(2) Required setbacks are measured from the special street setback in SDC [4.2.105\(N\)](#), where applicable.

(3) The following setback standards apply to all structures, except as otherwise provided by this section.

(a) Front, Street Side Yard, and Through Lot Rear Building Setback.

(i) All commercial districts (NC, CC, MRC, and GO).

A. The minimum building setback is 10 feet.

(b) Interior Side, Rear Yard Building Setback.

(i) All commercial districts (NC, CC, MRC, and GO)

A. The building setback is zero, except when abutting residential or CI district, the building setback is 10 feet.

(c) Parking, Driveway, or Outdoor Storage Setback.

(i) **Neighborhood Commercial.** The minimum yard setback for parking, driveway, or outdoor storage is 7 feet from any property line.

(ii) Other commercial districts (CC, MRC, and GO). The minimum yard setback for parking, driveway, or outdoor storage is 5 feet from any property line.

(d) Setback Exceptions.

(i) There are no setbacks required for buildings in the Downtown Exception Area.

(ii) Architectural extensions may extend into any 5-foot or larger setback by no more than 2 feet.

Table [3.2.325\(B\)](#) summarizes the above setback standards.

<u>Table 3.2.325(B) Setback Standards</u>				
<u>Development Standard</u>	<u>NC</u>	<u>CC</u>	<u>MRC</u>	<u>GO</u>
<u>Front, Street Side Yard, and Through Lot Rear</u>				

<u>Building Setback</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Setback for parking, driveway, or outdoor storage</u>	<u>7 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Interior Side, Rear Year Setbacks</u>				
<u>Building setback</u>	<u>0 feet</u>	<u>0 feet</u>	<u>0 feet</u>	<u>0 feet</u>
<u>Setback for parking, driveway, or outdoor storage</u>	<u>7 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Interior Side, Rear Year Setbacks when abutting residential or CI district</u>				
<u>Building setback</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>

COMMENTARY: Existing SDC reference is incorrect; removed for clarification. Provide correct zoning district at the end of the table.

3.2.420 Permitted Uses.

Other					
*Secondary Use (as defined)	P	D	D	D	SDC 4.7.240
*Accessory Use (as defined)	P	P	P	P	SDC 4.7.240

* Permitted subject to cited code standards; In the SHMI District, the standard is found in SDC 3.2.425(A)(1).

COMMENTARY: The Campus Industrial Code was inadvertently left out of the Development Code Update ordinance in 2022. The City Attorney’s Office deemed the oversight a scrivener’s error that was not intended to repeal the CI provisions (see the editor’s note in the existing online code), but recommends re-adopting these sections, to remove any doubt as to their effectiveness.

There are some changes that were not presented to the Planning Commission being shown for consistency with other changes and references, otherwise this is the same code language that is currently published as part of the development code.

3.2.430 CI District—Operational Performance Standards

The operational performance standards listed below apply to all uses permitted within the CI District. For permitted light industrial manufacturing uses, compliance with these operational performance standards shall be the determining factor. In all other cases, the use lists in SDC 3.2.420 are the determining factor.

- (A) All manufacturing operations shall be entirely enclosed within a building.

EXCEPTION: The Director may allow an outdoor utility yard to store tanks containing gases and/or fluids that are essential to the operation of the permitted use that cannot otherwise be contained in an enclosed building for fire and life safety reasons, as determined by the Fire Marshall. The utility yard shall be screened from public view by a masonry or decorative concrete wall at least 8 feet in height that is an extension of the building, complements the façade of the building and meets the setback requirements specified in SDC 3.2.425.

- (B) All applicable on-site design standards specified in SDC 3.2.450 shall be met

- (C) The storage of raw materials and/or finished products shall occur entirely within enclosed buildings. The parking of trucks necessary for the operation of the facility shall also occur within enclosed buildings, unless permitted as specified in SDC 4.6.125 and SDC 3.2.450(C).

- (D) Office and commercial uses shall not primarily serve the public.

- (E) The movement of heavy equipment on or off the site shall not be permitted.

EXCEPTION: Truck deliveries and shipments are permitted;

- (F) Proposed uses not listed as permitted uses in SDC 3.4.420 are not be permitted.

