
AGENDA ITEM SUMMARY

Meeting Date: 5/18/2021
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 90 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE:	DEVELOPMENT CODE UPDATE PROJECT – HOUSING AMENDMENTS
ACTION REQUESTED:	This meeting is an opportunity for staff to brief the Planning Commission on the draft code concepts and for the Commission to provide input and feedback.
ISSUE STATEMENT:	The Purpose of the Development Code Update Project is to change the Springfield Development Code to support efficient, timely, and clear development review. The updated Development Code will support Springfield’s economic development priorities and will honor Springfield’s hometown feel now and in the future.
ATTACHMENTS:	Attachment 1: Community Engagement Summary Attachment 2: Memo - Options for Implementation of Middle Housing memo Attachment 3: Draft Code Section 3.2.200 – Residential Districts Attachment 4: Draft Code Section 4.7.300-4.7.400 – Special Standards and Regulations for Certain Uses in Residential Districts Attachment 5: Draft Code Section 6,1,100 Definitions
DISCUSSION:	Staff last presented to the Planning Commission on this project on March 16, 2021, describing the progress of both Phase 1, Housing, and Phase 2, Employment Lands, of the Development Code Update Project.

Discussion

The Springfield Development Code Update Project seeks to implement Oregon House Bill 2001(2019), which requires large cities such as Springfield to allow middle housing including duplexes, triplexes, fourplexes, townhomes, and cottage clusters, in more places in the city, in order to increase housing choice and supply.

Draft code recommendations have been developed in response to the input gathered from January 2019 through February 2021 from the Housing Technical Advisory Committee, from the Governance Committee, and check-ins with the City Council and Planning Commission as well as other input as summarized in the Community Engagement Summary (Attachment 1). At this meeting, staff will review the recommended general approach to code writing and recommended standards for middle housing. The concepts and outline for Planning Commission input is included in Attachment 2, Options for Implementation of Middle Housing. Additionally, staff has included draft code sections as Attachment 3, 4 and 5 that show how staff recommended implementation strategies translate to code language.

Based on the Commission’s feedback, staff may make revisions to the draft code prior to releasing the draft code for public review in June 2021.

Next Steps

Staff will be asking the City Council for direction on June 7, 2021 in regard to launching into the community outreach phase of the project. At the next Planning Commission/Committee for Citizen Involvement meeting on June 15, 2021, staff will present a draft of the Virtual Open House that will be used for public outreach.

Springfield Development Code Update Project Community Engagement Summary

The project's Community Engagement Plan, first approved December 18, 2018, with revisions in October 2019 and March 2021, describes activities the City will implement to assure that interested and affected parties have adequate opportunities to provide meaningful input to the Development Code Update Project. Below is a summary of the outreach completed as of May 7, 2021.



Community Outreach Summary: August 2018 – May 2021

Technical Advisory Committee (TAC) Meetings:

- Housing TAC – 14 meetings (1/28/19 - 2/9/21)
Comprised of 14 members representing various housing interests.
- Employment Lands TAC – 8 meetings (4/30/20 - 5/6/21)
Comprised of 8 members representing a broad spectrum of interests.
- City Staff TAC (various) – 8 meetings (1/28/19 - 5/7/21)
Includes city staff on an as needed basis with expertise in different areas depending on the code topic.

Governance Committee Meetings – 9 meetings (3/5/19 – 1/20/21)

Comprised of four members: two city councilors and two planning commissioners.

Planning Commission/CCI – 17 meetings (8/18/18 – 3/16/21)

City Council – 12 meetings, plus 3 communication memos (9/10/18 – 3/15/21)

Presentations/Media

UPCOMING:

- Springfield Realtors (May 20, 2021)
- Springfield Chamber of Commerce (June 22, 2021)
- Springfield City Club (July 2021-tentative)

PAST:

- Lane Council of Governments (LCOG) Board (2/21)
- Springfield Board of Realtors (8/20)
- Springfield Chamber of Commerce – Two presentations (3/19 and 2/20)
- CID Lane County (Commercial Investment Division) (2/20)

Better Housing Together meeting presentation (12/19)
City Club of Springfield (10/19)
YIMBY (Yes In My Back Yard) Podcast (10/19)
KVAL/KMTR story about HB 2001 (9/19)
Free For All News article (2/19)
Article in the Chamber of Commerce “The Bottom Line” (10/18)

Housing provider/developer interviews

- Home Builders of Lane County (6/20)
- Hayden Homes (6/20)
- Home for Good (6/20)
- Tim Hovet (6/20)
- Dan Hill (Blossom Cottages)(12/19)

E-updates provided notice of upcoming meetings and online open houses, feedback summaries, and other key project information.

Eight e-updates have been sent so far.

- March 12, 2021 – Sent to only the Dev Code list for a total of 55
- March 2, 2021 – Sent to only the Dev Code list for a total of 55
- January 15, 2021 – Sent to the Dev Code and Affordable Housing lists for a total of 251
- January 6, 2021 – Sent to the Dev Code and Affordable Housing lists for a total of 250
- November 4, 2020 – Sent to the Dev Code and Affordable Housing lists for a total of 244
- July 22, 2020 – Sent to Dev Code, Affordable Housing and DPW (Development and Public Works) general list for a total of 385
- February 14, 2020 – Sent to both the Dev Code list and the DPW general list to a total of 212
- None sent in 2019
- November 29, 2018 – Sent to Dev Code, Affordable Housing, and DPW general list for a total of 250

Number of people that have opened and clicked through the e-updates

- Average open rate is 51.95%; Constant Contact list 28.98% as the industry standard for Government for this metric
- Average click through 16.96%; Constant Contact list 11.22% as the industry standard for Government for this metric

Visits to webpage – information not available. Not one of the top 50 visited pages on the City website.

How many people on the interested party list

- There are currently 69 people on the project specific interested parties list.

Fact sheets/FAQ's

- [Fact Sheet #1](#) - A fact sheet about Phase 1 of the Development Code Update project that is focused on Middle Housing.
- [Fact Sheet #2](#) - A fact sheet about the Middle Housing Legislation Oregon House Bill 2001 including background and what the City can and cannot do related to its implementation.
- [FAQ Sheet](#) - Frequently asked questions with answers about the Middle Housing Legislation Oregon House Bill 2001.

Coordination

Springfield project staff have ongoing coordination efforts including with DLCD, the City of Eugene, Lane County, Lane Transit District, and Springfield Utility Board.

Options for Implementation of Middle Housing

Date: May 6, 2021

To: Springfield Planning Commission

From: Mark Rust, AICP, Senior Planner



This memorandum summarizes initial draft code amendments for Middle Housing as part of the Springfield Development Code Update Project. Input received from the Planning Commission will be incorporated into a revised draft of the code amendments. The Commission will have the opportunity to review that revised code amendments package at the June 15, 2021 work session. The project scheduled anticipates having a public review draft set of code amendments to release in June. Through the public review process the City will continue to seek input on and revise the draft amendments. In the latter half of the year, City staff will manage revisions, prepare an adoption package, and bring the middle housing code amendments through public hearings as part of the adoption process.

Decision Points

Part of the larger Springfield Development Code Update Project is implementing new State laws in regard to Middle Housing. The Oregon State Legislature adopted House Bill 2001 (HB 2001) in 2019. The new state laws require Springfield to allow middle housing in residential areas that allow single family dwellings. The legislation defines Middle Housing as duplexes, triplexes, fourplexes, cottage clusters, and townhomes.



Graphic courtesy of SERA Architects, provided through a grant funded by the Department of Land Conservation and Development (DLCD).

The laws implementing the new legislation allow the city some flexibility in how we apply the new middle housing rules. In revising the Springfield Development Code to comply

with State of Oregon regulations for Middle Housing, the City is making code changes to meet or exceed the State's Minimum Standards related to HB 2001. If the City does not adopt new standards specific to Springfield by June 30, 2022, we will be required to use the State's Model Code. Your input on these important issues will help guide the City in the right direction for our community.

The following questions explore examples of situations where Springfield has flexibility to:

- **ALLOW** middle housing: Meet the state required minimum standards. This option has more regulations, less flexibility, and less potential to reduce housing cost compared to the other two options.
- **ENCOURAGE** more middle housing: Remove code barriers, increase flexibility. This option has less regulation, more flexibility, and could reduce costs to provide future housing as compared to the "allow" option.
- **INCENTIVIZE** more middle housing: Minimize regulation, apply bonuses and incentives. This option has the least regulation, most flexibility, and has the most potential to reduce cost to provide future housing compared to the other two options.

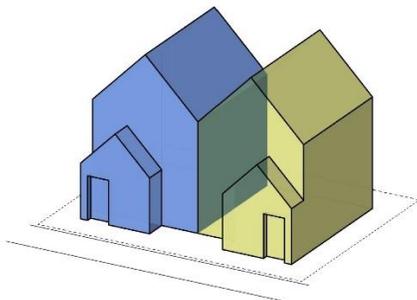
See the "Spectrum of Options for Implementation of Siting and Design Standards" table below.

Following is a list of areas that the state rules provide a city flexibility in implementing middle housing. Included is the staff recommended approach in the draft amendments regarding each of the following questions.

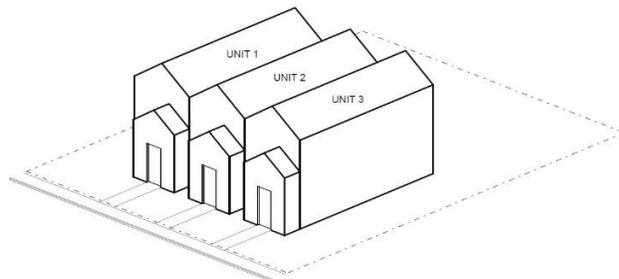
Defining the middle housing types

The State regulations allow the City flexibility in defining if the "plexes" are attached or detached.

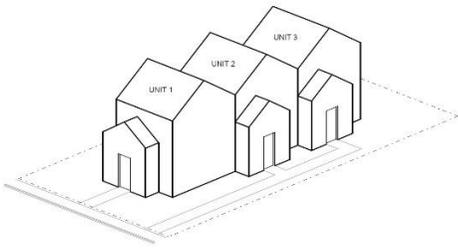
The "allow" option, the minimum to meet the State regulations is to allow duplex, triplex, and fourplex housing as attached units.



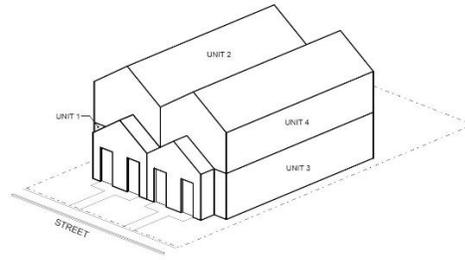
Duplex, attached



Triplex, attached (side to side)

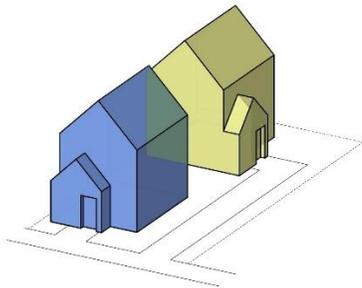


Triplex, attached (front to back)

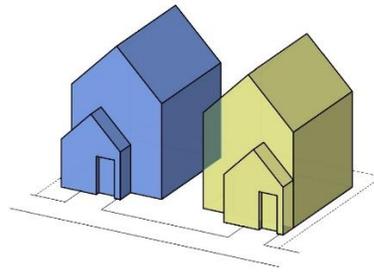


Fourplex, attached (stacked)

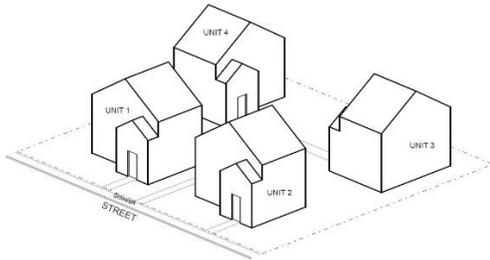
The alternative would be to encourage development by allowing “plexes” to be detached units. Any two units on a lot or parcel would be a duplex, any three units a triplex, and four units a four plex. This would provide additional flexibility in providing multiple units especially for infill development when an existing single-family dwelling is preserved or for more difficult to develop sites.



Duplex, detached (front and back)



Duplex, detached (side by side)



Fourplex, detached

Graphics in this question (above) provided from the Department of Land Conservation and Development (DLCDD) Large Cities Middle Housing Model Code.

There has been some discussion and confusion through both the state rule making process and at the Springfield Housing TAC meetings about the difference between a detached duplex and a single-family dwelling with a detached accessory dwelling unit (ADU). The main thing that distinguishes an ADU from a duplex is unit size; ADUs are limited to 800 square feet, whereas duplex units have no such limit (and none is proposed). Because of ADUs’ limited size, they are currently eligible for certain incentives, including system development charge (SDC) reductions. In addition, state law prohibits cities from requiring off-street parking for an ADU. These are factors that might compel a property owner to permit a second unit on their property as an ADU, rather than a duplex.

1. Should the City allow duplexes, triplexes, and fourplexes by only meeting the minimum state standards and require the units to be attached, or should the City incentivize more duplex, triplex, and fourplex units by allowing the units to be detached units on a lot to provide more flexibility?

Recommendation: Pursuant to the ENCOURAGE approach, staff recommends allowing both attached and detached duplexes, triplexes, and fourplexes. This would promote maximum flexibility while also encouraging preservation of existing single-family detached homes by allowing detached units to be added to a lot.

- ALLOW: Require duplex, triplex, and fourplex units to be attached.
- ENCOURAGE: Allow duplex, triplex, and fourplex units to be detached.

2. Should the City allow cottages on individual lots? The state rules allow a city to define cottage clusters as multiple cottage units on one lot or parcel, or allow the individual cottage units to be on their own individual lots.

Recommendation: Also pursuant to the ENCOURAGE approach, staff recommends allowing both single-lot clusters and clusters where each cottage is on a lot. Allowing cottages on individual lots provides opportunities more affordable fee-simple homeownership, while allowing cottages on a single lot provides opportunities for both rentals and condominium ownership.

- ALLOW: Only permit cottage clusters to be multiple units on one lot or parcel.
- ENCOURAGE: Allow cottage clusters to include individual units on their own lots.

Siting standards. The state rules define siting standards as standards that relate to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate perimeter setbacks, dimensions, bulk, scale, coverage, minimum and maximum parking requirements, utilities, and public facilities.

Recommendation: Staff generally recommends a mix between the ALLOW and the ENCOURAGE approach for most siting standards.

The following questions pertain to siting standards where the City has flexibility in implementing the state rules.

Lot sizes. The state rules require a City to allow, at a minimum, a triplex on a 5,000 square foot lot, a fourplex on a 7,000 square foot lot. Duplexes have to be allowed on any lot that allows a single-family home.

3. Should the City allow triplex and fourplex dwellings lots smaller than 5,000 and 7,000 square foot?

- ALLOW: Require the largest minimum lot size permitted by state law. A triplex would be allowed on lot of at least 5,000 square feet lot and a fourplex on a lot of at least 7,000 square foot.
- ENCOURAGE: Allow a smaller minimum lot size from the state standard. This option would allow triplex and fourplex development on lots under the 5,000 and 7,000 square foot lots sizes and set a smaller minimum lot size.
- INCENTIVIZE: Don't require any minimum lot size. This would allow a triplex and fourplex on any size lot as long as the other siting standards were met.

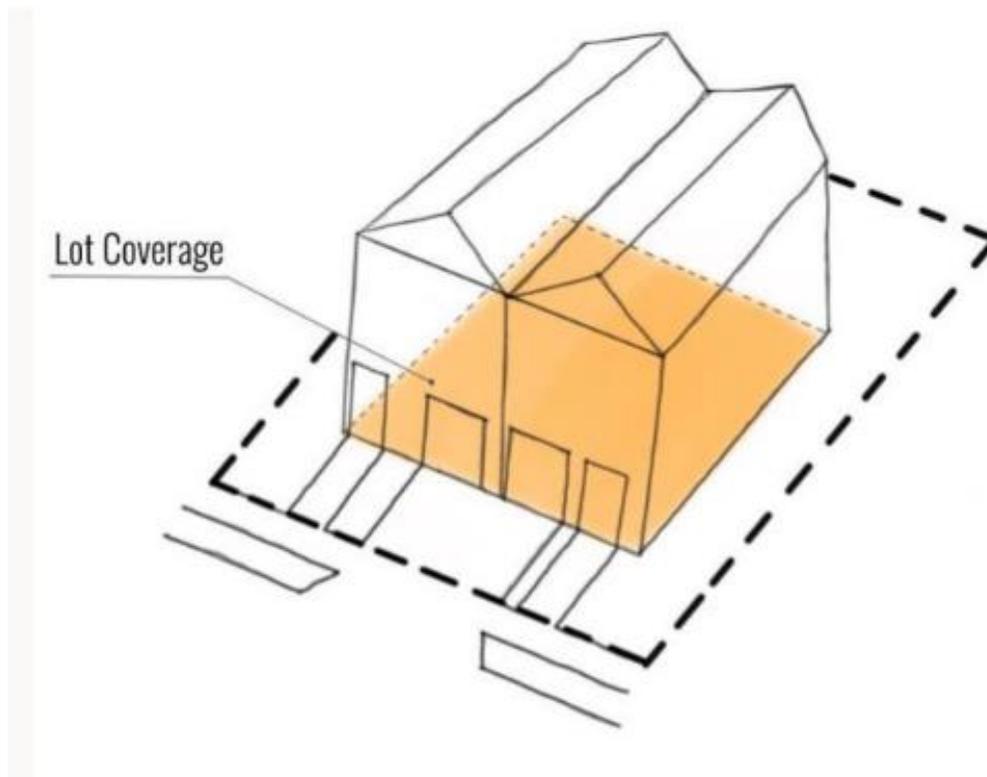
Building Height. The state rules require the City to allow the same height allowed for detached single family homes, or at least a height of 25 feet, for duplexes, triplexes, fourplexes, and townhomes. The current height limit in the Springfield Development Code for detached single family homes is 30 feet.

