

MINUTES OF THE JOINT REGULAR SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION AND THE
LANE COUNTY PLANNING COMMISSION HELD
Tuesday, May 8, 2018

The City of Springfield Planning Commission and the Lane County Planning Commission met in a joint special session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Tuesday, May 8, 2018 at 7:00 p.m., with Commissioner Greg James presiding for Springfield and Commissioner Gary Rose presiding for Lane County Planning Commission.

ATTENDANCE

Springfield:

Present were Chair James, Vice Chair Koivula, Commissioners Bergen, Landen, Vohs, Dunn, and Sherwood. Also present were, Community Development Interim Manager Sandy Belson, City Attorney Mary Bridget Smith and Administrative Specialist Shannon Morris.

Lane County:

Present were Chair Rose, Vice Chair Weeks, Commissioners Coon, Kaylor, Thorp, and Dignam. Also present were: Lane County Planning Supervisor Kier Miller and Planning Director Lydia Kaye.

ABSENT FOR SPRINGFIELD

- None

ABSENT FOR LANE COUNTY

- Ryan Sisson
- Randy Hledik

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair James.

Chair James opens Public Hearing for Springfield Planning Commission: This evening we will be conducting a Legislative Public Hearing dealing with amendment to Springfield Development Code in relation to accessory dwelling units in between the city limits and the urban fringe.

Chair Rose opens the meeting for Lane County Planning Commission.

BUSINESS FROM THE AUDIENCE

- None

LEGISLATIVE PUBLIC HEARING

1. Amendment of the Springfield Development Code Accessory Dwelling Units, Journal No. 811-18-000065-TYP4

Sandy Belson gives Staff Report: Good evening Planning Commissioners, thank you to the Lane County Planning Commission for agreeing to come join us for a special meeting tonight. I was able to provide a brief overview at your previous work session and the Springfield Planning Commission has been familiar with the changes to the accessory dwelling units that we have put in place to make it easier and less expensive to develop accessory dwelling units within the city limits. Those amendments were adopted by the City Council in March and went into effect in April. What is before both of your commissions this evening is amendments to allow accessory dwelling units in the urbanizable fringe, that urbanizable area between the city limits and the urban growth boundary. This is in response to legislation which was modified into statute that requires all cities and counties of certain sizes to allow accessory dwelling units in areas where single family dwellings are allowed. In order to accomplish requirements of the legislature, we are proposing amendments to two sections of the Springfield Development Code. Because

these code provisions apply outside the city limits and inside the urban growth boundary, they are subject to both jurisdictions' approvals, Springfield and Lane County. You will be making your recommendations to your respective elected officials and they will hold a public hearing and make a final decision on the amendments.

The Springfield Planning Commission will need to make this decision based on findings in conformance with the Metro Plan which is the Eugene-Springfield Comprehensive Plan, applicable State Statutes and applicable Statewide Planning Goals and Administrative Rules.

In your packet, as exhibit A, is the staff report and findings. There you can see the findings for the Metro Plan, which include citizen involvement elements, growth management, and the residential land use and housing element. In addition, in Springfield we are starting to develop our own Comprehensive Plan that is specific to Springfield. From that, there are also policies that come out of Springfield Residential Land and Housing Study that supplement the policies in the Metro Plan.

The state statutes that I referenced that were changed by Senate Bill 1051 are ORS 197.312-5(a). There are findings for that and ORS 197.307(4)(b)(A). Also the applicable Statewide Planning Goals and Administrative Rules are listed there: OAR 660-008-0010 for which, we have findings that show there will be no impact on the land supply; as well as the Clear and Objective Standards that are required under OAR 660-008-0015.

The two sections that are being proposed to change in the code are Section 3, the zoning district for the urbanizable fringe; Section 3.3-800, Urbanizable Fringe Overlay District. You can see the proposed changes in Exhibit B, allowing accessory dwelling units within that zone. We have made corresponding changes to section 5.5 which is specific to accessory dwelling units, deleting the requirement that they be within the city limits. Since we went through these changes, and we have had recent experience trying to explain the recent code provisions that the City already adopted to make it easier to allow accessory dwelling units, we have made a few minor tweaks to improve the language.

The first one is at the top of page 1, Exhibit B in terms of accessory dwelling units being located near an alley; that they can meet the same setback requirements for a garage. I don't think that will apply to anything outside the city limits.