- (G) Proposed uses shall also comply with the additional operational performance standards listed below. The intent is not to specifically deny a use, but ensure compliance with applicable local, State, and Federal regulations. Compliance with these operational performance standards are the continuing obligation of the property owner. Failure to comply with these operational performance standards shall be a violation of this Code and/or Chapter 5 of the Springfield Municipal Code, 1997.

- (1) Air pollution. Air pollution includes, but is not limited to, emission of smoke, dust, fumes, vapors, odors, and gases. Air pollution shall not be discernable at the property line by a human observer relying on a person's senses without the aid of a device. The applicant shall obtain and maintain all applicable licenses and permits from the appropriate local, State, and Federal agencies.

EXCEPTION: Water vapor or other benign plumes from processes or pollution control equipment shall not be considered air pollution.

- (2) Fire and explosive hazards. All activities involving the use, storage and/or disposal of flammable or explosive materials shall comply with the Uniform Fire Code as most recently adopted by the City.

- (3) Glare.

- (a) Glare resulting from exterior lighting, excluding low-intensity pedestrian-level lighting, shall be controlled by deflecting light away from abutting uses and from public rights-of-way as specified in SDC 4.5.100.
 - (b) Glare resulting from an industrial operation including welding or laser cutting shall not be visible from the outside of the building.
 - (4) Groundwater Protection. Proposed development utilizing hazardous materials that may impact groundwater quality shall be as specified in SDC 3.3.200.
 - (5) Hazardous Waste. Proposed development shall not utilize or produce hazardous waste unless permitted as specified in Oregon Administrative Rule (OAR) 340-102-0010 through 340-102-0065 or any applicable Federal regulation.
 - (6) Noise. These standards apply to noise generated by any machinery or equipment on the development site. The maximum permitted noise levels in decibels across lot/parcel lines and district boundaries shall be as specified in OAR 340-035-0035, Noise Control Standards for Industry and Commerce.

EXCEPTION: Excluded from these noise standards are background traffic on State highways and public streets and occasional sounds generated by temporary construction activities, truck deliveries, warning devices, or other similar temporary situations.
 - (7) Radiation. There are various sources of radiation, including, but not limited to ionizing radiation, electromagnetic radiation, and radiation from sonic, ultrasonic, or infrasonic waves. Uses that involve radiation shall comply with the regulations in OAR 333-100-0001 through 333-100-0080 and any applicable Federal regulation.
 - (8) Vibration. No use, other than a temporary construction operation, shall be operated in a manner that causes ground vibration that can be measured at the property line. Ground-transmitted vibration shall be measured with a seismograph or a complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in 3 mutually perpendicular directions.
- (H) Warehousing is permitted only as a secondary use in the following circumstances:
- (1) For the storage and regional wholesale distribution of products manufactured in the CI District;
 - (2) For products used in testing, design, technical training or experimental product research and development in the CI District; and/or
 - (3) In conjunction with permitted office-commercial uses in the CI District.

- (4) The secondary use status of warehousing is typically determined by a square footage standard which is less than 50 percent of the gross floor area of the primary use. In the CI District, the number of employees at the time of occupancy may also be used to determine secondary use standards status. In this case, the primary use must have 20 or more employees and the warehousing use must have fewer employees than the primary use. If the employee standard is met, the warehousing use may have more square footage than the primary use.

3.2.435 CI District—Monitoring Uses

- A. CI District uses shall be monitored by implementing a Pre-certification process. The purpose of Pre-certification is to determine whether a proposed use is, in fact, a permitted use within the CI District. Pre-certification applies to all new uses and any change of use in the CI District.
- B. The Director shall review the proposed use prior to the submittal of a development application or in some cases, a building permit. The Director shall consider both the permitted uses and the operational performance standards specified in SDC 3.2.415 and SDC 3.2.425. If the Director does not approve the Pre-certification, the applicant may submit a request in writing to the Director to make a determination that the proposed use is similar to a permitted use. If the Director cannot make a determination that the proposed use is similar to a permitted use, the applicant may apply for an Interpretation as specified in SDC 5.11.100. After Pre-certification by the Director, the form will be kept on file in the Development and Public Works Department to be used for continued compliance with SDC 3.2.420.

