City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477
Planning@springfield-or.gov

Adjustment Request (SB 1537)

Required Project Information	***(Applicant: complete this section)***
Applicant Name:	**Phone:**
Company:	**Email:**
Address:	
Applicant's Rep.:	**Phone:**
Company:	**Email:**
Address:	
Property Owner:	**Phone:**
Company:	**Email:**
Address:	
ASSESSOR'S MAP NO:	**TAX LOT NO(S):**
Property Address:	
Size of Property:	**Acres** ☐ **Square Feet** ☐
Description of Proposal:	If you are filling in this form by hand, please attach your proposal description to this application.
Existing Use:	
Adjustment(s) being requested:	
Associated Application(s):.	

Required Project Information		***(City Intake Staff: complete this section)***
Associated Applications:		
Case No.:	**Date:**	**Reviewed by:**
Application Fee: $	**Admin Fee: $**	**Notice Fee: $**
TOTAL FEES: $	**PROJECT NUMBER:**	

Signatures

Applicant: The undersigned acknowledges that the information in this application is correct and accurate.

_____ **Date:** _____

Signature

_____

Print

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

_____ **Date:** _____

Signature

_____

Print

Senate Bill (SB)1537 requires local governments to grant adjustments for specific development and design standards if the request for an adjustment is an application to develop housing and meets certain conditions. The granting of adjustments under SB 1537 ends on January 2, 2032.

Adjustments Application Process

1. Applicant Submits a Adjustments Application to the Development & Public Works Department

- The application must conform to the *Adjustments Submittal Requirements Checklist* on page 4 of this application packet.
- Planning staff screen the submittal at the front counter to determine whether all required items listed in the *Adjustments Submittal Requirements Checklist* have been submitted.
- Applications missing required items will not be accepted for submittal.

2. Review Process

- A decision on an application for an adjustment under this section is a limited land use decision and is processed as a Type 1 Application. The adjustment application must be reviewed concurrently with the associated development application.
- Only the applicant may appeal the decision.

➢ **Definitions** The following words and phrases used in this application are from SB 1537 and have the following meanings:

Adjustment means a deviation from an existing land use regulation. "Adjustment" does not include

- A request to allow a use of property not otherwise permissible under applicable zoning (land use district) requirements;
- Deviations from land use regulations or requirements related to accessibility, affordability, fire ingress or egress, safety, tree preservation, hazardous or contaminated site clean-up, wildlife protection, or statewide land use planning goals relating to natural resources or natural hazards; or
- A complete waiver of land use regulations or any changes beyond the explicitly requested and allowed adjustments; or
- Deviations to requirements related to the implementation of fire or building codes, federal or state air, water quality or surface, ground or stormwater requirements, or requirements of any federal, state or local law other than a land use regulation.

Distinct adjustment means an adjustment to one of the development or design standards listed below, where each discrete adjustment to a listed standard that includes multiple component standards must be counted as an individual adjustment.

Net residential acre means an acre of land, excluding rights of way for streets, roads or utilities or sensitive land.

Visitable means capable of being approached, entered and used by individuals with mobility impairments, including but not limited to individuals using wheelchairs. A dwelling unit subject to the Oregon Residential Specialty Code is visitable if it meets one or more of the provisions for Type C units in ICC A117.1 (2017)

3. **Applicability** An application to develop housing qualifies for an adjustment if the following are met:

    - The development is located on lots or parcels in Residential, Commercial or Mixed-Use Zoning Districts.
    - The development is for a minimum of ten dwelling units per net residential acre.
    - The development is within the urban growth boundary and City limits.
    - The development is for net new dwelling units (i.e., the replacement of one or more existing dwelling units does not qualify as net new dwelling units), including:
        - Single-unit detached dwellings;
        - Manufactured dwelling parks;
        - Accessory dwelling units (ADUs);
        - Duplexes, triplexes, quadplexes, cottage developments, and townhouses;
        - Multi-unit residential; or
        - Mixed-use residential where at least 75 percent of the developed floor area will be used for residential uses.