The second minor change is to make it clear that all manufactured homes or towable units brought in would be on a permanent foundation. We have listed that as a design standard for the clear and objective path. By moving it from the design standards into the development standards it will apply across the board. Anyone bringing in a manufactured home or towable home will have to meet those standards.

With that, I'll be available for questions. Kier Miller is the staff planner for Lane County. He is also available if you have questions with regard to the County's role.

We did get one letter of testimony from Cynthia Pappas, writing in support of the amendments. She requests that we consider some restrictions in placement of an accessory dwelling unit to limit future conflict with replatting of a parcel so that it does not reduce the future density of a parcel. I think we have that covered with code requirements in the urbanizable fringe that would apply to having to have a future development plan in certain situations. So I am not thinking that there is need for additional code but that is something you may want to consider.

Greg James: It is time for public testimony.

Jenna Fribley, 1360 Tamarack St: Local architect in Springfield, in Ward 2. Speaking in favor, I want to applaud Springfield for being proactive with the initial round of code amendments; I would love to see this move into the UGB as well. I have a question about how SDCs will be calculated in the UGB for sites with or without on-site sanitation. Will SDC waivers apply to them? I am curious about the code language for design standards of former item 7, now item 6: language about the exterior wall. This doesn't seem applicable to something the size of an ADU and I would request you look at it, or explain the rationale for it.

Kris McAllister, 1909 12th Street: Ward 3. Kris comments about ADUs being cost prohibitive. Is hopeful ADU can be used in the UGB to help people in Glenwood parks that may be displaced in the future. Has fear that there will not be enough low income access with the current up-front cost of building ADUs, but talks about how he can reach out for grants or other opportunities to help the homeless.

Laurie Hauber, 376 E 11th Ave Eugene: Lives in Eugene but works in legal aide, with focus on affordable housing across Lane County. It has been a breath of fresh air to see how Springfield has progressed so rapidly with ADUs. Laurie asks that there is

consideration of some kind of amnesty for people who already have an ADU without permits. That is something Eugene is talking about. She also states affordability is an issue. Finding strategies to make development of ADUs affordable is an important part of this. She's done research that shows the cost of around 70-90 thousand dollars to add an ADU to property. That does make it cost prohibitive for a lot of households. As you deliberate on this, keep cost in consideration to make it affordable housing for low income people. Thank you.

Greg James: No more testimony from audience. We will move into questions from the Commissions. He asks about the communication from Cynthia Pappas in regard to ADU placed on LDR property in urban fringe. Sandy Belson: Replies with data from the Code section 3.3-8.25 and 3.3-8.20 and section 5.12: If lots are more than twice the size of minimum size allowed in that district, a future development plan is required. If there is potential to divide that property, you would need to show how that property would be partitioned and that your ADU is not being placed in a way that would prohibit future development.

Gary Rose: Asks how intensive are the plot plan requirements; what is required for a plot plan?

Stephen Dignam: Question regarding the testimony from Laurie Hauber about amnesty. How can something like that be implemented?

Sandy Belson: There are two aspects to this response. One is unrelated to the code: City of Springfield has an SDC waiver in place for City SDCs, which applies to any ADU to be permitted, whether constructed or not. In terms of building code requirements, that is up to the Building Official. There are fees involved in building permits, standard for any type of structure.

Mike Koivula: If a parcel is potentially partitionable, there will be sewage evaluation. If it is too small and not partitionable, is there a way to make sure the ADU will not overload the drain field or other private sewer facilities?

Sandy Belson: Yes, in the Code, there is a requirement that the sanitarian provide any permits necessary.

Larry Thorp: Has concerns about the future development plans. The purpose of this legislation is to facilitate ADUs as simply and easily as possible. How binding is the future development plan if someone turns one in and wants to change it later?

Sandy Belson: It is not binding. The point is to think about how you can develop in the future.

Mike Koivula: I have a question regarding findings on residential density. It says the ADU will tap into utility lines in place. I have a problem with wording of the finding. There is some discussion around this.

Sandy Belson: Let's delete that sentence to avoid confusion. There were two other typing errors to be corrected, brought up by Mike Koivula.