3.2.440 CI District—Status of Existing Uses

Unless existing uses are on the prohibited use list specified in SDC 3.2.420 after July 6, 2004, existing uses have status as specified below. The intent is that the existing uses do not become non-conforming uses.

- (A) Corporate headquarters that are located outside of a business park including, Pacific Source, Symantec, and Holt International are permitted primary uses. If these uses own or have options on adjacent property for future expansion, they may expand without the need to be located within a business park.
- (B) Large-scale light industrial manufacturing buildings may be reused for permitted office/commercial uses as long as these uses do not exceed 50 percent of the gross floor area of the building. In addition, warehousing may occur as specified in SDC 3.2.420.

EXCEPTION: For SONY, reuse may include any permitted use in the CI District. If no large- or medium-scale light industrial manufacturing use is proposed, conversion to a business park is permitted. The SONY site may also use the excess facility capacity as a private utility to serve other properties in the vicinity.

- (C) Stand-alone day care centers that primarily serve CI District businesses are a permitted secondary use.
- (D) Permitted stand alone office/commercial uses outside of business parks are a permitted primary use.
- (E) Significant Goal 5 historic resources, including the Brabham farm, the Koppe farm, and the Rice farm, may continue as a residential use or as any permitted commercial use. Any external modifications to these structures shall be as specified in SDC 3.3.900.

3.2.445 CI District—Conceptual Development Plans and Master Plans

A Conceptual Development Plan is required for all new CI Districts over 50 acres in size approved after July 6, 2004, unless a Site Plan or Master Plan is proposed for the entire CI District. A Master Plan may be submitted when phased developments exceeding 3 years in duration are proposed. A Master Plan shall comply with any applicable approved Conceptual Development Plan or upon approval of a Master Plan or Site Plan for the entire CI District, the Master Plan or Site Plan may supplant and take precedence over an approved Conceptual Development Plan. Master Plan approval for a CI District site shall be as specified in SDC 5.13.100.

3.2.450 CI District—Design Standards

In the CI District, new buildings; expansions of, or additions to existing buildings; or improvements to existing façades that require a building permit shall provide architectural designs that encourage flexibility and innovation in site planning by complying with the following on-site design standards:

- (A) Building Exteriors. In order to break up vast expansions of single element building elevations applicable to both length and height, building design shall include a combination of architectural elements and features, including, but not limited to: offsets, windows, entrances, and roof treatments.
 - (1) Offsets. Offsets shall occur at a minimum of every 100 feet of lineal building wall by providing recesses or extensions with a minimum depth of 4 feet.

EXCEPTION: Variations in building wall materials, including, but not limited to: wood siding, brick, stucco, textured concrete block, tile, glass, stone, or other suitable materials may be used instead of offsets.

The Director, in consultation with the Building Official, may approve other suitable materials without the need for a Variance. Smooth-faced concrete panels or prefabricated steel panels may also be used as accents, but shall not dominate the building exterior. Exterior colors for buildings and fences shall be subdued or earth tones.

- (2) Windows. Ground floor windows are required for all office and commercial uses, including those office and commercial uses that are contained within light industrial manufacturing uses. Ground floor windows for the remainder of a light industrial building are optional. All elevations of office and commercial buildings abutting any street shall provide at least 50 percent of their length (e.g., a 100-foot-wide building façade shall have a total of at least 50 linear feet of windows) and at least 25 percent of the ground floor wall area as windows and/or doors that allow views into lobbies, merchandise displays, or work areas. On corner lots/parcels this provision applies to both elevations. Where upper story windows are proposed, either awnings, canopies, or other similar treatments shall be required for ground floor windows or variations in window materials, trim, paint or ornamentation may be used.