4. What height limit should the City require triplex and fourplex units to meet?

- ALLOW: Require the lowest height limit allowed by state law, 30 feet.
- ENCOURAGE: Allow the height limit to be higher than single family homes.
- INCENTIVIZE: No maximum height limit. The size of the structure would be regulated by other standards.

Lot Coverage. The state rules specify that a city is not required to apply a lot coverage standard for most middle housing types. However, if a lot coverage standard is applied it may not establish a standard that is less than the lot coverage allowed for detached single family homes. The existing lot coverage standard for detached single family homes in Springfield is 45%.

What is lot coverage? Lot coverage is the percent of a lot that can be covered by homes or other structures. Decreasing how much of a lot can be covered typically results in more open area such as yard. Increasing how much lot can be covered can provide more flexibility and can lower costs.



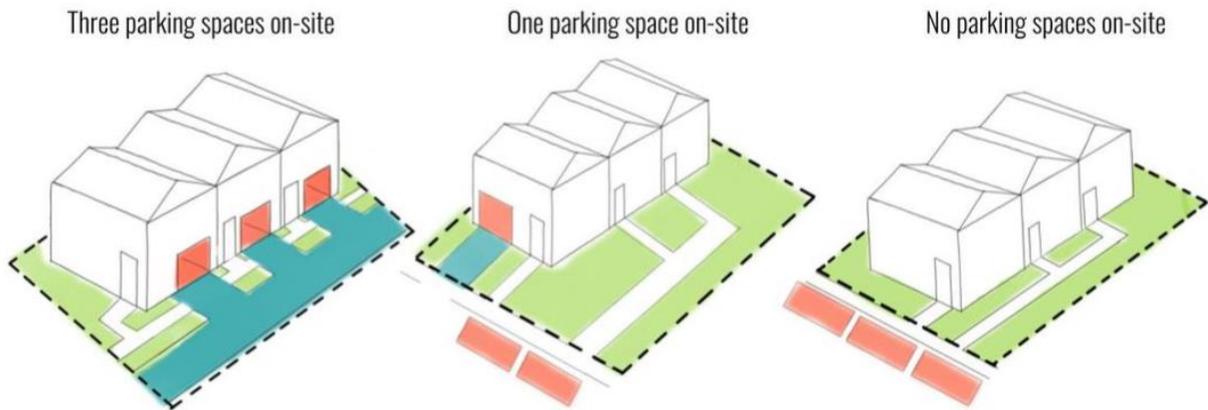
Graphic courtesy of SERA Architects, provided through a grant funded by the Department of Land Conservation and Development (DLCD).

5. When building new middle housing, how much of the lot should be allowed to be covered?

- ALLOW: Require the lowest lot coverage allowed by state law, currently 45%.
- ENCOURAGE: Allow for lots to develop with an increased lot coverage for middle housing types.
- INCENTIVIZE: No maximum lot coverage standard. The lot coverage would be regulated by other standards such as setbacks, parking, and the need for stormwater treatment on site.

Parking. Requiring more parking on-site for vehicles can reduce the amount of space for housing and potentially increase the cost of providing housing.

The state rules for middle housing limit how much parking a city can require for different middle housing types. Generally, the most parking the new state rules allow the city to require is one space per housing unit.



Graphic courtesy of SERA Architects, provided through a grant funded by the Department of Land Conservation and Development (DLCD).

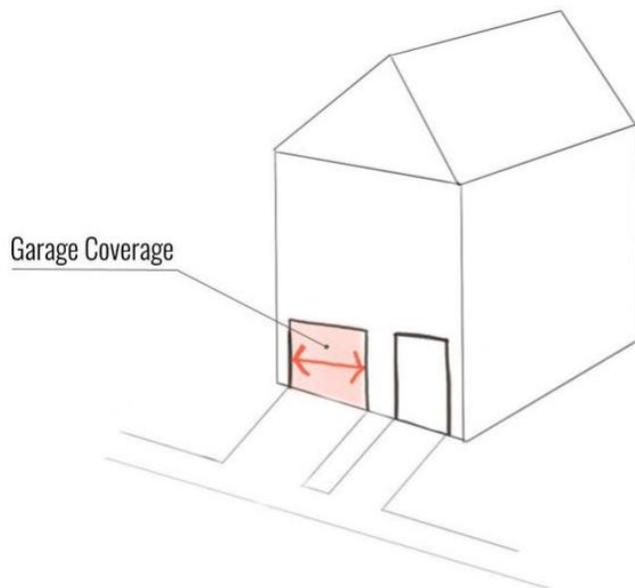
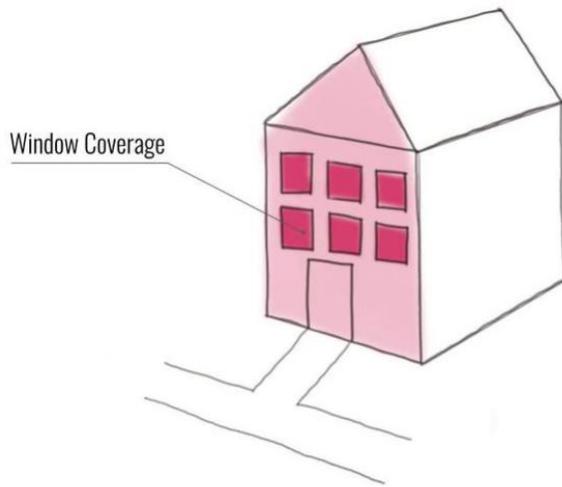
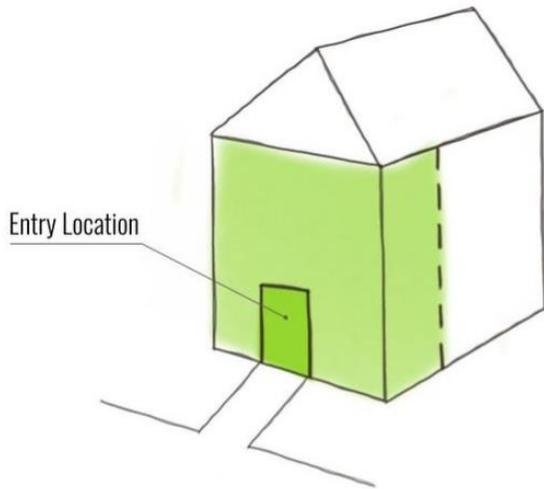
6. When new middle housing units are built, how much space should be dedicated to parking?

- ALLOW: Require the most parking possible allowed by state law (generally one space per home is the most the city can require).
- ENCOURAGE: Require less parking (allow on street parking, and/or less parking near places where it is easier to get around without a car).
- INCENTIVIZE: Require even less parking or no parking.

Design standards. The state rules define design standards as standards that relate to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to: standards that regulate entry and dwelling orientation; façade materials and appearance; window coverage; driveways; parking configuration; pedestrian access; screening; landscaping; and private, open, shared, community, or courtyard spaces. Some design standards promote walking and pedestrian accessibility (having doors to homes face the street or reducing the width of driveways or garage doors).

Recommendation: In general, staff recommends applying the design standards adapted from the Model Code. The Model Code includes a modest set of design standards that are already fairly flexible. Therefore, staff does not recommend relaxing the standards much further. Doing so likely would have very few impacts on where middle housing would be located and very limited impacts on financial feasibility or affordability.

The following are examples of potential design standards.



Graphics courtesy of SERA Architects, provided through a grant funded by the Department of Land Conservation and Development (DLCD).

7. What level of design standards should the City use for middle housing?

- ALLOW:** Use the highest level of design standards allowed by state law. Features may limit design flexibility and may add cost to providing housing.
- ENCOURAGE:** Develop design standards that are less restrictive than the “allow” option. This option would encourage middle housing to use basic design features but leave more options available for design flexibility and reducing cost.
- INCENTIVIZE:** Require few or no design standards. This option would permit a range of design standards and flexibility and could result in more efficient and lower cost housing.

The questions above about housing types, siting standards, and design standards are examples of the many code topics that require change to meet State regulations.

8. In general, what direction do you feel is the best for your Springfield community?

- ALLOW for more middle housing:** Meet the minimum standards required by State law. This option requires more regulations, less flexibility, and has less potential to reduce the cost of future housing compared to the other two options.
- ENCOURAGE more middle housing:** Remove code barriers and increase flexibility to providing housing. This option has less regulation, more design flexibility, and reduces housing costs more than the “allow” option.
- INCENTIVIZE more middle housing:** Minimize regulation, provide bonuses and incentives to providing more middle housing. This option has the least regulation, most flexibility, and has the potential to reduce housing costs the most of the three options.

Spectrum of Options for Implementation of Siting and Design Standards

	More Restrictive	More Permissive	
Standard	ALLOW Option 1	ENCOURAGE Option 2	INCENTIVIZE Option 3
Defining Housing Types			
Duplex, Tri/fourplex	Keep existing SDC definitions and limit to attached only	Revise definition to allow attached or detached units. Recommended Approach	Same as ENCOURAGE
Cottage Cluster	Only allow multiple units on one lot	Allow individual units on lots Recommended Approach	Same as ENCOURAGE
Siting Standards			
Lot sizes	Use OAR minimums	Lesser minimum	No minimum
	Recommended Approach		
Triplex	5,000 sq. ft. lot	Lesser minimum	No min.
Fourplex	7,000 sq. ft. lot	Lesser minimum	No min.
Townhome	1,500 sq. ft. lot	Lesser minimum	No min.
Cottage Cluster	7,000 sq. ft. lot	Lesser minimum	No. min.
Building Height	Use OAR maximum	Higher maximum	No maximum
		Recommended Approach	
Tri/fourplex	25 feet or 2 stories	35-50 feet (depending on zone)	No max. (certain zones)
Townhomes	Same as SFD (30 ft.) or 2 stories	35-50 feet (depending on zone)	No max. (certain zones)
Cottage Cluster	None specified	--	--
Lot Coverage/FAR	Use OAR standard	Higher maximum	No maximum*
Tri/fourplex	Same as SFD (45%)	50-60% (depending on zone)	No max.
Townhomes	Same as SFD (45%)	50-60% (depending on zone)	No max.
Cottage Cluster	No limit/not allowed	--	--
*Limited by other development standards (ex. stormwater, setbacks, parking, etc.)			



Design Standards	Use OAR standards	Lesser standards	No Standards
	Recommended Approach		
Duplex	None allowed (or same as SFD)	--	--
Tri/fourplex	Entry orientation, windows, garage width, driveway.	Lesser standards	No standards
Townhomes	Entry orientation, unit definition, windows, driveway access and parking	Lesser standards	No standards
Cottage Cluster	Cottage orientation, courtyard design, community building, pedestrian access, windows, parking design, screening, garages and carports, accessory structures, existing structure.	Lesser standards	No standards
		Recommended Approach	
Parking	Use OAR standards	Lesser standards (ex. Allow on street parking credit)	No parking standard (along corridors?)
Triplex	3 spaces total	Ex. 1-2 spaces total	No requirement
Fourplex	4 spaces total	Ex. 1-3 spaces total	No requirement
Townhome	1 space per unit	--	No requirement
Cottage Cluster	1 space per unit	.5 space per unit	No requirement
			Recommended Approach
Solar Setbacks	Require Solar Setbacks for only SD-D and Duplex	Require Solar Setbacks only for SD-D	No Solar Setbacks

**Section 3.2.200 – Residential Districts
(R-1, R-2, R-3)**

Subsections:

- 3.2.205 Purpose, Applicability, and Location**
- 3.2.210 Permitted Land Use**
- 3.2.215 Lot Area and Dimensions**
- 3.2.220 Setbacks**
- 3.2.225 Impervious Surface Coverage Standards**
- 3.2.230 Height**
- 3.2.235 Density**
- 3.2.240 Panhandle Lot or Parcel Development Standards**

3.2.205 Purpose, Applicability, and Location

(A) Purpose. The purposes of the Residential Land Use Districts are to:

- (1) Accommodate a full range of housing types.
- (2) Implement the policies of the Springfield Comprehensive Plan and Metro Plan.
- (3) Make efficient use of land and public services.
- (4) Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling.
- (5) Provide convenient access to Neighborhood Activity Centers.

(B) Applicability. The standards in this section apply to development in the R-1, R-2, and R-3 Land Use Districts. These districts are identified on the City’s official Zoning Map. Properties designated within each district that contain additional standards must comply with the provisions of the applicable district, except as may be modified by this section. Properties within a designated Historic District must comply with the provisions of SDC 3.3.900.

Where there is a conflict between the Special Use Standards SDC 4.7.300 - 4.7.400 and the development standards in this SDC 3.3.200, the Special Use Standards prevail.

3.2.210 Permitted Land Uses

(A) Permitted Uses. The land uses listed in Table 3.2.210 are permitted in the Residential Districts, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 3.2.210, land uses that are incidental and subordinate to a permitted use, and land uses that are approved as “similar” to those in Table 3.2.210 are permitted.

(B) Determination of Similar Land Use. Similar use determinations must be made in conformance with the procedures in SDC 5.11.100, Interpretations.

(C) Exceptions. Existing uses and buildings lawfully established under previously effective land use regulations can continue subject to SDC 5.8.100, Non-Conforming Uses – Determination, Continuance, Expansion and Modification, except as otherwise specified in this section.

Table 3.2.210 Permitted Uses

Uses	Districts			Special Use Standards
	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	
<u>Residential</u>				
Single-unit Dwelling; detached (SD-D)	P	N	N	
Duplex	P*	P*	P*	SDC 4.7.310
Triplex/Fourplex	P*	P*	P*	SDC 4.7.315 and 4.7.320
Townhomes (Single Dwelling attached; e.g., row houses, etc.)	P*	P*	P*	SDC 4.7.315 and 4.7.330
Cottage Cluster Housing	P*	P*	P*	SDC 4.7.315 and 4.7.325
Recreational Vehicle for an Emergency Medical Hardship	P	P	P	SDC 4.7.400
Accessory Dwelling Units (ADUs)	P*	P*	P*	SDC 4.7.340
Single Room Occupancy (SROs)	P	P	P	See def???
Boarding or Rooming House	P*	P*	P*	SDC 4.7.395
Manufactured Dwelling Park	P, S*	P, S*	N	SDC 4.7.350
Multiple Unit Housing on one lot or parcel, 5 units or more	N	P*	P*	SDC 4.7.380 thru 4.7.390
Registered or Certified Family Child Care Home	P	P	P	
Residential Care Facility; 5 or fewer people	P*	P*	P*	SDC 4.7.355
Residential Care Facility; 6 or more people	P, S*	P, S*	P, S*	SDC 4.7.355
<u>Public and Institutional</u> * (Sec. 4.7.380)				
Automobile Parking, Public Off-street Parking	N	D	D	
Club (see definition 6.1.110(F))	N	N	N	
Community Service; includes Governmental Offices	N	D	D	
Community Garden	D	D	D	
Educational facilities: elementary and middle schools	D*	D*	D*	SDC 4.7-195 and 5.9.110
Emergency Services; Police, Fire, Ambulance	D, S	D, S	D, S	
Parks and Open Space, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, and similar uses	P/D*	P/D*	P/D*	SDC 4.7.200
Place of worship	D, S*	D, S*	D, S*	SDC 4.7.375
<u>Commercial</u>				
Bed and Breakfast	S*	S*	S*	SDC 4.7.360

Table 3.2.210 Permitted Uses				
Uses	Districts			Special Use Standards
	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	
Home Business	P*	P*	P*	SDC 4.7.370
Professional Office	S*	S*	S*	SDC 4.7.190
Mixed Use Buildings	S*	S*	S*	SDC 4.7.385

P = Permitted Use; S = Site Plan Review Required; D = Discretionary Use permit required; N = Not Allowed; * = Permitted with Special Use Standards.

3.2.215 Lot Area and Dimensions

(A) In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section apply to all development in residential districts. In cases of conflicts, standards specifically applicable in the residential land use district apply. In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards apply.

Lot area and lot dimension standards for residential uses are listed in Table 3.2.215. For other residential uses listed in Table 3.2.210, the lot area and dimensions are subject to the type of residential structure being occupied. Lot development must be in conformance with SDC 3.2.235, Density.

The following Table 3.2.215 sets forth residential land use district development standards, subject to the special development standards in SDC 4.7.300-4.7.400.

Table 3.2.215-A: Residential District Density Standards			
Density (see 3.2.235 below)	R-1	R-2	R-3
Single unit dwelling, detached	6 units per net acre minimum 14 units per net acre maximum	N/A	
Duplex	No minimum or maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Triplex and fourplex	No minimum or maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Townhome	No minimum density 25 units per net acre maximum	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum

Table 3.2.215-A: Residential District Density Standards			
Density (see 3.2.235 below)	R-1	R-2	R-3
Cottage cluster	4 units per net acre minimum No maximum density	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Multiple unit housing	N/A	14 units per net acre minimum 28 units per net acre maximum	28 units per net acre minimum 42 units per net acre maximum
Density fractions will be rounded up to the next whole number.			

Table 3.2.215-B: Residential District Lot or Parcel Area Guidelines			
Lot or Parcel Area			
Minimum lot or parcel area for single unit dwellings, detached, is based on meeting the maximum net density in the zoning district. Approximate example lot sizes are shown below.			
Maximum lot or parcel area is based on meeting the minimum net density in the zoning district. Some approximate example lots sizes are shown below.			
Lot or parcel areas for some uses/housing types are not reflective of the density range above due to density not being applicable to certain middle housing types.			
Where the density standards and these lot or parcel area examples conflict, the density standards prevail.			
Housing type	R-1	R-2	R-3
Single unit dwelling, detached	3,000 sq. ft. minimum 7,000 sq. ft. maximum	N/A	
Duplex	3,000 sq. ft. minimum No maximum	3,000 sq. ft. minimum 6,000 sq. ft. maximum	2,000 sq. ft. minimum 4,000 sq. ft. maximum
Triplex	5,000 sq. ft. minimum No maximum	4,500 sq. ft. minimum 9,000 sq. ft. maximum	3,000 sq. ft. minimum 4,500 sq. ft. maximum
Fourplex	7,000 sq. ft. minimum No maximum	6,000 sq. ft. minimum 12,000 sq. ft. maximum	4,000 sq. ft. minimum 6,000 sq. ft. maximum
Townhome	1,000 sq. ft. minimum		
Cottage Cluster	5,000 sq. ft. minimum No maximum		
Multiple Unit Housing	N/A	1,500 sq. ft. per unit minimum 3,000 sq. ft. per unit maximum	1,000 sq. ft. per unit minimum 1,500 sq. ft. per unit maximum

3.2.220 Setbacks

(A) Setback Standards. The following table summarized the minimum setback standards. The setback standards of this section apply to all structures, except as otherwise provided by this section.

