

Proposed Amendments

**SPRINGFIELD AND LANE COUNTY PLANNING COMMISSIONS
CODE AMENDMENTS
ALLOWING ACCESSORY DWELLING UNITS (ADUs) IN THE URBAN FRINGE**

Planning Commission Public Hearing Date: May 8, 2018
Springfield Journal #: 811-17-000057-TYP4

PROPOSAL DESCRIPTION

Proposal: In compliance with state legislation passed in 2017 (Senate Bill 1051) and 2018 (House Bill 4031), these code amendments would allow accessory dwelling units (ADUs) within the urbanizable area of Springfield's urban growth boundary. The amendments proposed affect Springfield Development Code, Section 3.2-200 Residential Zoning Districts, Section 3.3-800 Urbanizable Fringe Overlay District, and Section 5.5 Accessory Dwelling Units. These code amendments would allow owners of residentially-zoned property between the city limits and urban growth boundary to add an ADU on land developed with a single family detached home, subject to specific conditions identified in Sections 3.3-825 and 5.5.

There are also some minor amendments affecting the setback from an alley when converting a garage to an ADU, requiring that unpaved off-street parking spaces be rocked and maintained, and always requiring a foundation for manufactured homes and towable structures.

Applicant: City of Springfield

Location: The proposed amendments would allow accessory dwelling units on residentially-zoned properties within the Urbanizable Fringe Overlay District.

BACKGROUND

In 2017, the City Council developed an affordable housing strategy with the goal of increasing the supply and accessibility of housing in Springfield throughout the housing continuum. One of the strategies is to encourage the construction of ADUs. On March 5, 2018, the Council adopted Ordinance 6376 which amended the Springfield Development Code to make it easier and potentially less expensive to add an ADU within the city limits. Key changes included allowing ADUs in the Medium and High Density Residential zones (in addition to the Low Density Residential zone) if the resulting development meets minimum densities, allowing ADUs in the Washburne Historic District, removing the owner occupancy requirement, relaxing the off-street parking requirements, and providing more flexibility in design standards.

Now, in compliance with Senate Bill 1051 which is codified as ORS 197.312(5), the City is amending the code to allow accessory dwelling units outside the city, within the urban growth boundary. The development and design standards for an ADU outside the city limits are proposed to be the same as those required for ADUs inside the city.

Benefitting from some experience applying the new code language for accessory dwelling units, city staff identified a few minor edits to help clarify alley setbacks, unpaved parking, and foundations for manufactured homes and towable structures.

The proposed amendments and supporting documents and evidence will be available on the city’s website at <http://www.springfield-or.gov/dpw/AccessoryDwellingUnits.htm>. They are also available for inspection at no cost at the Lane County Land Management Division office at 3050 North Delta Highway in Eugene and at Springfield’s Development and Public Works Department at Springfield City Hall at 225 5th Street. A copy of the staff report will be available for inspection at no cost at least 7 days prior to the public hearing. Copies of these materials will be provided at a reasonable cost upon request. Following Planning Commission action, the recommendation and proposed amendments will be considered for adoption by the Board of County Commissioners and the Springfield City Council.

Amendments to the Springfield Development Code to Allow Accessory Dwelling Units (ADUs) in the Urbanizable Fringe

The amendments are shown in legislative format (deleted text with strike-thru red font and new text with double underline red font). Commentary is shown in purple italics font.

Chapter 3 Land Use Districts 3.2-200 Residential Zoning Districts

Commentary: Allow for an existing garage that is less than 5 feet from alley to convert to an ADU.

3.2-215 Base Zone Development Standards

The following base zone development standards are established.

Development Standard	Residential Zoning District			
	Low Density Residential (LDR)	Small Lot Residential (SLR)	Medium Density Residential (MDR)	High Density Residential (HDR)
Minimum Setbacks for Primary Structures and Accessory Dwelling Units (4)(5)(7)(8)(9)(10)(19)				

(19) Accessory dwelling units may be located up to 5 feet from an alley. If the accessory dwelling is located above an alley access garage, or the existing garage is converted to an accessory dwelling unit, the setback for the garage from the alley also applies to the accessory dwelling unit, even if it is less than 5 feet.

Chapter 3 Land Use Districts Section 3.3-800 Urbanizable Fringe Overlay District

Commentary: Allow ADUs as a permitted use in residential zones in the urbanizable fringe.

3.3-815 Schedule of Use Categories when there is an Underlying Residential, Commercial, or Industrial District

The following uses may be permitted in the underlying residential, commercial, or industrial district subject to the provisions, additional restrictions and exceptions specified in this Code. **EXCEPT AS SPECIFIED IN SECTION 3.3-810B., URBAN USES (e.g., multiple-family or churches) NOT LISTED IN THE UF-10 OVERLAY DISTRICT ARE NOT PERMITTED.**

“P” = PERMITTED USE subject to the standards of this Code.

“S” = SPECIAL DEVELOPMENT STANDARDS subject to special locational and/or siting standards as specified in Section 4.7-100.

“D” = DISCRETIONARY USE subject to review and analysis under Type III procedure (Section 5.9-100) at the Planning Commission or Hearings Official level.

“N” = NOT PERMITTED

* = SITE PLAN REVIEW REQUIRED

Use Category	Underlying Zoning District		
	Residential	Commercial	Industrial
Agricultural uses and structures	P	P	P
Child care facility (Section 4.7-125)	S	N	N
Detached single-family dwellings and manufactured homes (Section 3.3-825)	P	N	N
<u>Accessory dwelling unit (Sections 3.3-825 and 5.5-100)</u>	<u>P</u>	<u>N</u>	<u>N</u>
Home Occupations (Section 4.7-165)	S	S	S

3.3-820 Review

A. The siting of single-family residences and accessory dwelling units in the UF-10 Overlay District that require a Future Development Plan as specified in Section 5.12-120E. shall be reviewed under Type I procedure.