EXCEPTIONS:

- (a) A mural, that does not include any advertising, may be used to meet 50 percent of the ground floor window standard specified in Subsection 2., above. Murals are regulated under Chapter 8.234 of the Springfield Municipal Code, 1997.
- (b) Building elevations adjacent to alleys or vehicle accessways used primarily for servicing and deliveries are exempt from this standard
- (3) Entrances. To the greatest extent practicable, all new buildings in the CI District shall be oriented toward both exterior and internal streets.
- (a) The primary entrance to all buildings in the CI District shall be visible from the street; and
- (b) A weather-protected area, including, but not limited to: awnings or canopies, at least 6 feet wide, shall be provided at all public entrances.
- (4) Roof Treatments. The following roof treatments are required.
- (a) Sloped roofs and multiple roof elements shall be the primary methods for roof treatment. Variations within one architectural style; visible roof lines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground and architectural methods used to conceal flat roof tops may also be used. Mansard style roofs shall not be permitted. If building wall offsets are used, offsets or breaks in roof elevation with a minimum of 3 feet or more in height may be used for every 100 feet of lineal building wall.
- (b) The architectural design of the building roof shall also incorporate features which screen all heating, ventilation and air conditioning units

from adjacent R-1 and R-2 properties and the street. Mechanical equipment shall also be buffered so that noise emissions do not exceed the standards specified in SDC 3.2.430(G)(6). The City may require a noise study certified by a licensed acoustical engineer for compliance verification.

(B) Landscaping. The following landscaping standards are in addition to standards specified in SDC 4.4.105:

- (1)** A minimum of 35 percent of each development area shall be landscaped open space.
- (2)** Plants shall be sized to attain 90 percent coverage of required landscape areas (excluding tree canopies), within 3 years of installation. Plantings of native species and plant communities shall achieve 90 percent coverage within 5 years of installation.
- (3)** At least 10 percent of the interior of a parking lot having 20 or more parking spaces shall be landscaped. This standard is in addition to any landscaping setbacks required in SDC 3.2.425.
- (4)** Natural assets identified in the Gateway Refinement Plan, any other applicable refinement plan or elsewhere in this Code shall be included in the site design and protected. Where protection of these natural assets prevents the development of the site consistent with this Code, the functional equivalent of the natural assets may be substituted as may be allowed by the City.

(C) Screening. Screening shall be as specified in SDC 4.4.110. In addition, truck parking for vehicles necessary for the operation of the facility shall be screened by a masonry or concrete wall that is an extension of the building and complements the façade of the building. The wall shall have a minimum height of 8 feet. The wall shall totally conceal trucks from public view and shall meet the setback requirement specified in SDC 3.2.425.

EXCEPTION: The Director may consider proposed truck parking that is enclosed by buildings and complies with SDC 4.6.125.

(D) Pedestrian Walkways and River Access

- (1)** Walkways from a sidewalk to building entrances. A continuous pedestrian walkway shall be provided from the primary frontage sidewalk for pedestrians to access building entrances.
- (2)** Walkways from parking lots to building entrances. Internal pedestrian walkways shall be developed for persons who need access to the buildings from the parking lots. The walkways shall be located within the parking lots and designed to provide access from the parking lots to the entrances of the buildings. The

walkways shall be distinguished from the parking and driving areas by use of any of the following material: special pavers, brick, raised elevation, scored concrete or other materials as approved by the Director.

- (3) In the Gateway CI District, access to the McKenzie River, both for pedestrians and bicycles, shall be addressed in the site design, where specified in the applicable refinement plan or Springfield Transportation System Plan.
- (E) Transit Stations and Stops. When required, transit stations and stops shall conform to the standards of the Lane Transit District.

3.2.455 Business/Industrial Parks

- (A) Development plans submitted as part of a Business/Industrial Park Site Plan Review application shall be prepared by a design team comprised of a project architect, engineer, and landscape architect, 1 of whom shall serve as the project coordinator. The design team shall certify that building, elevation, site, and landscape plans submitted in connection with the Site Plan Review application comply with the on-site design standards specified in SDC 3.2.450 and any other applicable CI District provisions.
- (B) Subdivisions in the LMI District shall conform to Industrial Park standards
 - (1) Development plans submitted as part of an Industrial Park Site Plan Review application shall be prepared by a design team comprised of a project architect, engineer, and landscape architect, one of whom shall serve as coordinator. The design team shall certify that building, site, and landscape plans submitted in connection with the Site Plan Review and Building Permit applications comply with applicable SDC provisions and conditions of approval.
 - (2) Buildings and uses within an Industrial Park shall be approved as specified in the criteria specified below:
 - (a) The proposed development is of general design character, (including, but not limited to: anticipated building design, type, location, setback, bulk, height, signage, and distribution of landscaped area, parking, streets and access) which will not create problems for the appropriate development of neighboring properties.
 - (b) The proposed development will create an attractive, safe, efficient, and stable internal environment.
- (C) Proposed buildings, streets and other uses will be designed and sited to ensure preservation of significant on-site vegetation, topographic features, and other unique or worthwhile natural features, and to prevent soil erosion or flood hazard.