Table 3.2.220 Setbacks	R-1	R-2	R-3
Front	10 feet, except for a garage or carport		
Garage or carport	18 feet from any property line or back of sidewalk, whichever is closer		
Side	5 feet	10 feet when abutting an R-1 district 5 feet when not abutting an R-1 district	
Rear	5 feet	10 feet when abutting an R-1 district 5 feet when not abutting an R-1 district	
Notes: Setbacks for certain housing types or uses are reduced as specified in SDC 4.7.300-4.7.400. (Ex. Zero-foot side setback for property line where townhome units attach.)			

(B) Front Setbacks

- (1) R-1, R-2, and R-3 Districts.** The front setback requirement is a minimum of ten feet from the property line abutting the street used for address purposes or the back of sidewalk, whichever is closer, or for a panhandle lot, from the property line forming the pan portion of the lot.
- (2) Garage or carport.** The front of a garage or carport must be set back a minimum of 18 feet from any property line or the back of sidewalk, whichever is closer.
- (3) Special setbacks.** The Special Street Setbacks apply in conformance with SDC 4.2.105(M).

(D) Side Setbacks

- (1) R-1 District.** The side setback requirement is a minimum of five feet.
- (2) R-2 and R-3 Districts**
 - (a)** The side setback requirement is a minimum of ten feet from any property line abutting the R-1 district.
 - (b)** The side setback requirement is a minimum of five feet from any property line not abutting the R-1 district, or the edge of sidewalk for a corner lot or parcel, whichever is closer.
- (3) For courtyard housing,** side setbacks must be in conformance with SDC 4.7.335.

(E) Rear Setbacks

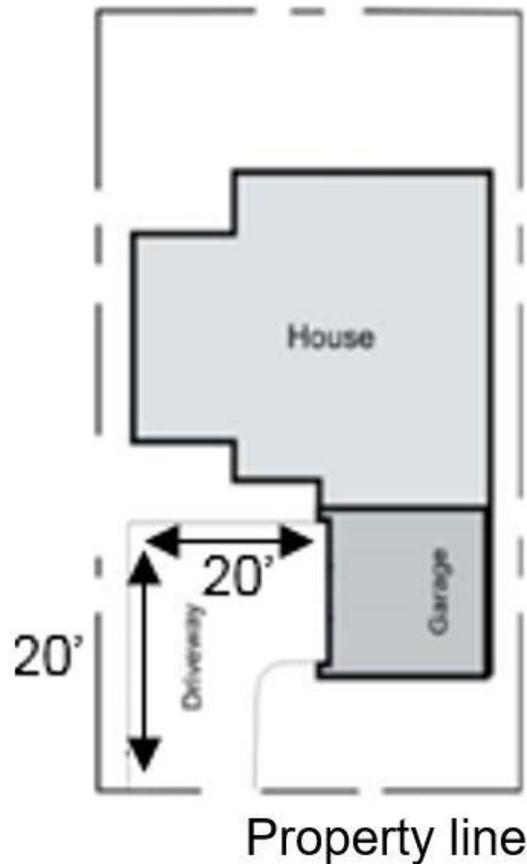
- (1) **R-1, R-2, and R-3 Districts.** The rear setback requirement is a minimum of five feet.

(F) Setback Specifications

- (1) **Alley.** Where an existing alley is less than 20 feet in width, the setback requirement is 20 feet from the property line abutting the alley, notwithstanding any other setback requirement that is less.
- (2) **Townhomes.** Common wall setbacks where units are attached is zero feet from the property line abutting the next attached unit, in conformance with SDC 4.7.330.
- (3) **Vision Clearance Areas.** All structures must comply with SDC 4.2.130, Vision Clearance, notwithstanding any other setback requirement that.
- (4) **Bridges.** Bridges that form a driveway or pedestrian access from the abutting street or alley are permitted in the setbacks.
- (5) **Setback Encroachments.** An encroachment into a setback that meets the following standards is permitted in the R-1, R-2, and R-3 Districts. No other encroachment into a setback are permitted except as may be approved through a variance.
- (a) **Architectural Features.** Eaves, chimneys including fireplace enclosures and chimney chases, bay windows up to eight feet in width, and window wells are allowed to encroach into the front, side, and rear setbacks by no more than two feet, provided there is a minimum setback of three feet from the property line.
- (b) **Front Porches.** An unenclosed covered or uncovered porch, patio, deck, or stoop with a maximum floor height not exceeding 18 inches is allowed to be set back a minimum of six feet from the front property line, as long as it does not encroach into a public utility easement.
- (c) An uncovered and unenclosed porch, patio, deck, or stoop located above finished grade with a maximum floor height not exceeding 18 inches must be set back a minimum of 18 inches from the side and rear property lines. Additionally, it must not encroach into a public utility easement.
- (d) Uncovered patios at finished grade are exempt from setbacks as long as it does not encroach into a public utility easement.
- (e) Stairs, ramps, and landings that are uncovered may be in the front setback.
- (6) **Garage and Carport Setback.**
- (a) The 20-foot setback requirement for the front of a garage or carport is measured along the centerline of the driveway from the property line or back of sidewalk, whichever is closer, to either the garage door or to the support post at the vehicle entry of a carport closest to the property line.

- (b) For a garage on a corner lot or parcel that is accessed from an alley, or a garage where the side or rear wall of the garage faces the street, the setback for the garage side or rear wall is a minimum of ten feet from the property line. In this case, the garage must have at least one window in the side or rear wall facing the street that is a minimum of six square feet. As shown in Figure 3.2-A, a side entry garage that access a street must have a driveway with a minimum length of 20 feet from the front and side property lines.

Figure 3.2-A Garage or Carport Setback



- (G) **Prohibited in Setbacks.** In addition to structures, the following are prohibited within the following setbacks:
- (1) **Front Setbacks.** Satellite dishes greater than 18 inches in diameter, heat pumps, and other similar above ground objects.
 - (2) **Side and Rear Setbacks.** Satellite dishes greater than 18 inches in diameter, heat pumps, and other similar objects, unless screened for visual and noise abatement by a solid enclosure two feet higher than the object/use being screened.
 - (3) **All Setbacks.** Balconies.

3.2.225 Impervious Surface Coverage Standards

- (A) The amount of impervious surface may not exceed the standards listed in this section 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.
- (B) The following Impervious Surface standards apply to all development in Residential Districts.
 - (1) On lots or parcels with more than 15 percent slope or above 670 feet in elevation, as determined in SDC 3.3.500, the impervious surface area must not exceed 35 percent.
 - (2) On lots or parcels of less than 4,500 square feet in size, the impervious surface area must not exceed 60 percent of the lot or parcel area.
 - (3) On lots or parcels of 4,500 square feet or larger in size, the impervious surface area must not exceed 65 percent of the lot or parcel area.

Table 3.2.225 Impervious Surface Coverage	R-1	R-2	R-3
Lots or parcels with more than 15% slope or above 670 feet in elevation	60% maximum		
Lots or parcels of less than 4,500 square feet in size			
Lots or parcels of 4,500 square feet or larger in size	65% maximum		

3.2.230 Height

- (A) The following building height standards are intended to facilitate allowed residential densities while promoting land use compatibility.

Table 3.2.230 Height	R-1	R-2	R-3
All Lots, except where specifically addressed below	35 feet	50 feet	none

- (B) Incidental equipment, as defined in SDC 6.1.110 may exceed the height standard.
- (C) Within the Hillside Development Overlay District, the maximum Building Height, as defined and calculated in SDC 6.1.110, is 45 feet.

3.2.235 Density

- (A) The following net density standards apply to all new development in the R-1, R-2, and R-3 districts, except as specified in subsection (B) of this section. The net density standards shown in Table 3.2.215 are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Springfield Comprehensive Plan. Where the density standard apply, the net density must be within the density range for the

respective zoning district, except that density fractions 0.5 units per net acre or greater will be rounded up to the next whole number, and less than 0.5 unit per net acre will be rounded down to the preceding whole number.

The density standards may be averaged over more than one development phase (i.e., as in a subdivision or Master Planned Development).

- (B)** The net density requirements specified in Table 3.2.215 do not apply as follows:
- (1)** Residential care homes/facilities.
 - (2)** Accessory dwelling units (ADUs).
 - (3)** Duplexes when developed on a lot or parcel that is in a residential land use district and allows a detached single unit dwelling.
 - (4)** Bed and breakfast inns.
 - (5)** Nonresidential uses, including neighborhood commercial uses, public and institutional uses, and miscellaneous uses that do not include a dwelling unit.
 - (6)** Buildings that are listed in the Inventory of Historic Sites within the Springfield Area Comprehensive Plan Exhibit "A" or buildings designated on the Historic National Landmarks Register.
 - (7)** Manufactured home parks within the R-1 district are exempt from the maximum density standards of the district; as long as the standards of SDC 4.7.355 are met.
 - (8)** Residential infill, as defined in SDC 6.1.100, is exempt from minimum density standards.
 - (9)** Partitions on properties that are large enough to be divided into five or more lots are exempt from minimum density standards as long as the size of the resulting parcels and siting of dwellings allow future development on these parcels at minimum densities.
- (C)** Net density is defined in SDC 6.1.100 as the number of dwelling units for each acre of land in residential use, excluding: dedicated streets; dedicated parks; dedicated sidewalks; and other public facilities.
- (D)** For the purpose of calculating residential net density:
- (1)** Where a property is within multiple zoning districts, the minimum and maximum number of units is calculated based on the acreage in each residential district that is subject to the density standard as specified above multiplied by the applicable minimum and maximum density standards. Areas with nonresidential districts are excluded from the density calculation.
 - (2)** Except as provided in subsection (D)(3) of this section, the following areas are subtracted from the gross area of the property:
 - (a)** Area not in residential use as provided in subsection (D)(4) of this section;
 - (b)** Area for dedicated streets;
 - (c)** Area for dedicated sidewalks;
 - (d)** Area for dedicated parks;
 - (e)** Area for other public facilities.

After subtracting these areas from the gross area, then the remaining area is the net area used to calculate the net density.

- (3) The following areas are not subtracted from the gross area to calculate net density:
- (a) Area within a public easement less than ten feet in width;
 - (b) Area within a private street;
 - (c) Area within a private park; and
 - (d) Area for other private facilities.
- (4) **Residential use** – Any area not in residential use is subtracted from the gross area. The term “in residential use” is considered to mean “of, relating to, or connected with a residence or residences”. Examples of residential use include the following: off street parking and vehicle circulation areas, maintenance or storage areas, and residential leasing offices, if these uses are related to or connected with a residence or residences.

Examples of uses that would not be considered to be in residential use include the following: any commercial uses, accessory uses that are not related to or connected with a residence or residences, and unbuildable areas as described below.

- (a) **Unbuildable.** This category includes land that is undevelopable. It includes tax lots or areas within tax lots with one or more of the following attributes:
- (i) Slopes greater than 25 percent as calculated in SDC 3.3.520(A);
 - (ii) Within the floodway, as designated by the FP Overlay District;
 - (iii) In areas with severe landslide potential as shown on an adopted City of Springfield inventory or map;
 - (iv) Within locally significant wetlands and locally significant riparian areas and their setbacks as specified in SDC 4.3.117;
 - (v) Within the riparian area boundary of a Water Quality Limited Watercourse as specified in SDC 4.3.115;
 - (vi) Within the easement area of a 230 kV or greater transmission line;
 - (vii) Small irregularly shaped lots¹; and
 - (viii) Publicly-owned land as described in (5), (6), (7), and (8) below.
- (5) **Streets** - Any street or roadway dedicated as public right of way is subtracted from the gross area to calculate net density. The area does not take into account to what degree the street or roadway area is improved. This does not include private streets or driveways. The area for any private street would remain in the net area considered to be in residential use.
- (6) **Sidewalks** – Any sidewalk dedicated as public right of way is subtracted from the gross area to calculate net density. A public sidewalk located in an easement is not subtracted from the gross area. Private sidewalks (e.g. for multifamily housing developments, etc.) are not subtracted from the gross area.
- (7) **Parks** – Any public park area including a publicly-owned Regional Park, Community Park, Neighborhood Park, or Linear Park is subtracted from the gross area to calculate the net density. Any Private Park, or private open space, if not dedicated would remain in the net area.

¹ Only lots that were counted as unbuildable in an adopted Housing Needs Analysis, can be subtracted from the gross density as “small irregularly shaped lots”.

- (8) Other public facilities** – Any area for a public facility dedicated to the City of Springfield or other public agency is subtracted from the gross area to calculate net density. This includes storm water tracts dedicated to the City, however, does not include private storm water facilities.

Additionally, any area, including easement areas, for a public facility that is adopted into the Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) is subtracted from the gross area. Any other public utility easement (PUE) that contains public utilities that are not adopted into the PFSP are not subtracted from the gross area (except as provided above under unbuildable land for 230 kV transmission lines).

“Public facility projects” adopted in the PFSP include:

- (a) Water:** Source, reservoirs, pump stations, and primary distribution systems. Primary distribution systems are transmission lines 12 inches or larger for Springfield Utility Board (SUB) and 24 inches or larger for Eugene Water & Electric Board (EWEB).
- (b) Wastewater:** Pump stations and wastewater lines 24 inches or larger.
- (c) Stormwater:** Drainage/channel improvements and/or piping systems 36 inches or larger; stormwater detention and/or treatment facilities; outfalls; water quality projects; and waterways and open systems.
- (d)** Specific projects adopted as part of the Metro Plan are described in the project lists and their general location is identified in the planned facilities maps in Chapter II of the Eugene-Springfield Metropolitan Public Facilities and Services Plan (Public Facilities and Services Plan).

3.2.240 Panhandle Lot or Parcel Development Standards

(A) Special provisions for lots/parcels with panhandle driveways:

- (1)** Panhandle driveways are permitted where dedication of public right-of-way is not required to meet the Street Network Standards contained in SDC 4.2.105(D) or (E) or to comply with the density standards in the applicable zoning district. Panhandle driveways are not permitted in lieu of a public street required to meet the Street Network Standards contained in SDC 4.2.105(D) or (E).
- (2)** The area of the pan portion does not include the area in the “panhandle” driveway.
- (3)** The minimum paving standards for panhandle driveways are:
 - (a)** Twelve feet wide for a single panhandle driveway from the front property line to a distance of 18 feet, where there is an unimproved street; and from the front property line to the pan of the rear lot or parcel, where there is an improved street; and
 - (b)** Eighteen feet wide for a multiple panhandle driveway from the front property line to the pan of the last lot or parcel. This latter standard takes precedence over the

driveway width standard for multiple unit dwelling driveways specified in Table 4.2.2.

- (c) The driveway apron must be developed to a commercial driveway standard as specified in ??????

- (B) Buildable lots/parcels do not need to have frontage on a public street when access has been guaranteed via a private street or driveway with an irrevocable joint use/access easement as specified in SDC 4.2.120(A). In the residential districts, when a proposed land division includes single or multiple panhandle lots/parcels and the front lot or parcel contains an existing primary or secondary structure, an irrevocable joint use/access easement is allowed in lieu of the panhandles when the required areas to meet both the applicable panhandle street frontage standard and the required five foot wide side yard setback standard for the existing structure is available. In this case, the irrevocable access easement width standard is as follows:
 - (1) Fourteen feet wide for a single panhandle lot or parcel in the R-1 District; or
 - (2) Twenty feet wide for a single panhandle in the R-2 and R-3 District, or where multiple panhandles are proposed in any residential district.

Section 4.7.300 – 4.7.400 - Special Standards and Regulations for Certain Uses in Residential Districts

Subsections:

- 4.7.310 Duplex
- 4.7.315 Middle Housing
- 4.7.320 Triplex or Fourplex
- 4.7.325 Cottage Cluster Housing
- 4.7.330 Townhomes
- 4.7.335 Courtyard Housing
- 4.7.340 Accessory Dwelling Units (ADU's)
- 4.7.345 Manufactured Dwelling Parks

4.7.310 Duplex

- (A) In instances where a development can meet the definition of a duplex and also meets the definition of a primary single unit dwelling with an Accessory Dwelling Unit (ADU), the applicant must specify at the time of application whether the development is a duplex or a primary single unit dwelling with an ADU.
- (B) Additions to or conversion of an existing detached single-unit dwelling to a duplex is allowed provided that the conversion does not increase nonconformance with applicable clear and objective standards.
- (C) A duplex in the R-2 or R-3 district must be within the minimum and maximum density range for the applicable district.

4.7.315 Middle Housing

(A) Relationship to Other Code Standards

- (1) **Conflicts.** In the event of a conflict between middle housing code provisions in this section and other code standards applicable to middle housing, the standards in this section prevail.
- (2) **Public Works Standards.** Clear and objective exceptions to public works standards granted to detached single-unit dwellings (SD-Ds) must also be granted to duplexes.

(B) Sufficient Infrastructure. For all middle housing types (except duplexes) in the R-1, R-2, and R-3 districts applicants must demonstrate that Sufficient Infrastructure is provided or will be provided. The applicant must provide the information to demonstrate that Sufficient Infrastructure will be provided with the submittal of the development application for the proposed middle housing. The sufficient infrastructure must be provided prior to occupancy of the proposed middle housing. Sufficient Infrastructure must meet the established service levels as specified below.

- (1) Sanitary Sewer. The subject property and any existing and proposed dwellings must be connected to sanitary sewer. The sanitary sewer must be designed and constructed in conformance with SDC Section 4.3.105, and Chapter 2 of the *Engineering Design Standards and Procedures Manual (EDSPM)*.