3.3-825 Additional Provisions

D. Siting of Residential Uses. Detached single-family dwellings and accessory dwelling units shall be sited to allow the future division and/or more intensive use of the property. The applicable on-site sewage disposal facility shall be conditional, and made a part of any permit necessary to achieve the standards of this Overlay District. The following standards apply:

1. In order to achieve ultimate densities provided in the Metro Plan, the siting of single-family homes and accessory dwelling units on any lot/parcel designated MDR or HDR, or any lot/parcel 5 acres or more in size and designated LDR, shall require approval of a Future Development Plan as specified in Section 5.12-120E.
2. Additional development restrictions that limit the location of buildings and on-site sewage disposal facilities shall be applied where necessary to reserve land for future urban development.

**Chapter 5 The Development Review Process and Applications
Section 5.5 Accessory Dwelling Units**

Commentary: Allow ADUs in the urbanizable fringe outside the city limits.

5.5-110 Applicability

- A. Accessory dwelling units are permitted on LDR properties with a primary dwelling, ~~within the city limits.~~
- B. Accessory dwelling units are permitted on MDR properties with a primary dwelling, ~~within the city limits,~~ according to the following standards:
1. On a lot or parcel with area 6,650 square feet or less, 1 or 2 accessory dwelling units are permitted.
 2. On a lot or parcel with area greater than 6,650 square feet but not greater than 10,000 square feet, 2 accessory dwelling units are permitted. A single accessory dwelling unit on such lot or parcel is not permitted.
 3. An accessory dwelling unit is not permitted on a lot or parcel with area greater than 10,000 square feet.
 4. If 2 accessory dwellings are constructed, at least 1 must be detached from the primary dwelling.
- C. Accessory dwelling units are permitted on HDR properties with a primary dwelling, ~~within the city limits,~~ according to the following standards:
1. On a lot or parcel with area 3,200 square feet or less, 1 or 2 accessory dwelling units are permitted.
 2. On a lot or parcel with area greater than 3,200 square feet but not greater than 4,800 square feet, 2 accessory dwelling units are permitted. A single accessory dwelling unit on such lot or parcel is not permitted.
 3. An accessory dwelling is not permitted on a lot or parcel with area greater than 4,800 square feet.
 4. If 2 accessory dwellings are constructed, at least 1 must be detached from the primary dwelling.

Commentary: Require that unpaved parking spaces provided off-street must be rocked and maintained.

5.5-125 Development Standards

An accessory dwelling unit shall meet the following standards:

- F. There shall be one parking space 9 feet by 18 feet in size for the accessory dwelling unit, in addition to the parking spaces required by Section 4.6-100 for the primary dwelling. Off-street parking spaces may be paved or unpaved as described below. If unpaved, the parking space must be rocked and maintained according to the *Engineering Design Standards and*

Procedures Manual and Standard Construction Specifications. The parking space for the accessory dwelling may be provided either on-street or off-street as described below:

Commentary: Move the requirement for a manufactured home or towable structure to be placed on a permanent foundation into the Development Standards rather than the Design Standards so that it applies to all manufactured homes and towable structures, not just those that will be reviewed under Clear and Objective Standards. Renumber remaining Design Standards.

H. If a Type 2 manufactured home or a towable structure (that is permitted, inspected and approved by the local authority having jurisdiction) is brought to the site as an accessory dwelling unit, it shall have its tongue and towing apparatus removed. It shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with stone, brick or other concrete or masonry materials approved by the Building Official and with no more than 24 inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than 24 inches of the enclosing material shall be exposed on the uphill side of the home (if the dwelling is placed on a basement, the 24-inch limitation will not apply).

5.5-130 Design Standards

An accessory dwelling unit within or attached to the main dwelling shall either match the primary dwelling or meet the alternative standards. A newly constructed detached accessory dwelling unit shall match the primary dwelling, meet clear and objective standards, or meet the alternative standards. Conversion of a structure permitted under Section 4.7-105A 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 shall meet relevant design standards below (match primary dwelling or meet clear and objective standards).

B. Meet Clear and Objective Standards. A detached accessory dwelling unit may be approved under Type I procedure if it meets the following design standards:

~~1. If a Type 2 manufactured home or a towable structure (that is permitted, inspected and approved by the local authority having jurisdiction) is brought to the site as an accessory dwelling unit, it shall have its tongue and towing apparatus removed. It shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with stone, brick or other concrete or masonry materials approved by the Building Official and with no more than 24 inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than 24 inches of the enclosing material shall be exposed on the uphill side of the home (if the dwelling is placed on a basement, the 24-inch limitation will not apply).~~

~~21.~~ Only non-reflective siding and roofing materials are allowed.

~~32.~~ Minimum roof pitch is 3 in 12.

~~43.~~ Eaves shall project from the accessory dwelling unit at least 1 foot on all elevations.

~~54.~~ The primary entry must have a covered or roofed entrance with a minimum depth and width of 3 feet.

65. The accessory dwelling may not exceed the height of the primary dwelling.

76. The exterior wall shall provide an offset every 25 feet by providing a recess or extension, a minimum depth of 2 feet and a minimum width of 5 feet for the full height of the wall.