COMMENTARY: Existing SDC references are incorrect; removed for clarification and corrected. Removed reference to Maximum Shade Point as the section is no longer in the development code. Provide correct reference to Zoning Code District following previous code change.

3.2.615 Base Zone Mixed-Use Development Standards.

The following base zone mixed-use development standards are established.

Development Standard	MUC	MUE	MUR
Minimum Area	6,000 square feet	10,000 square feet	See SDC 3.2.215
Minimum Street Frontage(1)	40 feet	75 feet	See SDC 3.2.215
Maximum Lot/Parcel Coverage	Lot/parcel coverage standards in the MUC and MUE Districts are limited only by standards (including, but not limited to: parking, landscaping) specified in SDC 4.4.105 and 4.6.100. Generally, there is no maximum lot/parcel coverage standard.		45%
Minimum Landscaping	Minimum requirements defined by standards in other sections of this code.		
Landscaped Setbacks(2), (3), (4) and (5)			
Front, Street Side Yard, and Through Lot/Parcel Rear Yard			
Building Setback	None	10 feet	See SDC 3.2.215 3.2.220
Parking, driveway, and outdoor storage setback	5 feet	5 feet	See SDC 3.2.215 3.2.220
Interior Side, Rear Yard Setbacks when Abutting Residential or CI Districts			
Building Setback	10 feet	10 feet	See SDC 3.2.215 3.2.220
Parking, Driveway, Outdoor Storage Setback	5 feet	5 feet	See SDC 3.2.215 3.2.220
Maximum Building Height(6)			
Maximum unless abutting residential districts (See below)	90 feet	60 feet	60 feet
When abutting an LDR, MDR, or MUR District to the north	Defined by the Maximum Shade Point Height requirement of SDC 3.2.225(A)(1)(b), or up to 50 feet south of a northern lot/parcel line a plane extending south with an angle of 23 degrees and originating from the top of		See SDC 3.2.225

Development Standard	MUC	MUE	MUR
	a 16 foot hypothetical fence located on the northern lot/parcel line.		
When abutting an LDRR-1, MDRR-2, or MUR District to the east, west, or south	No greater than that permitted in the LDR R-1 or MDR R-2 Districts for a distance of 50 feet from the abutting R-1, R-2, or MUR District.		See SDC 3.2.225 <u>3.2.230</u>

COMMENTARY: Modify existing language for clarification.

3.3.810 Applicability.

(B) EXCEPTIONS:

- (2) The UF-10 Overlay District ~~shall~~ will cease to apply to a property upon annexation to the City.

COMMENTARY: Existing language is incorrect/outdated. Revised for clarification.

3.3.820 Review.

- (A) The siting of single-unit dwelling detached, ~~duplexes~~ duplexes, and accessory dwelling units in the UF-10 Overlay District that require a Future Development Plan as specified in SDC 5.12.120(E) ~~shall be is~~ reviewed under Type 1 procedure.

COMMENTARY: The term "bed and breakfast" was removed from the code with the 2022 development code update project. The term was replaced with "Short Term Rental". This reference was missed and is being revised for clarification.

3.3.935 Schedule of Use Categories.

- (B) **The Washburne Historic Landmark District.** To encourage investment in the historic restoration of existing homes, limited small-scale businesses shall be considered in residential districts. These businesses may operate out of a home, provided that the residential character of the neighborhood and the integrity of the Historic Landmark Site or Structure is not substantially altered. Therefore, in addition to uses permitted in the underlying residential district, the following additional uses may be permitted subject to the Specific Development standards

of subsection (C), below and the provisions, additional restrictions and exceptions specified in SDC 3.3.900—3.3.950.

(4) ~~Bed and breakfast facilities~~ Short Term Rental.