- (2) Stormwater. The subject property and any existing and proposed dwellings must have a Stormwater management system provided consistent with SDC 4.3.110 Stormwater Management.
 - (a) Any increase in on-site surface water drainage associate with new middle housing units, including roof drainage, must be retained on the lot or parcel of origin and not flow onto the public right-of-way or other private property.
- (3) Water. The subject property as well as any existing and proposed dwellings must be connected to a public water system. The public water system must be capable of meeting established service levels as determined by the Springfield Utility Board (SUB). Documentation must be submitted from SUB with the development application demonstrating that the water system meets the established service levels or what improvements must be completed by the applicant prior to occupancy of the proposed middle housing to ensure established service levels are met.
- (4) Streets. The subject property must have access via public or private streets that meet the fire apparatus access road standards as required by and in compliance with the Oregon Fire Code.

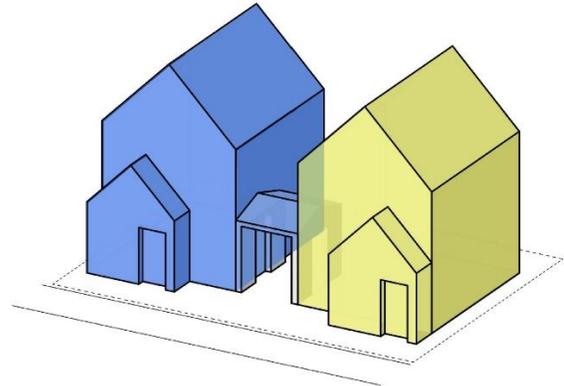
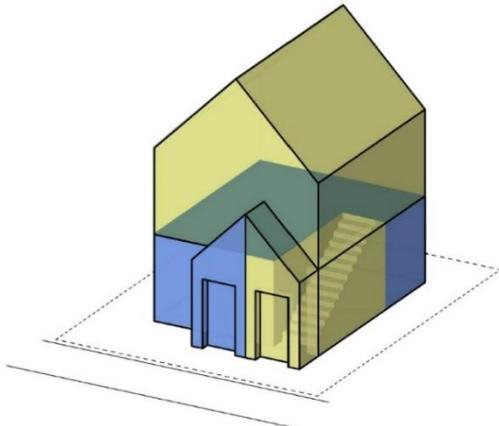
(C) Master Planned Communities. Middle housing may be regulated or limited in Master Planned Communities as follows:

- (1) If a master plan has been adopted by the city after January 1, 2021, all middle housing types must be allowed as provided in this code.
 - (a) The City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 15 dwelling units per net acre.
 - (b) If proposed middle housing development exceeds the planned public service capacity of a master plan, the City may require the applicant to demonstrate, through amended public plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.
 - (c) The city may require a mix of two or more middle housing types within a master plan or portions of a master plan.
 - (d) The city may designate areas within the master plan exclusively for other types of housing, such as multi-unit residential structures or manufactured dwelling parks.
- (2) If a master plan has been adopted by the city before January 1, 2021, it may limit the development of middle housing other than duplexes provided it authorizes in the entire master plan area a net residential density of at least eight dwelling units per net acre and allows all dwelling units, at minimum, to be detached single-unit dwellings or duplexes. The city may only apply this restriction to portions of the area not developed as of January 1, 2021 and may not apply this restriction after initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that the city may prohibit redevelopment of other

housing types, such as multi-unit residential structures and manufactured dwelling parks.

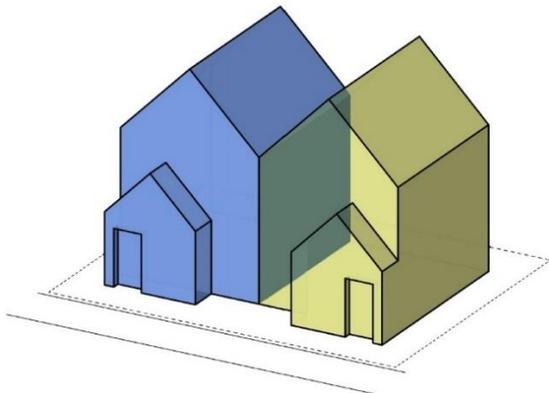
(D) Examples of Duplex, Triplex, and Fourplex configurations. The following figures illustrate examples of possible configurations for duplexes, triplexes, and fourplexes. Other configurations are also possible and acceptable, provided the development meets the definitions and development standards for middle housing.

Stacked duplex



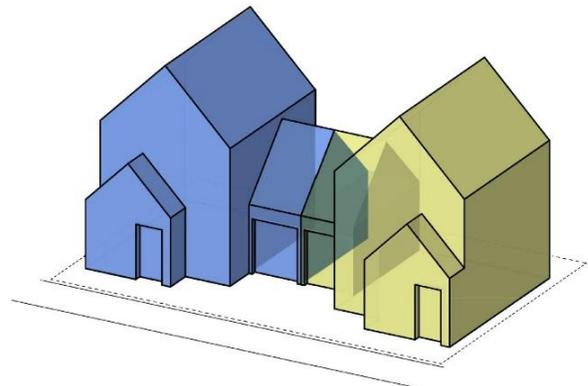
Detached duplex units side-by-side

Side-by-side duplex

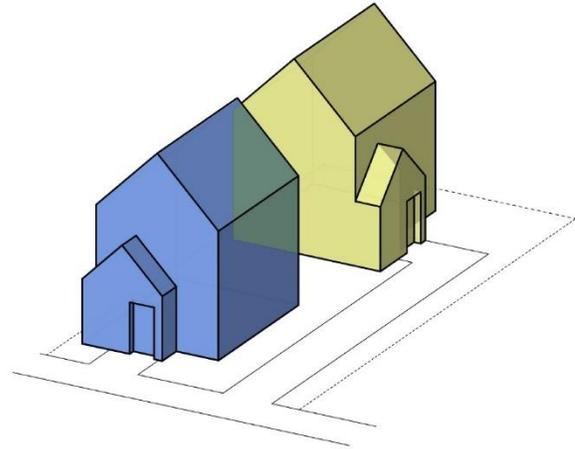
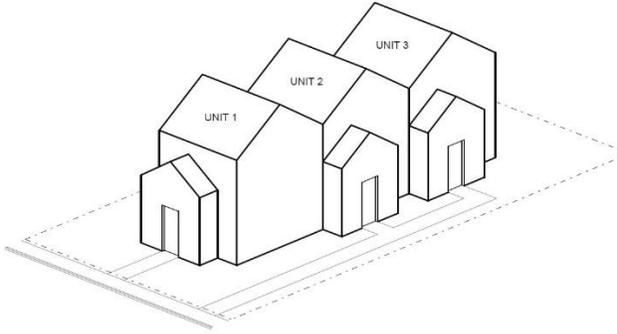


Duplex attached by garage wall

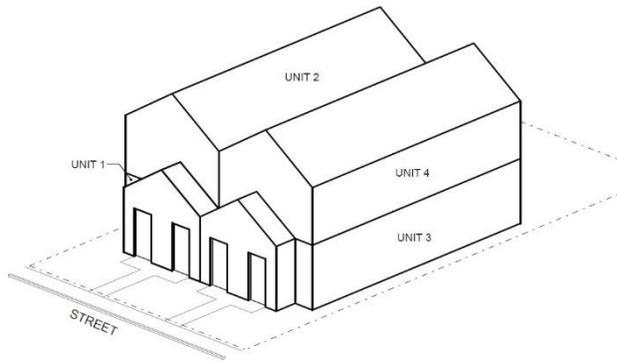
Duplex attached by breezeway



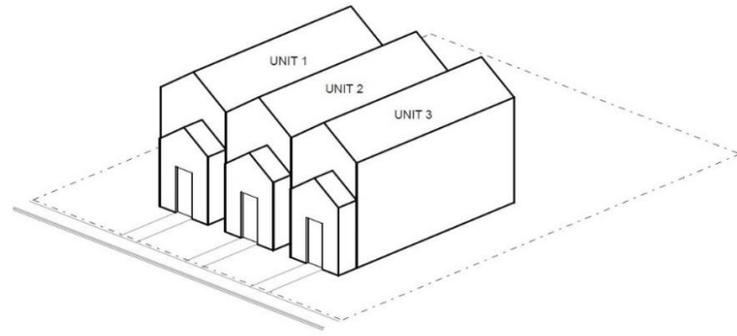
Attached triplex front and back



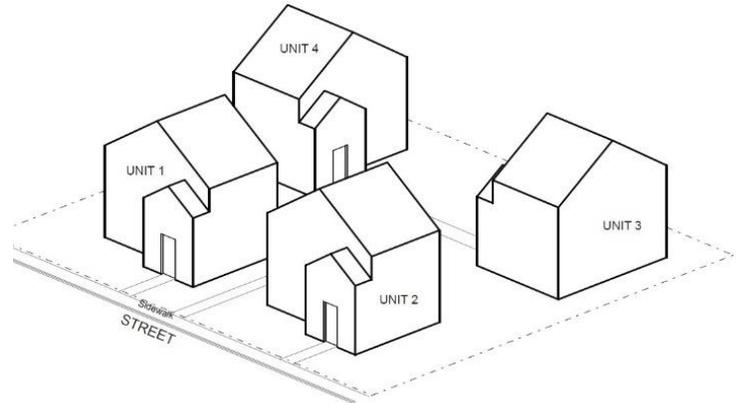
Stacked fourplex



Attached triplex side-by-side



Detached fourplex



Detached duplex units front and back

4.7.320 Triplex and Fourplex

New triplexes and fourplexes, including those created by adding building square footage on a site occupied by an existing dwelling, must comply with the standards listed below. These standards do not apply to creation of a triplex or fourplex through conversion of a detached single-unit dwelling.

(A) Entry Orientation. At least one main entrance for each triplex or fourplex structure must meet the standards in subsections (1) and (2) below. Any detached structure for which more than 50 percent of its street-facing façade is separated from the street property line by a dwelling is exempt from meeting these standards.

- (1) The entrance must be within eight feet of the longest street-facing wall of the dwelling unit; and
- (2) The entrance must either:
 - (a) Face the street. See Figure 4.7-A;
 - (b) Be at an angle of up to 45 degrees from the street. See Figure 4.7-B;
 - (c) Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides. See Figure 4.7-C; or
 - (d) Open onto a porch (see Figure 4.7-D). The porch must:
 - (i) Be at least 25 square feet in area; and
 - (ii) Have at least one entrance facing the street or have a roof.

Figure 4.7-A. Main Entrance Facing the Street

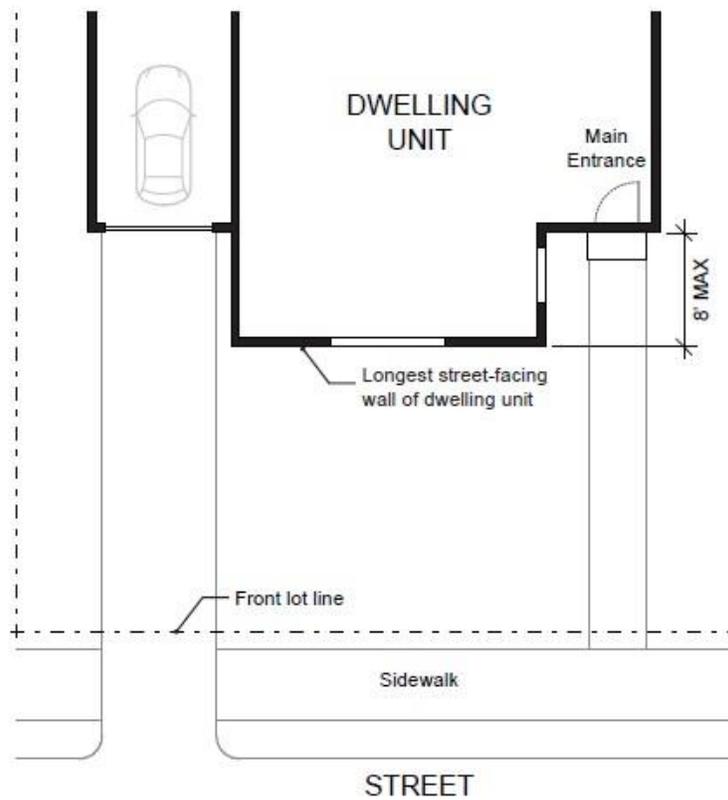


Figure 4.7-B. Main Entrance at 45 Degree Angle from the Street

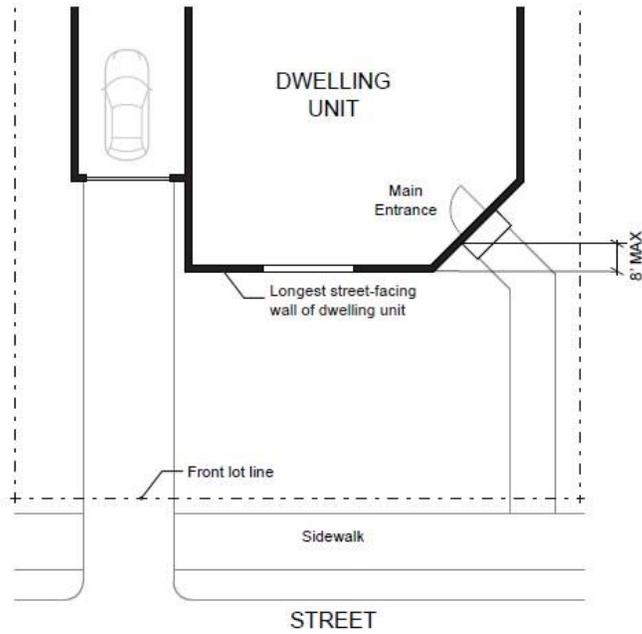


Figure 4.7-C. Main Entrance Facing Common Open Space

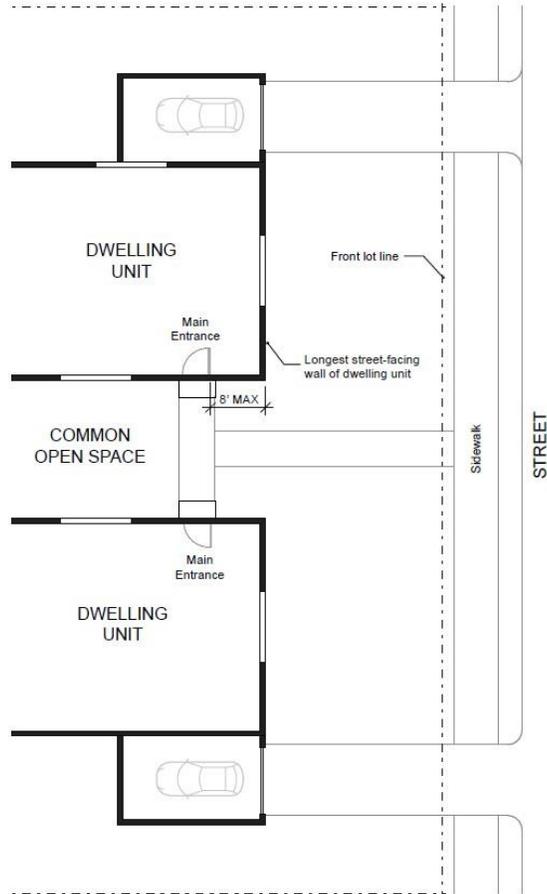
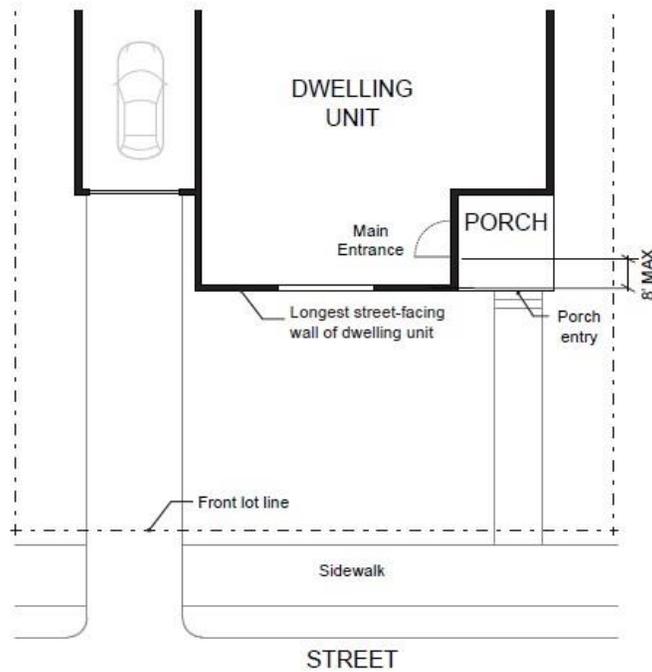


Figure 4.7-D. Main Entrance Opening onto a Porch



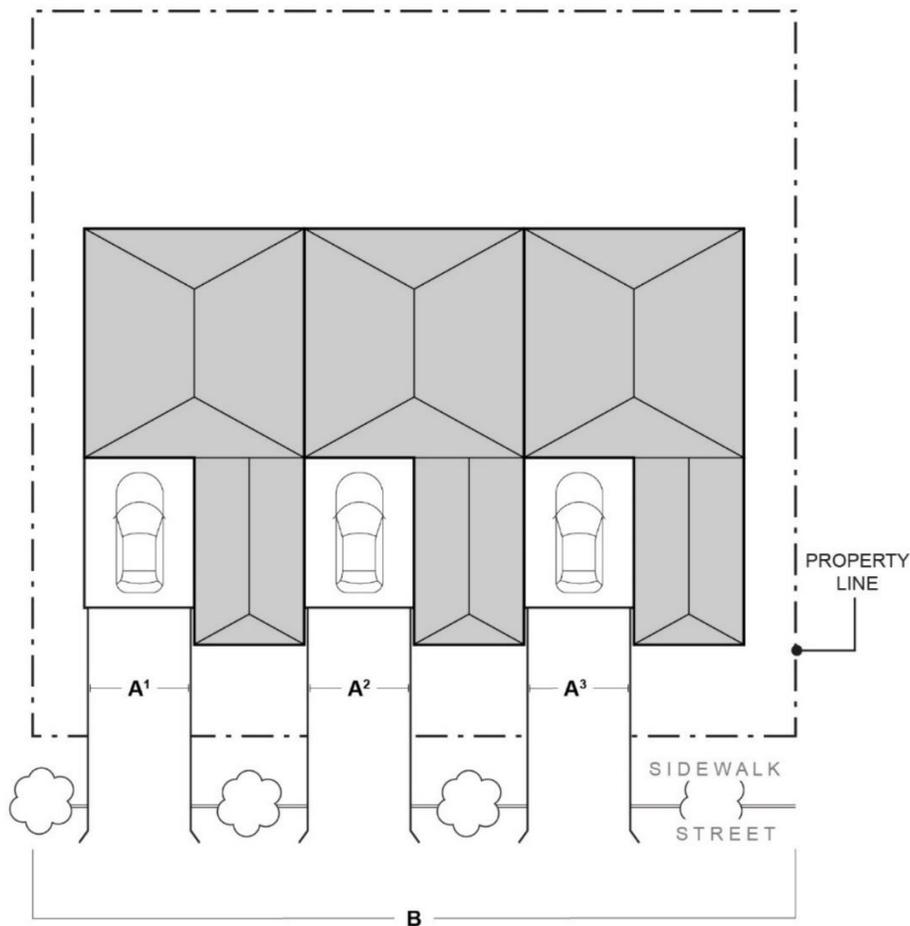
(B) Window and Door Coverage. A minimum of 15 percent of the area of all street-facing elevations must include windows or entrance door. Elevations separated from the street property line by a dwelling are exempt from meeting this standard. See Figure 4.7-E.