Larry Thorpe: Questions the maximum size lot where you cannot add an ADU. Asks about staff's thinking for putting that in there, it seems counterintuitive. Sandy replies that is this to preserve Medium and High Density property in order to meet density requirements. Gary Rose, Troy Sherwood, Mike Koivula and Greg James all discuss this with concern about property sizes, the possibility of subdividing, partitioning, and/or rezoning criteria in order to allow the ADUs. Suggestion by Mike Koivula to allow ADU on any size property, if able to show plans that meet density at future development. Sandy advises this be made part of the recommendation to be written into the amendment.

Sandy Belson: One person from the public asked if we will be charging System Development Charges. If you are not connecting to the Sanitary Sewer we would not charge System Development Charge for Sanitary Sewer. Our Municipal Code does require charging System Development Charges in conjunction with building permits outside city limits for stormwater and streets. It will be up to City Council whether that waiver would apply outside city limits. I will bring that to their attention. We won't be charging sanitary sewer SDCs until they hook up.

In terms of the design standards question that was questioned, the impetus for that was to address some design elements as some clear and objective design standards.

In terms of the amnesty, I think we have already addressed that.

Sandy recalls that she wanted to bring up another item included in the proposed amendments: in regards to parking, the change is that we would like to specify that unpaved parking spaces need to be rocked. We would have a standard that would go into Engineering Design Standards and Procedures Manual that would be adopted in conjunction with these code amendments by the City Council.

Greg James: Any other questions? Greg talks about affordability of ADUs to help with the housing crisis in the city. There is discussion between Sandy and Greg to discuss how the recommendation can include the requirement of having a future development plan to place ADU on higher density properties. More comments and questions are brought up regarding size and dividing properties. Sandy Belson, Greg James and Larry Thorpe discuss how to phrase this recommendation to Council.

Mary Bridget Smith and Sandy Belson identify the three changes to findings to be made and discuss recommendation changes. We can say "add one or two ADUs on a parcel zoned medium or high density with a future development plan, irrespective of the size of the parcel, that will meet density requirements in the future.

Greg James: So we have the three changes to the findings plus that revision. This being a legislative hearing, there is no opportunity for the public to request a continuation. At this time, I would entertain a motion from Springfield Planning Commission to close or continue the public hearing and close or continue the written record.

Troy Sherwood makes a motion to close the Public Hearing and written record; Mike Koivula second. Motion carries unanimous. 7 ayes; 0 noes; 0 absent.

Gary Rose asks for motion from Lane County Planning Commission.

Robert Weeks makes motion for Lane County Planning Commission to close Public Hearing and written record; Dignam seconds. Motion carries unanimous: 6 ayes; 0 noes; 2 absent

Mary Bridget Smith reads motion: Amendments to Springfield Development Code for accessory dwelling units: The motion is to move forward a recommendation to City Council to approve Journal No. #811-18-000065-TYP4 Amendments to the Springfield Development Code regarding accessory dwelling units within the Springfield city limits and urbanizable fringe as proposed in Exhibit B to this Agenda Item with additional provisions that allow 1-2 accessory dwelling units to be built on medium and high density parcels that can meet the necessary densities in the future, irrespective of the size of the parcels, through a future development plan; and to include the revisions to the findings noted by Commissioner Koivula.

Greg James: I move, as stated by our legal counsel for the Springfield Planning Commission to push forward to City Council; Andrew Landen seconds. Motion carries 7 ayes; 0 noes; 0 absent.

Gary Rose: Who would like to make a motion?

Robert Weeks; I would like to make a motion to forward a recommendation to the Board of County Commissioners to adopt the proposed amendment to Lane Code 10 to co-adopt the accessory dwelling unit standards within the City of Springfield's urbanizable area, with changes recommended by legal counsel. Larry Thorpe seconds. Motion carries unanimous: 6 ayes; 0 noes; 2 absent.

Greg James: I move that Springfield Planning Commission forward a recommendation to Springfield City Council that based on the reasoning behind ADUs and the need for low income housing within the city that they consider waiver of SDCs for ADUs being developed within UGB.

Landen brings discussion about time limits for SDC waiver. Greg James says that is for Council to decide. Sean Dunn seconds motion. Vote 7 ayes; 0 noes; 0 absent.

Greg James: Thank you Lane County Commissioners for taking part in this process. Any other business? Hearing none, we are adjourned.

The meeting was adjourned at 8:13 p.m.

Minutes Recorder – Shannon Morris

Greg James
Planning Commission Chair

Attest:

Shannon Morris
Administrative Specialist

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