COMMENTARY: Correct the sentences to remove typographical errors. The 32 feet in SDC 4.2.120(2)(b) should read 30 feet to match the number in Table 4.2.2 below and the driveway separation in the Industrial district should read 18' instead of 8' in the table.

4.2.120 Site Access and Driveway Standards.

(A) Site Access and Driveways—General.

(2) Single-unit detached dwellings and middle housing with frontage on a local street may have 2 or more driveway accesses from the local street as follows:

- (a)** One driveway access that meets the eat-standards in SDC Tables 4.2.2 through 4.2.5 is permitted per dwelling unit, including accessory dwelling units. These driveway accesses may be combined or consolidated.
- (b)** The lot or parcel may have 1 additional driveway serving an accessory structure, rear yard, or side yard that meets the standards in SDC Tables 4.2.2 through 4.2.5. The total driveway width across any frontage with 2 or more driveways must not exceed 3230 feet.

Table 4.2.2

Driveway Design Specifications					
Land Use	Driveway Width		Transition Width	Driveway Separation	Paving Distance (2)(3)
Single unit dwellings, duplexes and middle housing	12' minimum if serving 1 dwelling unit; 18' minimum if serving 2 or more dwelling units 30' maximum or 50% property frontage maximum, whichever is less		3' required	1' minimum between outside edge of transitions No maximum	18' from property line minimum
Land Use	1-Way Driveway Width	2-Way Driveway Width	Transition Width	Driveway Throat Depth (1)	Paving Distance (2)
Multiple Unit Housing and Manufactured Dwelling Parks	12' min. 18' max.	24' min. 35' max.	5' min. 8' max.	18' min. No max.	Entire length of driveway

Commercial/Public Land	12' min. 18' max.	24' min. 35' max.	8' min. No max.	18' min. No max.	Entire length of driveway
Industrial	12' min. 18' max.	24' min. 35' max.	8' min. No max.	<u>18'</u> min. No max.	Up to employee or customer parking area at minimum

COMMENTARY: Existing citation is incorrect/outdated. Revised for clarification. Section 4.3.110(6) – Identification of Water Quality Limited Watercourses and (7) Protection of Riparian Area Functions was moved to 4.3.115(B) and (C) respectively with the Springfield Post-Construction Stormwater Requirements Update project. Therefore, the correct reference is 4.3.115(C).

4.3.115 Water Quality Protection.

- (A) When addressing criterion (E) as specified in SDC 5.12.125, for Land Divisions, and SDC 5.17.125 for Site Plan Review to protect riparian areas along watercourses shown on the Water Quality Limited Watercourses (WQLW) Map, the following riparian area boundaries must be utilized:
 - (2) Along all watercourses shown on the WQLW Map with average annual stream flow less than 1,000 CFS the riparian area boundary is 50 feet landward from the top of the bank. Existing native vegetative ground cover and trees must be preserved, conserved, and maintained both between the ordinary low water line and the top of bank and 50 feet landward from the top of bank.
 - (a) For all watercourses subject to SDC 4.3.115(A)(2), other than the Mill Race or Cedar Creek, the 50-foot riparian area standard may be reduced to 35 feet, provided an equivalent amount and function of pervious land is established elsewhere on the property that utilizes water quality measures including, but not limited to: wetlands; bioswales; and additional trees, especially in parking areas, exclusive of otherwise required water quality measures and landscape areas. The applicant has the burden of proof to demonstrate, to the satisfaction of the Director, equivalency in relation to both the amount of pervious land (as specified above) and riparian area function (as specified in SDC ~~4.3.110(G)~~ 4.3.115(C)).
- (C) For protection of water quality and protection of riparian area functions as specified in SDC ~~4.3.110~~ 4.3.115(C), the following standards apply:

COMMENTARY: Existing citation is incorrect/outdated; removed for clarification.