Figure 4.7-E. Window and Door Coverage



- (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 subsection (1) and (2) of this subsection.
- (1) The garage of 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. See Figure 4.7-F.

Figure 4.7-F. Width of Garages and Off-Street Parking Areas



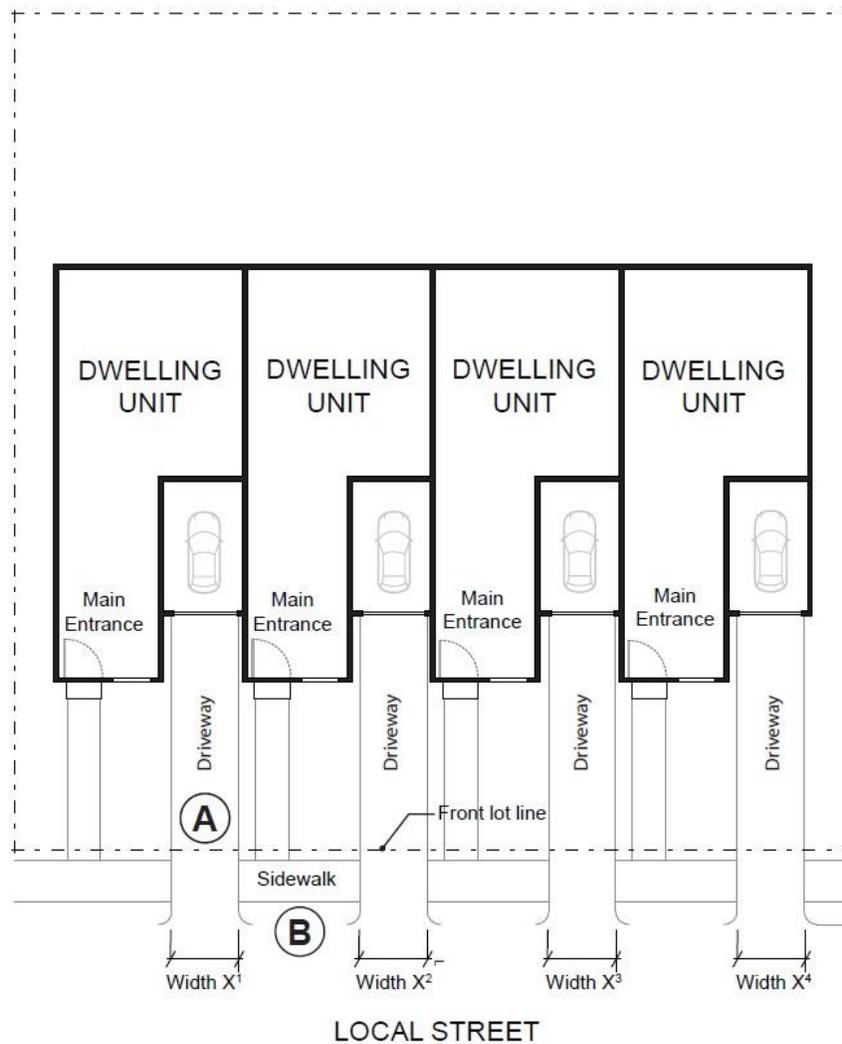
- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

(D) Driveway Approach. Driveway approaches must comply with the following standards.

- (1) The total width of all driveway approaches must not exceed 32 feet per frontage, as measured at the property line. See Figure 4.7-G. For lots or parcels with more than one frontage, see (3) below of this subsection.
- (2) Driveway approaches may be separated when located on a local street. See Figure 4.7-G. If approaches are separated, they must meet the driveway spacing standards of SDC 4.2.120.

Figure 4.7-G. Driveway Approach Width and Separation on Local Street



A $X^1 + X^2 + X^3 + X^4$ must not exceed 32 feet per frontage,

B Driveway approaches may be separated when located on a local street

- (3) In addition, lots or parcels with more than one frontage must comply with the following:
- (a) Lots or parcels must access the street with the lowest transportation classification for vehicle traffic.
 - (b) For lots or parcels abutting an improved alley as specified in section 4.2.105, access must be taken from the alley. See Figure 4.7-H.
 - (c) Lots or parcels with frontage only on collector and/or arterial streets must meet the Site Access and Driveway Standards in section 4.2.120 applicable to collectors and/or arterials.
 - (d) Triplexes and fourplexes on lots or parcels with frontages only on local streets may have either:
 - (i) Two driveway approaches not exceeding 32 feet in total width on one frontage; or
 - (ii) One maximum 16-foot wide driveway approach per frontage. See Figure 4.7-I.

Figure 4.7-H. Alley Access

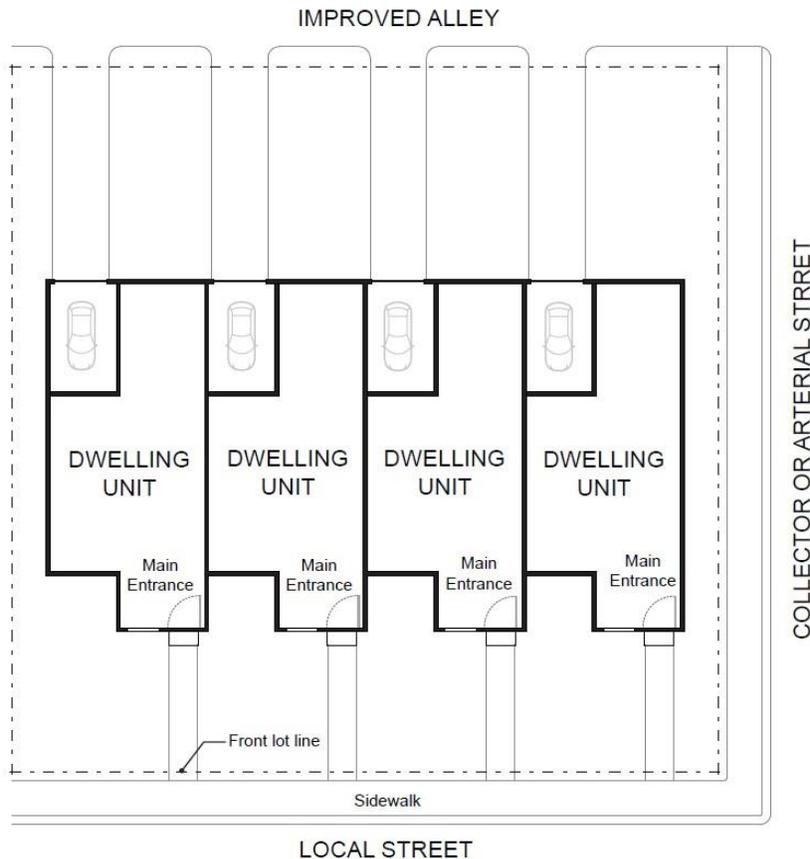
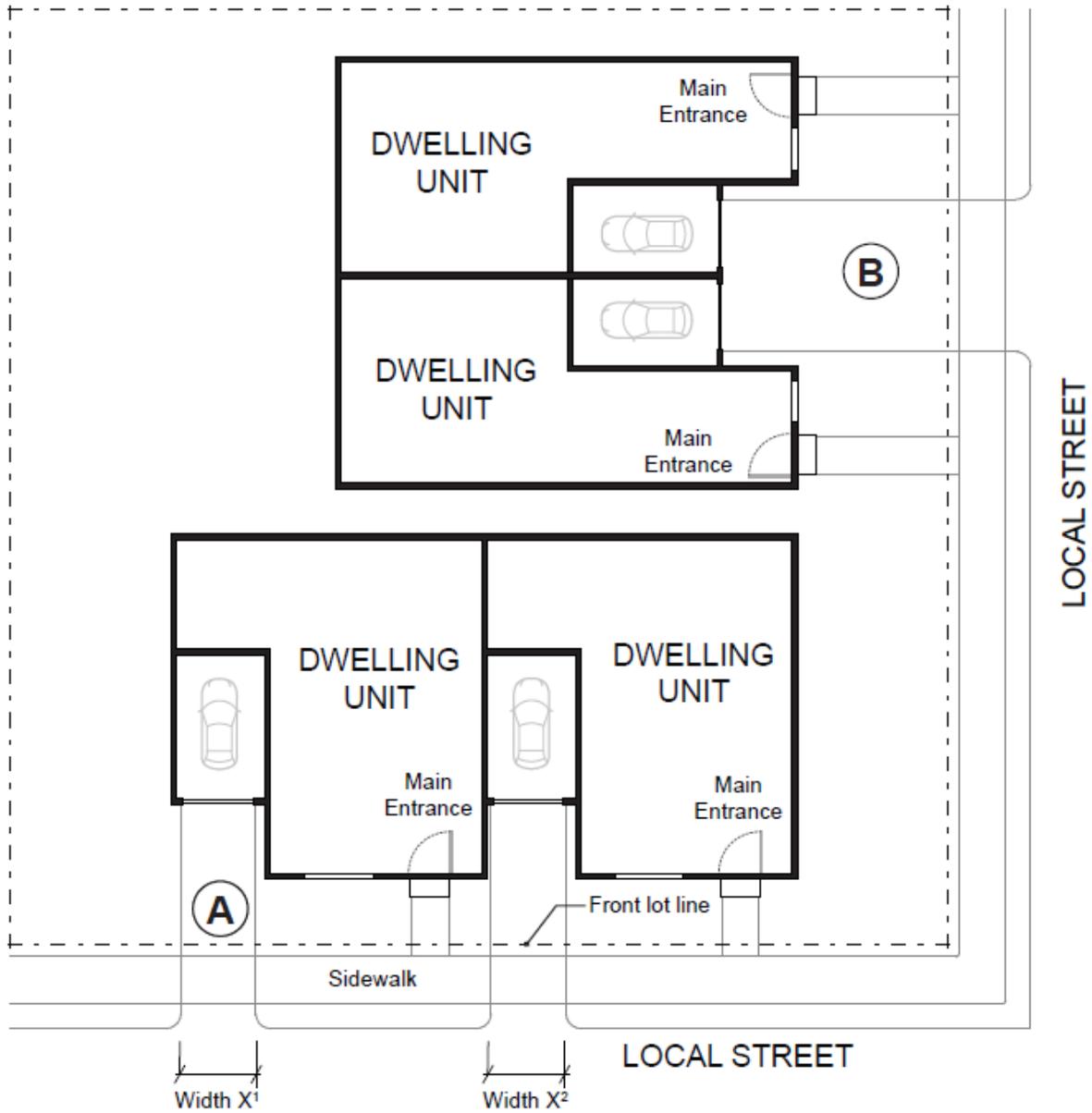


Figure 4.7-I. Driveway Approach Options for Multiple Local Street Frontages



Options for site with more than one frontage on local streets:

- A** Two driveway approaches not exceeding 32 feet in total width on one frontage (as measured $X_1 + X_2$); or
- B** One maximum 16-foot-wide driveway approach per frontage.

(Note: Both options are depicted here for illustrative purposes only. The standards do not allow both Options A and B on the same site.)

- (E) Conversions to Triplex and Fourplex.** Internal conversion of an existing detached single unit structure or duplex to a triplex or fourplex is allowed provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the development code.

4.7.325 Cottage Cluster

(A) Purpose and Title

Cottage Cluster is a type of flexible site development or subdivision that allows four or more small-scale dwelling units, either attached or detached, grouped together around shared open space.

The Cottage Cluster provisions allow the use as an outright permitted use through a Type 1 ministerial process in all the residential land use districts if the development meets the following standards in (B) below. However, if the cottage cluster proposes a land division, the land division must also go through the land division process as specified in SDC Section 5.12.100.

(B) Density

- (1) Minimum density of at least four units per net acre must be met.
- (2) There is not maximum density for a cottage cluster housing project.

(C) Number of Dwelling Units

- (1) A Cottage Cluster development must include a minimum of four dwelling units.

(D) Lot Size and Dimensions

- (1) The minimum lot or parcel size for a cottage cluster housing project is 5,000 square feet.
- (2) The minimum lot or parcel size for individual cottages in a cottage cluster housing project, when a land division divides the cottages onto their own lots or parcels, may be as small as the footprint of the cottage.
- (3) There are no minimum dimensions for individual cottage lots or parcels.

(E) Dwelling Unit Size

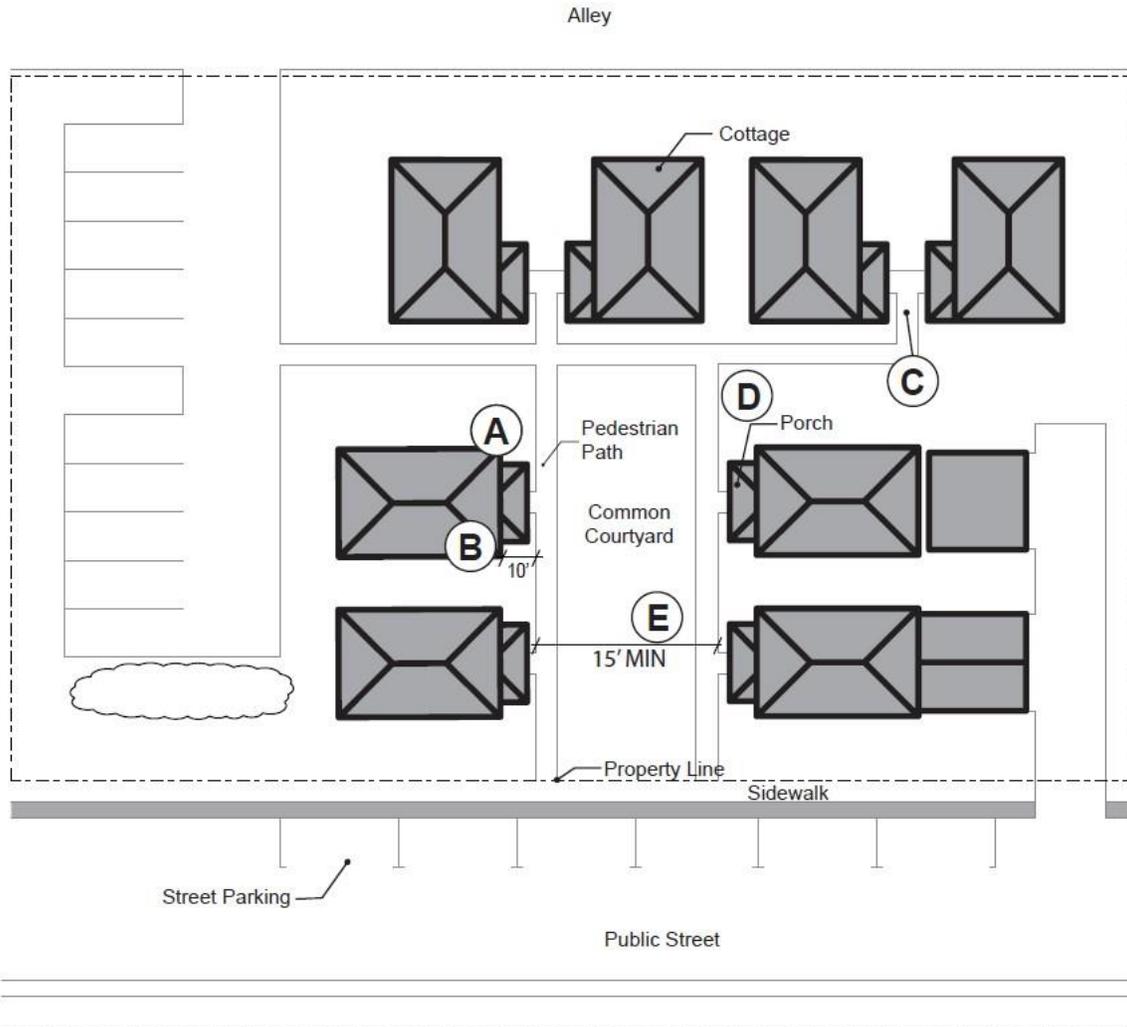
- (1) The maximum dwelling unit footprint size is 900 square feet. For each dwelling unit, 200 square feet for an attached garage or carport is exempt from the 900 square foot maximum.
- (2) Detached garages, carports, or other accessory structures are exempt from the 900 square foot maximum footprint.

- (F) Accessory Structures.** Accessory structures must not exceed 400 square feet in floor area.