4. **Approval Criteria** An applicant may request a maximum of ten (10) distinct adjustments to the development and design standards in the Development and Design Standard Adjustment Options provided the applicant states how at least one of the following criteria apply:

    - The adjustments will enable development of housing that is not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations.
    - The adjustments will enable development of housing that reduces the sale or rental prices per residential unit.
    - The adjustments will increase the number of dwelling units within the application.
    - The adjustments will enable the provision of accessibility or visitability features in dwelling units that are not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations.
    - All of the units in the application are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and

community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.

- All dwelling units are subject to an affordable housing covenant to be affordable to moderate income (80-120% Area Median Income) households for at least 30 years.

- At least 20% of units are subject to an affordable housing covenant to be affordable to low-income households (≤80% Area Median Income) for at least 60 years.

➢ ***Development Standards Adjustment Options***. The following development standards may be adjusted:

- Side or rear setbacks not more than 10 percent
- Common area, open space area or landscape area on the same lot or parcel as the proposed dwelling units of not more than a 25 percent reduction.
- Minimum lot or parcel sizes, not more than 10 percent, and including lot widths or depths not more than 10 percent.
- Maximum lot or parcel sizes, not more than 10 percent, and including lot widths or depths not more than 10 percent, if the adjustment results in more dwelling units than would be allowed without adjustment, and the adjustment does not result in a reduction of density below the minimum applicable density.
- Building lot coverage requirements not more than 10 percent.
- For developments that require bicycle parking:
  - The minimum number of spaces for use by residents of the project, provided the application includes at least one-half space per unit; or
  - The location of the spaces as required in other sections of SDC 4.6.100, provided that lockable, covered bicycle parking spaces are located within the development site.
- Except for single-unit detached dwellings and ADUs:
  - Unit density maximums not more than an amount as necessary to account for other adjustments under this section. The maximum densities cannot be fully waived.
  - Ground floor uses of a mixed-use building to allow:
    - Residential uses except for one face of the building that faces the street and is within 20 feet of the street; and
    - Nonresidential active uses that support the residential uses of the building, including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or live-work spaces, except for active uses in specifically and clearly defined mixed use areas or commercial corridors designated by local governments.
- Except for single-unit detached dwellings, ADUs and cottage developments, building height maximums that:
  - Are in addition to existing applicable height bonuses; and

- Are not more than an increase of the greater of one story or a 20 percent increase to the corresponding land use district height. Where a fractional number results, the number is rounded down to the next whole number. In no case can the height exceed both an increase of one story and 20 percent of the corresponding land use district height.

- ***Design Standards Adjustment Options.*** The following design standards may be adjusted:must be available for a full adjustment:
  - Facade materials, color or pattern.
  - Facade articulation.
  - Roof forms and materials.
  - Entry and garage door materials
  - Garage door orientation, unless the building is adjacent to or across from a school or public park.
  - Window materials, except for bird-safe glazing requirements.
  - Except for single-unit detached dwellings and ADUs:
    - Building orientation requirements, not including street orientation requirements.
    - Building height transition requirements, not more than 50 percent from the corresponding land use district .
    - Balcony and porch requirements.
    - Recess and offset requirements.
  - Must allow up to 30% adjustment if application includes at least 12% of total façade as window area:
  - Total window area.

Adjustment Request Submittal Requirements Checklist

NOTE: If you feel an item does not apply, please state the reason why and attach the explanation to this form.

☐ **Submitted Concurrently** with Residential application

☐ **Application Fee -** refer to the *Master Fees & Charges Schedule* for the appropriate fee calculation. A copy of the fee schedule is available at the Development & Public Works Department and on the website at www.springfield-or.gov. The applicable application, administrative, and notice fees are collected at the time of complete application submittal.

☐ **SB 1537 Adjustments Request Application Form**

☐ **Narrative** explaining the proposal and any additional information that may have a bearing in determining the action to be taken, and must address the following: the proposal meets the minimum of ten (10) dwelling units per net residential acre, the total requested adjustments do not exceed ten (10) distinct adjustments,. And states how one of the approval criteria are met.

NOTE: Before the Director can approve a SB 1537 Adjustments Request, information submitted by the applicant must adequately support the request. All of the Approval Criteria must be addressed by the applicant. Incomplete applications, as well as insufficient or unclear data, will delay the application review process and may result in denial. In certain circumstances, it is advisable to hire a professional planner or land use attorney to prepare the required findings.