4.4.115 Fences.

- (A) General. Fences must not exceed the height standards in Table 4.4.1 and must be located as provided in this SDC 4.4.115. In mixed use districts or any land use district not specified in Table 4.4.1, the applicable fence standards in Table 4.4.1 must be determined based on the primary use in the development area, unless another standard is specified elsewhere in this code.
- (1) Fence height is measured from the average height of the grade adjacent to where the fence is to be located. If a fence is to be constructed on top of a berm, the height is measured from the top of the berm.
 - (2) Fences must be permitted as specified in the screening standards in SDC 4.4.110. Where permitted in the commercial, industrial, mixed use employment and the PLO Districts, outdoor storage of materials must be screened by a 100 percent sight obscuring fence when abutting residential districts along common property lines. Partial screening along rights-of-way and non-residential districts may be permitted when necessary for security reasons.
- (B) Review Procedure.
- (1) A construction permit is required for fences over 6 feet in height, in addition to any other permits or approvals required by this code.
 - (2) Fences within the Willamette Greenway Setback area are reviewed under Discretionary Use procedure for fences as specified in SDC 5.9.120 ~~and as required in SDC 3.3.225.~~

COMMENTARY: Existing citation is incorrect/outdated; revised to be consistent with SDC 3.2.415(E) Warehouse and Wholesale Sales.

4.7.245 Warehouse ~~Commercial Retail~~ and Wholesale Sales.

COMMENTARY: Existing citation is incorrect. Revised for clarification to read 0.2 rather than 2 foot-candles.

4.7.380 Multiple Unit Housing (Clear and Objective Standards).

- (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 developments.

(6) Pedestrian Circulation. Multiple unit housing developments with more than 20 units must provide pedestrian circulation as specified in the following standards.

(h) All on-site internal sidewalks must be lighted to a minimum of 0.2 foot-candles.

COMMENTARY: The Development Code Update project removed the Final Site Plan Equivalent process and added the term Short-Term Rental. The reference to Final Site Plan Equivalent has been removed and the applicable SDC section for Short Term Rentals has been added.

5.1.1300 Summary of Development Application Types.

There are 4 types of procedures: Type 1, 2, 3, and 4. Table [5.1.1300](#) lists the City's development applications and their required types of procedure(s).

<i>Type of Application</i>	<i>Decision Type</i>	<i>Applicable SDC Sections</i>
Accessory Dwelling Unit	Type 1 or Type 2	3.2.275
Amendment of Development Code Text	Type 4	5.6.100
Amendment of Refinement Plan Text or Diagram	Type 4	5.6.100
Annexation	Type 4	5.7.100
Appeal of a Type II Director's Decision	Type 3	5.1.800
Appeal of Type III Decision to City Council	Type 4	5.1.800
Appeal of an Expedited Land Division	Type 3	5.12.240
Conceptual Development Plan	Type 3	Applicable Section
Conceptual Development Plan Amendment	Type 3	Applicable Section
Demolition of Historic Landmark	Type 3	3.3.900
Determination of Nonconforming Use Status	Type 1	5.8.100
Development Initiation Meeting	Type 1	5.1.210
Discretionary Use	Type 3	5.9.100
Drinking Water Protection Overlay District Development	Type 1	3.3.200
Duplex and Detached Single-Family Dwelling Design Standards	Type 1	3.2.245
Emergency Medical Hardship	Type 2	5.10.100
Establishment of Historic Landmark Inventory	Type 3	3.3.900
Expansion/Modification of a Non-Conforming Use	Type 2	5.8.100
Expedited Land Division	Type 2	5.12.200
Extraterritorial Extension of Water or Sewer Service	Type 4	3.3.825
Final Site Plan Equivalent	Type 1	5.17.100