- (G) Setbacks.** The following perimeter setbacks apply to the perimeter of a Cottage Cluster Project site.
- (1) Front setbacks:** Ten feet.
 - (2) Side setbacks:** Five feet.
 - (3) Rear setbacks:** Five feet.
- (H) Building Separation.** The minimum distance between structures must be in accordance with the building code requirements.
- (I) Building Height.** The maximum height of structures in a Cottage Cluster Project is 35 feet.
- (J) Orientation.** Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards. See Figure 4.7-J.
- (1)** Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - (2)** A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard by meeting the following:
 - (a)** Have a main entrance facing the common courtyard;
 - (b)** Be within ten feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - (c)** Be connected to the common courtyard by a pedestrian path.
 - (3)** Cottages within 20 feet of a street property line may have their entrances facing the street.
 - (4)** Cottages not facing the common courtyard, or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.
- (K) Common Courtyard Design Standards.** Each cottage cluster must share a common courtyard to provide a sense of openness and community of residents. Common courtyards must meet the following standards. See Figure 4.7-J.
- (1)** The common courtyard must be a single, contiguous piece.
 - (2)** Cottages must abut the common courtyard on at least two sides of the courtyard.
 - (3)** The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.

- (4) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
 - (5) The common courtyard must be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard must not exceed 75 percent of the total common courtyard area.
 - (6) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard count toward the courtyard's minimum dimension and area. Parking areas, and driveways do not qualify as part of a common courtyard.
- (L) **Community Buildings.** Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day cares, or community eating areas. If community buildings are provided, they must meet the following standards.
- (1) Each cottage cluster is permitted one community building.
 - (2) A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

Figure 4.7-J. Cottage Cluster Orientation and Common Courtyard Standards



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- (C)** Cottages must be connected to the common courtyard by a pedestrian path.
- (D)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (E)** The common courtyard must be at least 15 feet wide at its narrowest width.

(M) Pedestrian Access

- (1) An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - (a) The common courtyard;
 - (b) Shared parking areas;
 - (c) Community buildings; and
 - (d) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are not sidewalks.
- (2) The pedestrian path must be hard-surfaced and a minimum of four feet wide.

(N) Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single-unit dwellings in the same residential land use district.

(O) Parking

- (1) The minimum number of required off-street parking spaces for a cottage cluster project is one space per dwelling unit.
- (2) Off street parking spaces may be provided in a garage or carport.
- (3) Off street parking space credits are allowed in conformance with the standards of SDC Section 4.6.110.

(P) Parking Design. See Figure 4.7-K.

- (1) **Clustered parking.** Off-street parking may be arranged in clusters, subject to the following standards.
 - (a) Cottage cluster project with fewer than 16 cottages are permitted parking clusters of not more than five contiguous spaces.
 - (b) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight contiguous spaces.
 - (c) Parking clusters must be separated from other spaces by at least four feet of landscaping.
 - (d) Clustered parking areas may be covered.
- (2) **Parking location and access.**
 - (a) Off-street parking spaces and vehicle maneuvering areas must not be located:

- (i) Within ten feet from any street property line, except alley property lines; or
 - (ii) Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces must not be located within ten feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within ten feet of other property lines.
- (3) **Screening.** Landscaping, fencing, or walls at least three feet tall must separate clustered parking areas and parking structures from common courtyards and public streets.
- (4) **Garages and carports**
 - (a) Garages and carports (whether shared or individual) must not abut common courtyards.
 - (b) Individual attached garages up to 200 square feet in size are exempt from the calculation of maximum building footprint for cottages.
 - (c) Individual detached garages must not exceed 400 square feet in floor area.
 - (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.
- (Q) **Existing Structures.** On a lot or parcel to be used for a cottage cluster project, an existing detached single unit dwelling on the same lot or parcel at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - (1) The existing dwelling may be nonconforming with respect to the requirements of this code.
 - (2) The existing dwelling may be expanded up to the maximum height in (I) above or the maximum building footprint in (E) above; however, existing dwellings that exceed the maximum height and/or footprint of this code cannot be expanded.
 - (3) The floor area of the existing dwelling does not count towards the maximum average floor area of a cottage cluster.
 - (4) The existing dwelling is excluded from the calculation of orientation toward the common courtyard.

- (2) Accessory dwelling units (ADUs) (either within, attached, or detached) are allowed for any detached or attached dwelling in a cluster housing development.

4.7.330 Townhomes

- (A) New townhome units must comply with the requirements in subsections (A)(1) through (4) of this section.

For purpose of this section, a “Townhome” means (as defined in SDC 6.1.100) a dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual Lot or Parcel and shares at least one common wall with an adjacent dwelling unit. Single unit attached homes may have detached garages or ADUs that share a common wall between the two lots or parcels.

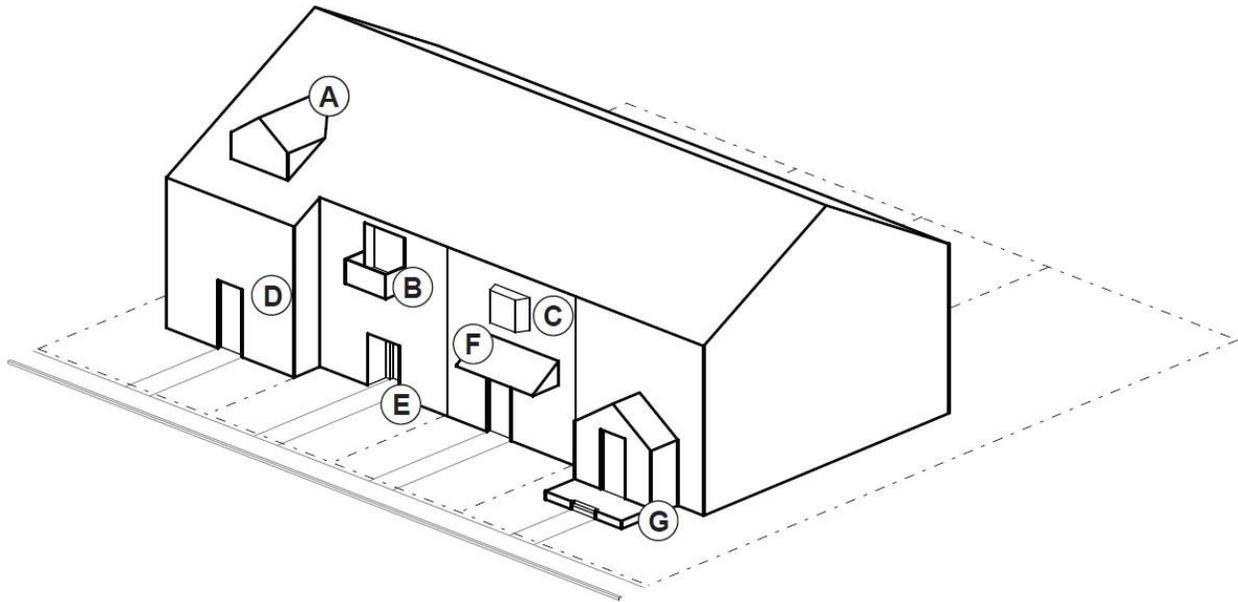
- (1) **Areas Owned in Common.** Common areas must be maintained by a homeowner’s association or other legal entity. A homeowner’s association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions, and conditions must be recorded and provided to the jurisdiction prior to issuance of building permits.
- (2) **Entry Orientation.** The main entrance of each townhouse must:
 - (a) Be within eight feet of the longest street-facing wall of the dwelling unit, if the lot has public street frontage; and
 - (b) Either:
 - (i) Face the street. See Figure 4.7-A;
 - (ii) Be at an angle of up to 45 degrees from the street. See Figure 4.7-B;
 - (iii) Face a common open space or private access or driveway that is abutted by dwellings on at least two sides; or
 - (iv) Open onto a porch. See Figure 4.7-C. The porch must:
 - (aa) Be at least 25 square feet in area; and
 - (bb) Have at least one entrance facing the street or have a roof.
- (3) **Unit Definition.** Each townhouse must include at least one of the following on at least one street-facing façade. See Figure 4.7-L:
 - (a) A roof dormer a minimum of four feet in width; or
 - (b) A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room; or
 - (c) A bay window that extends from the façade a minimum of two feet; or

- (d) An offset of the façade that is a minimum of two feet in depth, either from the neighboring townhouse or within the façade of a single townhouse; or
- (e) An entryway that is recessed a minimum of three feet; or
- (f) A covered entryway with a minimum depth of four feet; or
- (g) A porch meeting the standards of subsection (1)(b)(iv) of this section (C).

Balconies and bay windows may encroach into a required setback area.

- (4) **Windows.** A minimum of 15 percent of the area of all street-facing elevations on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 4.7-E.

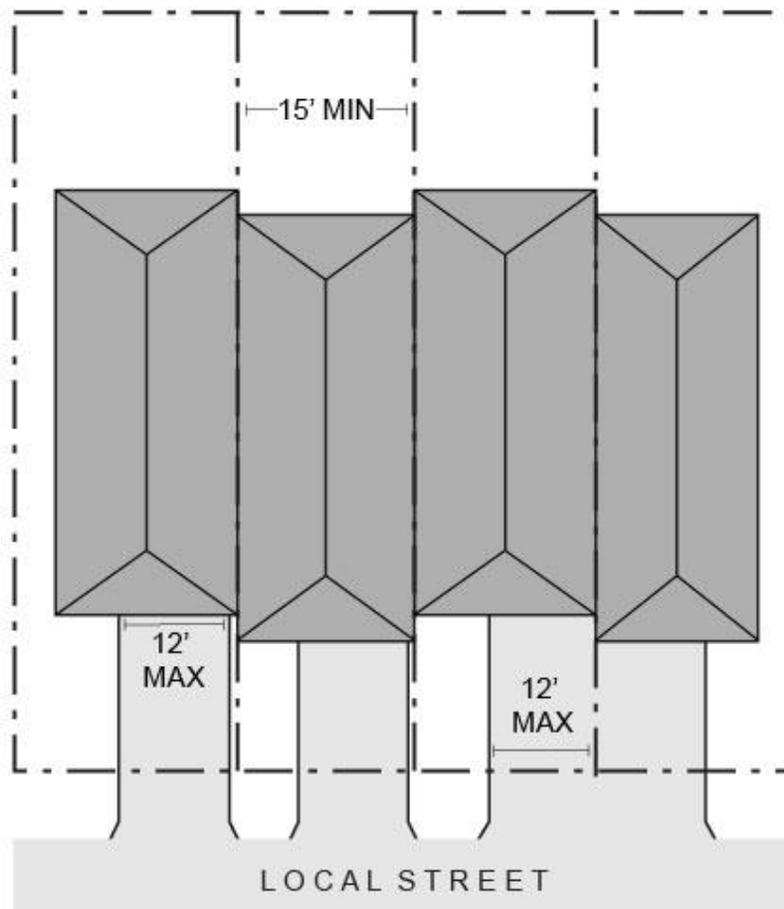
Figure 4.7-L. Townhouse Unit Definition



- (A) Roof dormer, minimum of 4 feet wide
- (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room.
- (C) Bay window extending minimum of 2 feet from facade
- (D) Facade offset, minimum of 2 feet deep
- (E) Recessed entryway, minimum 3 feet deep
- (F) Covered entryway, minimum of 4 feet deep
- (G) Porch, meets standards of subsection (1)(b)(iv) of section (C)

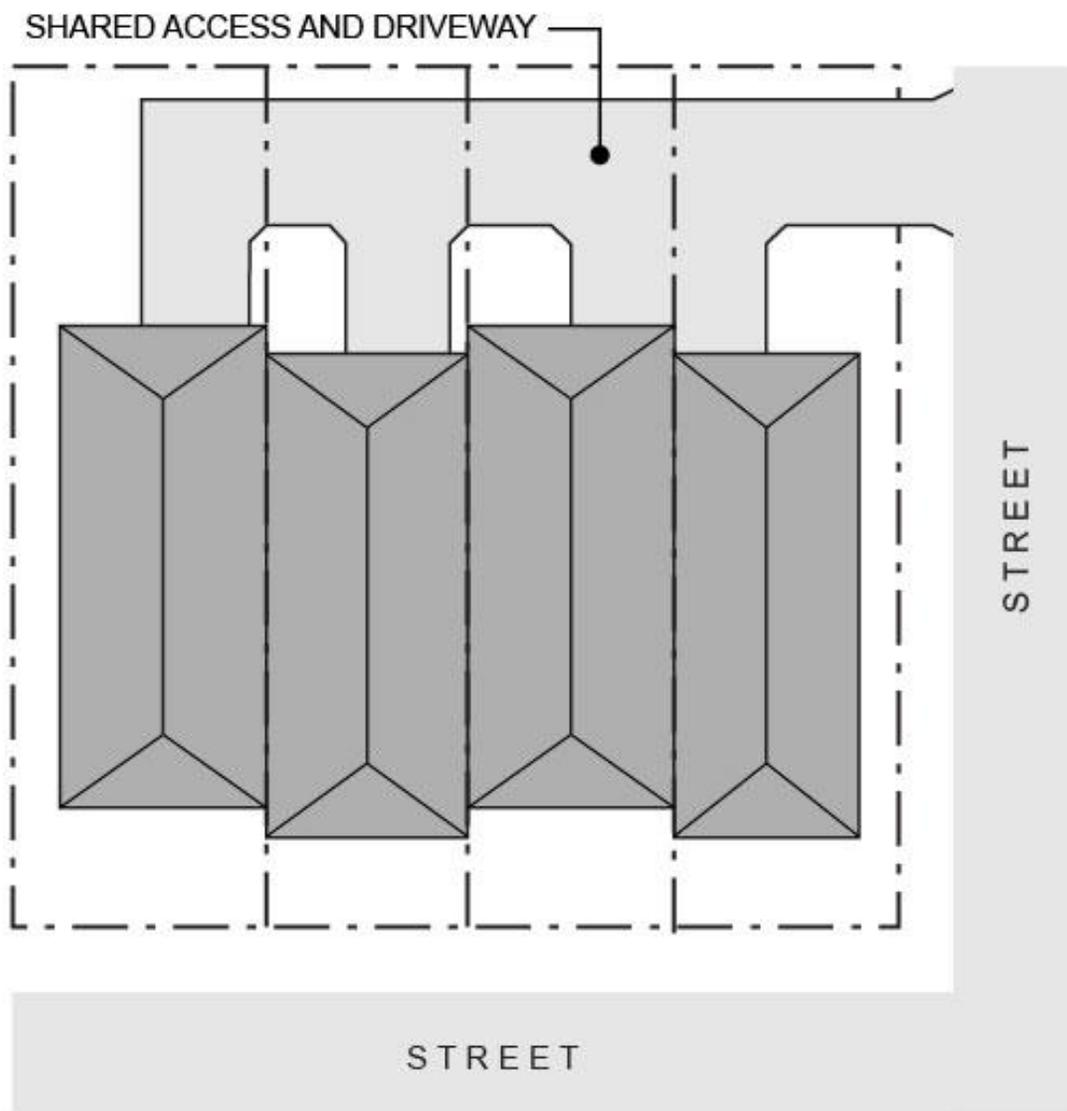
- (5) **Driveway Access and Parking.** Townhouses with frontage on a public street must meet the following standards:
- (a) Garage on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards. See Figure 4.7-M.
 - (i) Each townhouse lot has a street frontage of at least 15 feet on a local street.
 - (ii) A maximum of one driveway approach is allowed for each townhouse. Driveway approaches and/or driveways may be shared.
 - (iii) Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
 - (iv) The garage width must not exceed 12 feet, as measured from the inside of the garage door frame.

Figure 4.7-M. Townhouses with Parking in Front Yard



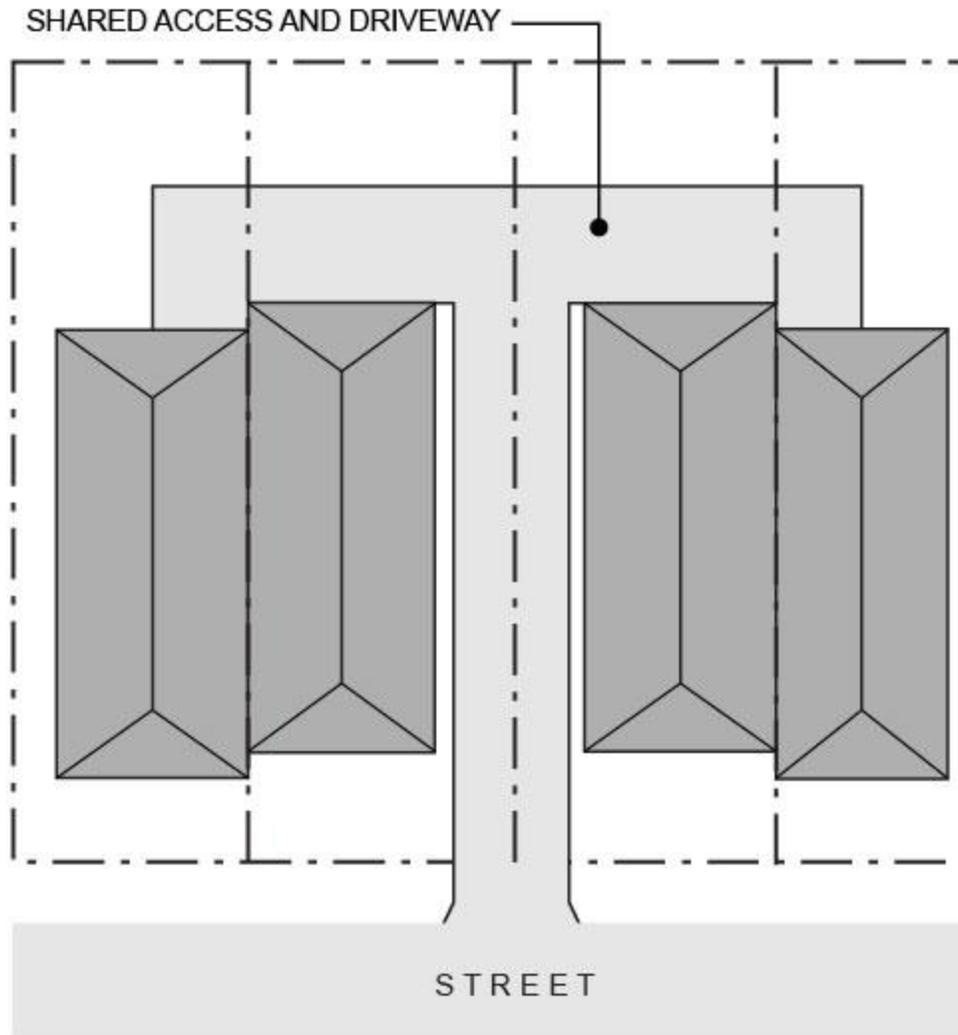
- (b) The following standards apply to driveways and parking areas for townhouse projects that do not meet all the standards in subsection (a) in this section.
- (i) Off-street parking areas must be accessed on the back façade or located in the rear yard. No off-street parking is allowed in the front yard or side yard of a townhouse.
 - (ii) A townhouse project that includes a corner lot must take access from a single driveway approach on the side of the corner lot. See Figure 4.7-N.

Figure 4.7-N. Townhouses on Corner Lot with Shared Access



- (iii) Townhouse projects that do not include a corner lot must consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area directly between the front façade and front lot line of any of the townhouses. See Figure 4.7-O.

Figure 4.7-O. Townhouses with Consolidated Access



- (iv) A townhouse project that includes consolidated access or shared driveways must grant access easements to allow normal vehicular access and emergency access.
- (c) Townhouse projects in which all units take exclusive access from a rear alley are exempt from compliance with subsection (b) of this section.

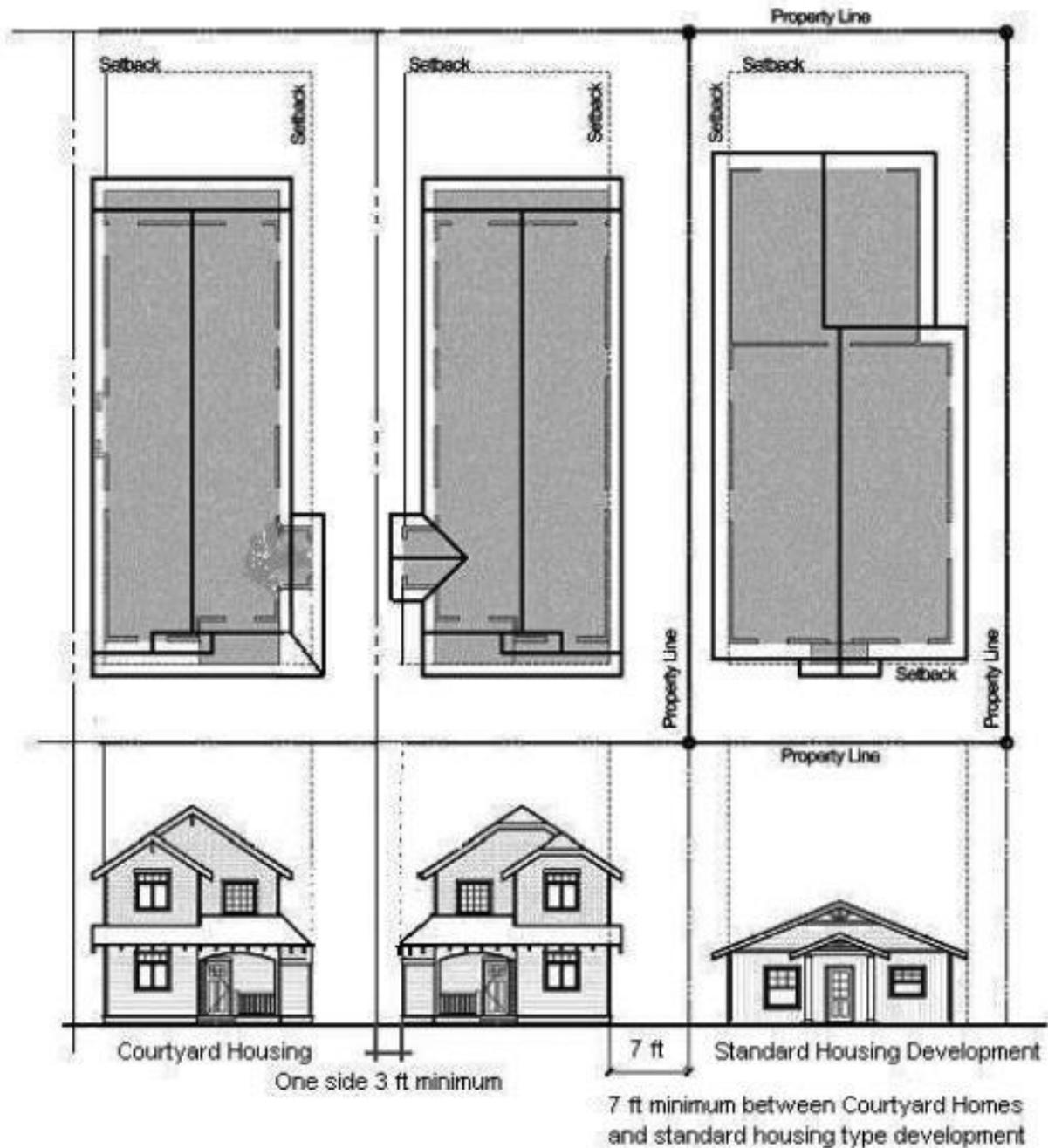
4.7.335 Courtyard Housing

(A) Detached courtyard houses on individual lots are subject to the same standards as single unit detached housing, except that a three foot minimum side yard setback is allowed on one side of a typical lot and a seven foot setback is required on the other side of the lot. As shown in Figure 4.7-P, this type of housing is permitted to allow development on narrow lots and still provide usable outdoor living area in side-oriented courtyards. The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance.

- (1) **Setbacks Adjacent to Non-Courtyard Housing Development.** When a courtyard house shares a side property line with a non-courtyard development (including vacant lots), the courtyard building must be set back from the common property line by a minimum of seven feet.
- (2) **Construction and Maintenance Easement.** Prior to building permit approval, the applicant must submit a copy of a recorded easement for every courtyard house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement must stipulate that no fence or other obstruction can be placed in a manner that would prevent maintenance of structures on the subject lot.
- (3) **Buffering.** The building placement and design of windows must provide a buffer for the occupants of abutting courtyard lots. This standard is met by:
 - (a) Placing ground-floor windows along the courtyard side of the house where views are directed into the yard(s) for the subject house;
 - (b) By directing views away from neighboring lots yards (e.g., bay window); or
 - (c) By using frosted glass or other permanent window covering that obscures any view to the exterior but allows light into the interior.

These standards do not apply to adjoining non-zero lot line lots.

Figure 4.7-P – Courtyard Housing



4.7.340 Accessory Dwelling Unit (ADU)

(A) Purpose. An accessory dwelling unit is intended to:

- (a) Provide the opportunity to add accessible and affordable units to existing neighborhoods and new residential areas;

- (b) Provide flexibility to accommodate changes in household size or composition over the course of time, allowing for intergenerational living and on-site caretakers or assistants;
 - (c) Make efficient use of residential land; and
 - (d) Fit into the neighborhood while maintaining stability, property values.
- (B) An accessory dwelling unit may be established by:
 - (1) Converting an attic, basement, or garage or any other portion of the primary dwelling;
 - (2) Adding floor area to the primary dwelling, including a second story;
 - (3) Constructing a detached accessory dwelling unit on a lot or parcel with a primary single unit dwelling; or
 - (4) Converting an existing dwelling unit to the accessory dwelling unit (if it is less than 800 square feet) and building a primary dwelling unit.

(C) Applicability

- (1) Accessory dwelling units are permitted on R-1 properties with a primary dwelling.
 - (a) In instances where a development can meet the definition of a duplex and also meets the definition of a primary single unit dwelling with an Accessory Dwelling Unit (ADU), the applicant must specify at the time of application whether the development is a duplex or a primary single unit dwelling with an ADU.
- (2) Accessory dwelling units are permitted on R-2 properties with a primary dwelling, according to the following standards.
 - (a) On a lot or parcel with area 6,650 square feet or less, one or two accessory dwelling units are permitted.
 - (b) On a lot or parcel with area greater than 6,650 square feet but not greater than 10,000 square feet, a minimum of two accessory dwelling units must be constructed..
 - (c) An accessory dwelling unit is not permitted on a lot or parcel with area greater than 10,000 square feet.
 - (d) If two accessory dwellings are constructed, at least one must be detached from the primary dwelling.
- (3) Accessory dwelling units are permitted on R-3 properties with a primary dwelling, according to the following standards.
 - (a) On a lot or parcel with area 3,200 square feet or less, one or two accessory dwelling units are permitted.

- (b) On a lot or parcel with area greater than 3,200 square feet but not greater than 4,800 square feet, a minimum of two accessory dwelling units are permitted.
 - (c) An accessory dwelling unit is not permitted on a lot or parcel with area greater than 4,800 square feet.
 - (d) If two accessory dwellings units are constructed, at least one must be detached from the primary dwelling.
- (4) Accessory dwelling units are permitted within the Historic Overlay District subject to the provisions of Sections 3.3.910 through 3.3.945.

(D) Review

- (1) An accessory dwelling unit is reviewed under Type 1 procedure except in the Historic Overlay District or except as provided in Sections 4.7.340(F) and 4.7.340(H)(3) when the accessory dwelling unit is reviewed under a Type 2 procedure.

(E) Submittal Requirements

- (1) A plan drawn to scale and dimensioned showing:
- (a) The proposed accessory dwelling unit and its relation to the property lines;
 - (b) The primary dwelling and other structures on the lot or parcel including fences and walls;
 - (c) Existing and proposed trees and landscaping;
 - (d) Lot or parcel area and dimensions, percent of lot or parcel coverage, building height, entrance locations; location of utilities and meters, curb cuts, sidewalks (public and private) and off-street parking area;
 - (e) Stormwater destination and/or facility;
 - (f) A detailed floor plan of the accessory dwelling unit, drawn to scale with labels on rooms indicating uses or proposed uses; and
 - (g) A separate written response demonstrating how the required development standards listed in Section 4.7-340(G) can be met.

(F) Development Standards. An accessory dwelling unit must meet the following standards:

- (1) The accessory dwelling unit must meet all applicable standards in this Code including, but not limited to; setbacks, height, lot or parcel coverage, and building codes in effect at the time of construction.
- (2) The accessory dwelling unit must contain a kitchen, bathroom, living, and sleeping area that are completely independent from the primary dwelling.

- (3) The accessory dwelling unit must not exceed 800 square feet or the square footage of the primary dwelling (exclusive of the garage for the primary dwelling), whichever is less.
 - (4) The accessory dwelling unit must have an outside entrance that is separate from the entrance to the primary dwelling.
 - (5) A hard surface walkway, a minimum of three feet wide, must be provided from the primary entrance of the accessory dwelling unit to the street or walkway serving the primary dwelling.
 - (6) Each dwelling unit must have its own address.
 - (7) Outdoor storage and garbage areas must be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall 100-percent sight obscuring fence or enclosure on at least three (3) sides.
 - (8) 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 must have its tongue and towing apparatus removed
- (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 Section 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).
- (1) **Match Primary Dwelling.** An accessory dwelling unit may be approved under Type 1 procedure if it meets the following design standards except that these standards may be altered when necessary to meet current fire or building codes:
 - (a) Exterior finish materials must be the same as or visually match those of the primary dwelling in terms of type, size, and placement.
 - (b) Roof pitch must be the same as the predominant roof pitch of the primary dwelling.
 - (c) The trim around the doors and windows must be the same type and finish as the primary dwelling.
 - (d) Windows must match those of the primary dwelling in terms of proportion (height and width ratio) and orientation (vertical vs. horizontal).
 - (e) Eaves must project from the accessory dwelling unit addition the same distance as the eaves on the primary dwelling.
 - (2) **Meet Clear and Objective Standards.** A detached accessory dwelling unit may be approved under Type 1 procedure if it meets the following design standards:

- (a) Only non-reflective siding and roofing materials are allowed.
 - (b) Minimum roof pitch is 3 in 12.
 - (c) Eaves must project from the accessory dwelling unit at least one foot on all elevations.
 - (d) The primary entry must have a covered or roofed entrance with a minimum depth and width of three feet.
- (3) Meet Alternative Standards. An accessory dwelling may be approved under Type 2 procedure if it meets the following design standards:
- (a) Siding, roofing materials, and windows must be similar to those used on residential dwellings in the surrounding neighborhood.
 - (b) Entrances, windows, and balconies must be designed and located with consideration of the privacy of residential neighbors.

(H) Non-Conforming Lot or Parcel Sizes

- (1) Accessory dwelling units are not permitted on lots/parcels that do not meet the applicable minimum lot or parcel size stated in Section 3.2.215.

(I) Prohibited Use

- (1) Mobile homes, recreational vehicles, motor vehicles, and travel trailers cannot be used as an accessory dwelling unit. Type 2 Manufactured Homes and towable structures that are permitted, inspected, and approved by the local authority having jurisdiction are allowed.

4.7.350 Manufactured Dwelling Park

A manufactured dwelling park is a permitted use in the residential land use districts subject to site plan review, and the following criteria:

- (A) Minimum Area Required.** A manufactured dwelling park must consist of a minimum area of one acre.
- (B) Space Size.** The average area of a manufactured dwelling site must not be less than 4,000 square feet excluding roadway, recreation areas, and other accessory facilities. No manufactured dwelling site can be less than 2,000 square feet in area.
- (C) Access.** A manufactured dwelling park access must be located on public streets improved to meet minimum standards and which are improved to a point intersecting a collector or arterial street.
- (D) Permitted Uses.** A manufactured dwelling park may contain manufactured homes and accessory structures permitted in this chapter, community laundry and recreation facilities, and other common buildings for use by park residents only, and one residence other than

a manufactured dwelling for the use of a caretaker or a manager responsible for maintaining or operating the property.

(E) Minimum Site Requirements

- (1) Park Streets.** The minimum paved surface width of the roadway within an access way must be 24 feet if there is no parking allowed and 30 feet if parking is allowed on both sides. The first 50 feet of the access way measured from the public street must be surfaced to a minimum width of 30 feet and must be connected to the existing public street according to plans approved by the City.
- (2) Improvement Standards.** The improvement of driveways, walkways, streets, drainage, and other utilities must conform to adopted State standards for such or must conform to the City's Standards and Specifications manual, whichever is more restrictive.

NOTE: This definition list is only those definitions that are changed or new from existing definitions. Existing definitions from the development code will be added to this document before release to the public.

Section 6.1.100 – Definitions

Subsections:

- 6.1.105 Meaning of Common Words
- 6.1.110 Meaning of Specific Words and Terms

6.1.105 Meaning of Common Words

- (A) All words used in the present tense include the future tense.
- (B) All words in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.
- (C) The word “shall” directly and clearly imposes a duty upon someone or something; the subject of the sentence is obligated to do something. The term means “is required to” or “has a duty to”. This term is mandatory.
- (D) The word “must” is mandatory.
- (E) The word “may” is permissive.
- (F) Words defined in this Section may also be defined in Springfield Development Code (SDC) 6.1.100.
- (G) Where words are not defined in this Section, the following sources are consulted: the Springfield Development Code, including specifically Section 6.1.100; the Metro Plan; State of Oregon Revised Statutes (ORS), State of Oregon Administrative Rules (OAR’s); and any dictionary of common usage, all of which will be interpreted by context.

6.1.110 Meaning of Specific Words and Terms

A

Abutting (or Abut). Adjoining with a common boundary line. However, where two or more lots or parcels adjoin only at a corner or corners, they are not be considered abutting unless the common property line between the two lots or parcels measures eight feet or more in a single direction.

Accessory Dwelling Units (ADU’s). A secondary, self-contained dwelling that may be allowed only in conjunction with a detached single-unit dwelling. An accessory dwelling unit is subordinate in size to the primary detached single-unit dwelling. An accessory dwelling unit has its own outside entrance and a separate kitchen, bathroom, and sleeping area. An accessory dwelling may be located within, attached to, or detached from the primary single unit dwelling.

Accessory Structure. A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Accessory structures are generally detached from the primary structure. If accessory structures are attached to the primary structure, their structural framework is independent or semi-independent from the primary structure. For example, a porch, deck, or stairs that have their own footings or foundation are accessory structures even though they may be attached to the primary structure. A balcony that is supported totally by the framework of the primary structure is not considered an accessory structure. Agricultural structures, including, but not limited to, barns, silos, hay sheds, drying

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sheds, and greenhouses are exempt from the Specific Development Standards of the underlying zoning district when located on land two acres or larger or on any lot/parcel with a valid farm deferral tax classification from the Oregon State Department of Revenue. Notwithstanding this exemption, land use activities conducted on land with agricultural structures must otherwise conform to the list of permitted uses within the underlying zoning district. (See also **Primary Structure; Extension, Architectural; and Incidental Equipment;** in SDC 6.1.100)

Adjacent. Abutting or located directly across a right-of-way.

Automobile-dependent. A use where automobiles and/or other motor vehicles are served by the use and the use would not exist without them, such as vehicle repair, gas station, car wash, or auto and truck sales.

Automobile-oriented use. A use where automobiles and/or other motor vehicles are an integral part of the use, such as drive-up, drive-in, and drive-through facilities.

Automobile wrecking. The dismantling or disassembling of motor vehicles, including large truck or heavy machinery, or trailers, or the storage, sale salvage, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles, or their parts. An automobile wrecking use includes a wrecking yard. More than two dismantled, obsolete, or inoperable motor vehicles or parts thereof on one lot constitutes a wrecking yard.

B

Boarding House. A building where lodging and meals are provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

Building footprint. The horizontal area as seen in plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 200 square feet. It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

C

Childcare Facility. Any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home, or similar unit operating under any name. Also see ORS 329A.

Club. An association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Commercial Use – the use of land involving buying or selling of goods and services as the primary activity.

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Common Courtyard. A common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

Common Wall. A wall or set of walls in a single structure shared by two or more dwelling units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages.

Condominium. A form of ownership that is regulated in part by 100.005 et seq. that may be applied to any dwelling type. Existing and new dwellings may be converted to condominium ownership; however, new dwellings must comply with the development standards specified in this Code for the particular type of dwelling.