<i>Type of Application</i>	<i>Decision Type</i>	<i>Applicable SDC Sections</i>
Final Site Plan Review/Development Agreement	Type 1	5.17.100
Floodplain Development	Type 1	3.3.400
Hillside Development Overlay District	Type 2	3.3.500
Historic Commission Review—Major Alteration	Type 2	3.3.900
Historic Commission Review—Minor Alterations	Type 1	3.3.900
Home Business	Type 1	4.7.365
HS Hospital Support Overlay District	Type 2	3.3.1100
Interpretation involving policy	Type 4	5.11.100
Interpretation not involving policy	Type 3/no formal review	5.11.100/3.4.260
Land Use Compatibility Statement	Type 1	3.1.100
Major or Minor Replat Tentative Plan	Type 2	5.12.100
Major or Minor Replat Plat	Type 1	5.12.100
Major Variance	Type 3	5.21.100
Manufactured Dwelling Park	Type 2	4.7.345
Multiple Unit Housing Discretionary Review	Type 2 or Type 3	3.2.385
Multiple Unit Housing Variance	Type 2	3.2.390
Master Plan	Type 3	5.13.100
Master Plan Amendment	Various	5.13.100
Metro Plan Amendment Type 1 (text) or Type 2 (diagram)	Type 4	5.14.100
Middle Housing (Triplex, Fourplex, Cottage Cluster, Townhomes)	Type 3	3.2.250 to 3.2.265
Minimum Development Standards	Type 1	5.15.100
Minor Variance	Type 2	5.21.100
Partition Tentative Plan	Type 2	5.12.100
Pre-Application Report	Type 1	5.1.120
Property Line Adjustment—Single	Type 1	5.16.100
Property Line Adjustment—Serial	Type 2	5.16.100
Site Plan Modification—Minor	Type 1	5.17.100
Site Plan Review Modification—Major	Type 2	5.17.100
Site Plan Review	Type 2	5.17.100
Short Term Rental Type 1	Type 1	4.7.355
Short Term Rental Type 2	Type 3	4.7.355
Solar Access Protection	Type 2	5.18.100
Subdivision Tentative Plan	Type 2	5.12.100
Tree Felling Permit	Type 2	5.19.100
Vacation of Plats, Public Right-of-Way, or Other Public Property	Type 4	5.20.100
Vacation of Public Easements	Type 2	5.20.100

<i>Type of Application</i>	<i>Decision Type</i>	<i>Applicable SDC Sections</i>
Willamette Greenway Overlay District Development	Type 3	3.3.300/3.4.280
Wireless Telecommunications Systems Facilities	Type 1, 2, or 3	4.3.145
Land Use District Map Amendment	Type 3	5.22.100

COMMENTARY: Existing terminology is incorrect/outdated. Revised for clarification and to request that applicants attend Development Initiation Meetings.

5.7.120 Development ~~Issues~~ Initiation Meeting.

The applicant ~~shall~~ must schedule and attend a Development ~~Issues-Initiation~~ Meeting prior to filing an annexation application where staff will inform the applicant of the annexation application submittal requirements and procedures specified in this section, unless waived by the Director.

COMMENTARY: Existing citation is incorrect/outdated. Revised for clarification.

5.7.125 Annexation Initiation and Application Submittal.

- (A) An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided below.
- (B) In addition to the provisions specified in SDC ~~5.4.105~~ 5.1.220, an annexation application ~~shall~~ must include the following:

COMMENTARY: Existing citation is incorrect/outdated. Revised for clarification.

5.12.225 Criteria of Approval—Middle Housing Land Division.

- (A) The Director will approve a tentative plan for middle housing land division based on whether it satisfies the following criteria of approval:
- (B) The application provides for the development of middle housing in compliance with SDC ~~4.7.315~~ 3.2.250 as applicable to the original lot or parcel.

COMMENTARY: The Development Code Update project removed the Final Site Plan Equivalent process, so this reference is being removed.

5.17.110 Applicability.

~~(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 SDC 5.17.135.~~

~~This approval is necessary to allow a property to complete a site plan modification process specified in subsection (C) below, or for future additions or expansions.~~

(BC) Existing lawfully developed sites that do not conform to the current standards of this code are only required to meet current standards on the portions of the site affected by the proposed alteration or expansion. Any alterations to the site must meet current code standards.

COMMENTARY: Update citations.

5.17.115 Submittal Standards.

(H) Phased Development Plan. The application must include a Phased Development Plan if phasing is proposed. The plan must indicate any proposed phases for development, including the boundaries and sequencing of each phase ~~as specified in SDC 5.17.115~~. Phasing must 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. The Approval Authority may require the applicant to enter into an agreement for phased developments, and may require bonding or other assurances for improvements, in accordance with SDC ~~5.17.135(E)5.15.135, Bonding and Assurances for Development~~.

COMMENTARY: The definition of "Yard, Through-Lot/Parcel Rear Yard" has a minor typo in it that needs to be changed.

6.1.110 Definitions

Yard, Through-Lot/Parcel Rear Yard. The first 10 feet of land paralleling street right-of-way ~~this that~~ is parallel to and most distant from the front yard property boundary used for address purposes.