Construction Activity. Includes, but is not limited to, clearing, grading, excavation, and other site preparation work related to the construction of residential buildings, and heavy construction (for example, highways, streets, bridges, tunnels, pipelines, transmission lines and industrial non-building structures)

Cottage. An individual dwelling unit that is part of a cottage cluster.

Cottage Cluster. A grouping of no fewer than four dwelling units per gross acre, each with a footprint of less than 900 square feet that includes a common courtyard. Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels. Cottage cluster may also be known as “cluster housing,” “cottage housing,” “bungalow court,” “cottage court,” or “pocket neighborhood”. See SDC 4.7.325 Cottage Cluster.

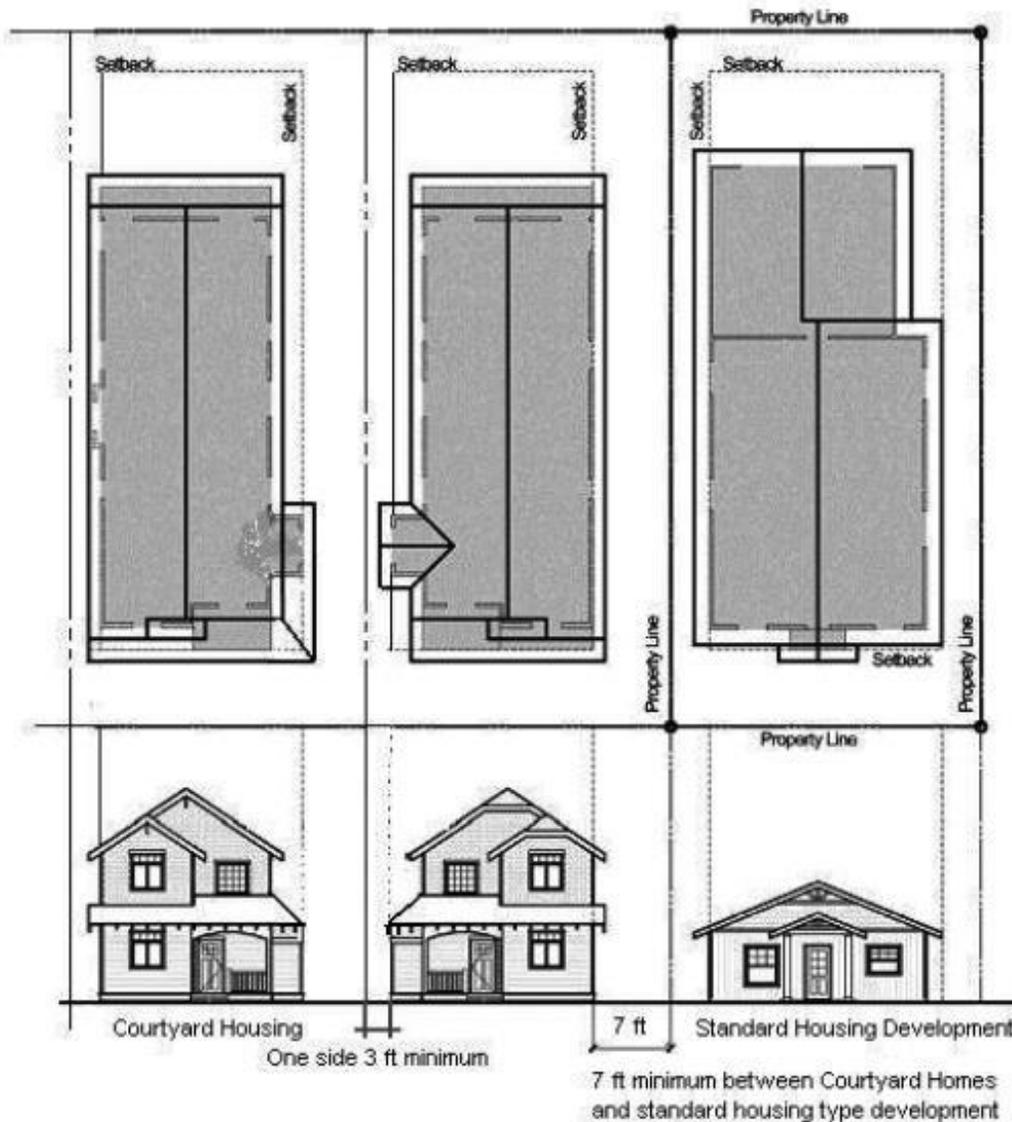
Cottage Cluster Project. A development site with one or more cottage clusters. Each cottage cluster that is part of the cottage cluster project must have its own common courtyard.

Courtyard. An open, unoccupied space other than a required exterior yard, which usually provides amenities such as gardens, planters, seating, or art.

Courtyard housing. Detached “zero lot line” dwellings on individual lots subject to the same standards as detached single unit dwellings, except that a three-foot minimum side yard setback is required on one side of a typical lot. This type of housing allows development on smaller (i.e., narrower) lots and provides usable outdoor living area in side-oriented yards. See [SDC 4.7.335](#), Courtyard Housing.

Figure 6.1-A. Courtyard housing

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D

Density, net. The number of dwelling units for each acre of land in residential use, excluding: dedicated streets; dedicated parks; dedicated sidewalks; and other public facilities.

Density, gross. The number of dwelling units for each acre of land including, but not limited to, areas devoted to streets, parks, sidewalks, and other public facilities.

Design Standard. A standard related to the arrangement, orientation, materials, appearance, articulation, or aesthetic of features on a dwelling unit or accessory elements on a site. Design standards include, but are not limited to, standards that regulate entry and dwelling orientation, façade materials and appearance, window

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coverage, driveways, parking configuration, pedestrian access, screening, landscaping, and private, open, shared, community, or courtyard spaces.

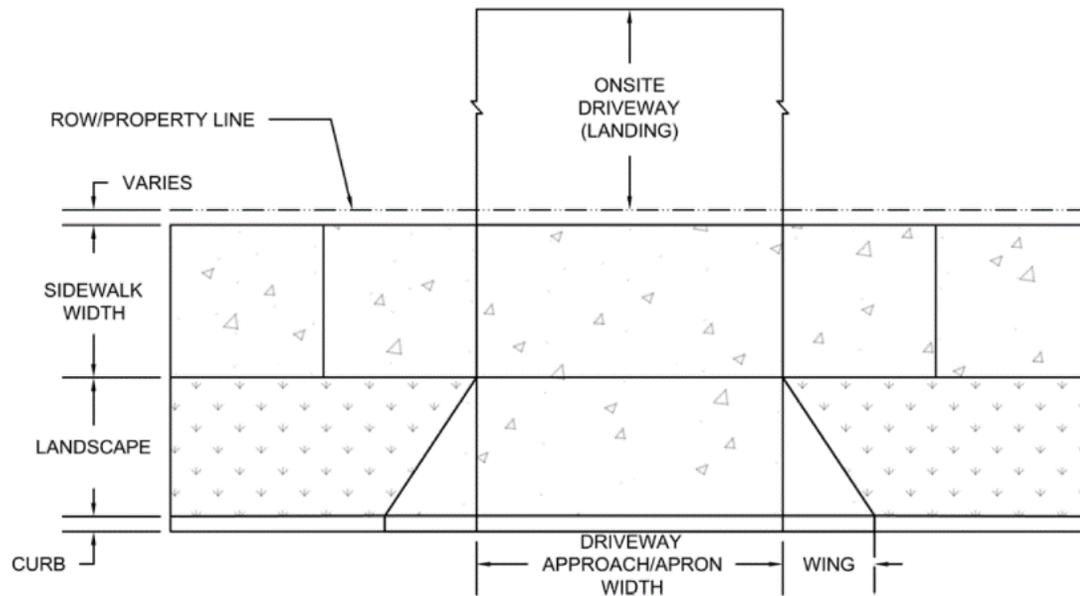
Door area. The area of the portion of a door other than a garage door that moves and does not include the frame.

Duplex. Two dwelling units on one lot or parcel in any configuration. Units may be attached vertically or horizontally or detached.

Driveway. A vehicular access that provides connection between a structure or parking area on private property and the public street system. "Driveway" may include a private easement to provide vehicular access to more than two or more properties.

Driveway approach. The edge of a driveway where the driveway abuts a public right of way.

Figure 6.1-B. Driveway approach



Dwelling Unit (Dwelling or unit). A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating cooking and sanitation.

E

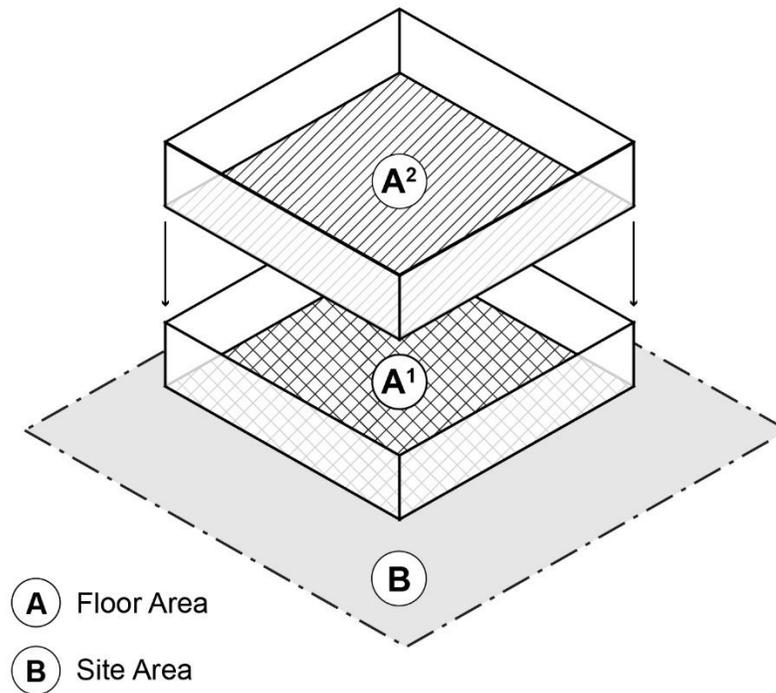
Family. Two or more persons related by blood, legal adoption, guardianship or marriage living together; or unless modified by the Federal Fair Housing Law as it relates to people with disabilities, a group of not more than 5 persons who need not be related (as above) living together in a dwelling unit.

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Floor Area. The enclosed area of each full floor area a building measured to the external face of the external walls.

Floor Area Ratio (FAR). The amount of floor area of a building or structure in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 0.7 to 1 means 0.7 square feet of floor area for every one square foot of site area. FAR is calculated by dividing the total floor area of building by the total site area. See Figure 6.1-C

Figure 6.1-C. Floor Area Ratio



$$\text{FAR} = \frac{A^1 + A^2}{B}$$

Fourplex. Four dwelling units on one lot or parcel. Units may be attached vertically or horizontally or detached.

Front Façade. The façade with the main entry door and front porch or recessed entry.

Frontage. That portion of a lot or parcel that abuts a dedicated public street or highway or an approved private street or shared court private access drive.

G

Gross Density. See “Density, gross”.

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H

Hearings Official. An individual or group designated to hear Type3 applications for land use decision.

I

Impervious Surface. Any surface resulting from development activities that prevents the infiltration of water into the soil. Common impervious surfaces include: building roofs; traditional concrete or asphalt paving on walkways, driveways, parking lots, gravel lots and roads; and heavily compacted earthen materials.

(Keep existing def?) Any surface that either prevents or delays the entry of water into soil. Common impervious surfaces include, but are not limited to, rooftops, walkways, patios, driveways, parking lots and/or storage areas, concrete or asphalt paving, gravel surfaces with compacted subgrade, packed earthen materials and oiled macadam or other surfaces that similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities are not considered impervious surfaces.

(Or new def?)

Any surface that either prevents or delays the entry of water into the soil mantle as it entered under natural conditions preexistent to development, and/or a surface area that causes water to run off the surface in greater quantities or at an increased rate of flow than prior to development.

Infill. The development of vacant, bypassed lands located in an area that is mainly developed.

Infill, residential:

- (1) The development of up to four dwellings on land that is designated for residential use where at least 75 percent of the abutting properties have a structure, but not counting any abutting property that is large enough that it can be divided into five or more lots, or is currently developed with multiple unit housing.
- (2) A situation in which a single unit dwelling is removed to make way for up to four new dwellings (e.g., a single unit dwelling, duplex, triplex, or fourplex).
- (3) "Residential infill" does not apply to land that is large enough that it can be divided into five or more lots consistent with the minimum lot size of the zoning district.

L

Lot Coverage. The area of a lot, parcel, property, or development area covered with structure.

M

Manufactured Dwelling. A residential trailer, mobile home, or manufactured home.

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- (1) Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and was constructed before January 1, 1962.
- (2) Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
- (3) Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, and was constructed on or after June 15, 1976 in accordance with federal manufactured housing construction and safety standards in effect at the time of construction.

Master Planned Community. Add the def. from OAR 660-046-0020(10)?

Middle Housing. Duplexes, triplexes, fourplexes, cottage cluster housing, and townhomes.

Modification of application. The applicant's submittal of new information after an application has been deemed complete and prior to the close of the record on a pending application that would modify a development proposal by changing one or more of the following described components: proposed uses, operating characteristics, intensity, scale, site layout (including but not limited to changes in setbacks, access points, building design, size or orientation, parking, traffic or pedestrian circulation plans), or landscaping in a manner that requires the application of new criteria to the proposal or that would require the findings of fact to be changed. It does not mean an applicant's submission of new evidence that merely clarifies or supports the pending application.

Multiple Unit Housing. Five or more dwelling units on an individual lot or parcel, except for Cottage Cluster housing, and not counting Accessory Dwelling Units (ADUs).

N

Neighborhood Activity Center. Any public park or recreation facility, public or private school, government service, commercially zoned property, or mixed-use zoned property.

Net Density. See "Density, net".

P

Permit. Discretionary approval of a proposed development of land. "Permit" does not include:

- (a) A limited land use decision;
- (b) A decision which determines the appropriate zoning classification for a particular use by applying criteria or performance standards defining the uses

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permitted within the zone, and the determination applies only to land within an urban growth boundary;

(c) A decision which determines final engineering design, construction, operation, maintenance, repair, or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations; or

(d) An expedited land division.

Place of worship. A place for people to gather for religious activity. Examples include church, synagogue, mosque, chapel, or meeting house. Includes associated uses as described in SDC 4.7.385. (ORS 227.500)

Property line. A line

R

Redevelopment. A project that entails construction activities, occurs on a previously developed site and results in the addition or replacement of impervious surface. To the extent allowable under federal law, Redevelopment does not include: Maintenance activities; Construction Activities conducted to ameliorate a public health or safety emergency or natural disaster; and/or Construction Activities within an existing footprint to repair or replace a site or a structure damaged by a public health or safety emergency or natural disaster.

(Existing Def.) Development that requires demolition or removal of existing structures or impervious surfaces at a site and replacement with new construction. Maintenance activities such as repavement are not considered redevelopment.

Residential Care Facility. A facility licensed under ORS 443.400 to 443.455 that provides residential care in one or more buildings on contiguous properties:

(a) For six or more socially dependent individuals or individuals with physical disabilities; or

(b) For fewer than six socially dependent individuals or individuals with physical disabilities if the purpose of the facility is to serve individuals with co-occurring behavioral health needs who are more appropriately served in smaller settings.

Residential infill. See "Infill, residential".

Registered or Certified Family Child Care Home. See Definition for Childcare Facility above. Also see ORS 329A.

Residential use. Of, relating to, or connected with a residence or residences.

Review Authority. The Director, Planning Commission, Hearings Official, or City Council of the City of Springfield.

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Rooming House. A building or portion thereof where lodging, but not meals, is provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

S

Setback. An area where buildings and certain structures cannot be constructed, measured from the property line. A setback may be referred to as “yard”, as defined in this section, including “yard, front”, “yard, rear”, and “yard, side”. This definition does not include solar setback.

Single Dwelling, Attached. See Townhome

Single-unit Dwelling, Detached (SD-D). One dwelling unit on its own lot or parcel that does not share a wall with any other dwelling unit, other than an accessory dwelling unit.

Single Room Occupancy (SRO's). A building or buildings that provides living units that have separate sleeping areas. The building may or may not have separate or shared cooking facilities for the residents. For the purposes of determining residential density, four SRO rooms equal one dwelling. Fractional dwellings will be rounded to the next higher number, e.g., five SRO rooms equal two dwellings. SROs can be located in any residential building [occupancy] including single unit homes, multiplexes, multi-unit housing, etc.

Siting Standard. A standard related to the position, bulk, scale, or form of a structure or a standard that makes land suitable for development. Siting standards include, but are not limited to, standards that regulate setbacks, dimensions, bulk, scale coverage, minimum and maximum parking requirements, utilities, and public facilities.

Sufficient Infrastructure. The following level of public services to serve new Triplexes, Fourplexes, Townhouses, or Cottage Cluster Housing development:

- (1) Connection to a public sanitary sewer system capable of meeting established service levels.
- (2) Connection to a public water system capable of meeting established service levels.
- (3) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
- (4) Storm drainage facilities capable of meeting established service levels for storm drainage.

T

Townhouse (Townhome). A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. A townhouse is also commonly called a rowhouse, attached house, or common wall house.

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Townhouse Project. One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and any commonly owned property.

Triplex. Three dwelling units on one lot or parcel. Units may be attached vertically or horizontally or detached.

W

Warehousing. The storage of finished and unfinished products and materials within an entirely enclosed building. This use may include facilities for regional wholesale distribution, if permitted by the applicable land use district.

Waste Storage. A place where waste containers, including compactors, dumpsters, and garbage cans, are collectively stored. Waste storage includes, areas used to collect and store refuse or recyclable materials. Exempt from this subsection are waste storage areas for detached Single-unit Dwellings, middle housing types, and areas used for the temporary storage of wood pallets or cardboard.

Y

Yard. For the purpose of establishing setbacks, yard is an open space on a lot which is unobstructed from the ground upward except as otherwise provided in this code.

Yard, front. An open space extending the full width of the lot between the front facade of a building or the front of an unenclosed porch and the front lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.

Yard, rear. An open space extending the full width of the lot between the rear facade of a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.

Yard, side. An open space extending from the front yard to the rear yard between the side facade of a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this code.