



Planning Commission Agenda

Development and Public Works Director

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Planning Commissioners:

Greg James, Chair

Michael Koivula, Vice Chair

Tim Vohs

Troy Sherwood

Grace Bergen

Open Position

Open Position

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available. To request a reasonable accommodation at this meeting, please contact Brenda Jones at 541.726.3610 or bjones@springfield-or.gov.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

September 18, 2018

**6:00 p.m. Work Session
Jesse Maine Meeting Room**

CALL TO ORDER**ATTENDANCE:**

Springfield: Chair James _____, Vice Chair Koivula _____, Bergen _____, Vohs _____, Sherwood _____, Open Position _____, and Open Position _____.

WORK SESSION ITEM(S)**1. Development Code Update-**

The City Council recognizes that the Development Code is difficult to use, understand, and implement. Resolving the complexities and outdated nature of the code will help achieve the economic and housing goals for our community. The Council had directed staff to complete a full Development Code update.

Staff: Mark Rust, Senior Planner

60 Minutes

ADJOURNMENT

September 18, 2018

**7:00 p.m. Regular Session
Council Chambers**

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair James _____, Vice Chair Koivula _____, Bergen _____, Vohs _____, Sherwood _____, Open Position _____, and Open Position _____,

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address public hearings appearing on this Regular Session Agenda

APPROVAL OF MINUTES:

- March 6, 2018 Joint Regular Minutes
- March 20, 2018 Regular Minutes
- May 8, 2018 Joint Regular Minutes

PUBLIC HEARING(S)

1. QUASI-JUDICIAL PUBLIC HEARING –

- **ZONING MAP AMENDMENT 811-18-000148-TYP3 4740 Main LLC & 5WDI LLC-**

The applicant request for a Zoning Map Amendment from Light Medium Industrial (LMI) to Community Commercial (CC)

**Staff: Andy Limbird, Senior Planner
30 Minutes**

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

On January 24, the Planning Commission closed the public hearing on this application but extended the written record until 5:00 p.m. on January 31st; therefore the order of proceedings will begin with brief staff summary of the information submitted into the record during the extension, if any, followed by Planning Commission consideration of all testimony and information in the record.

- Planning Commission discussion; possible questions to staff or public
- Motion to recommend approval, approval with conditions, or denial of the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Final Recommendation signed by Chair incorporating findings and reasoning in support of the motion.

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

- Staff explanation of quasi-judicial hearing process (ORS 197.763)
- Chair opens the public hearing
- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Staff report
- Testimony from the applicant
- Testimony in support of the application
- Testimony opposed to the application
- Testimony neither in support of nor opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Consideration of request for continuation of public hearing, extension of written record, or both
- Close or continue public hearing; close or extend written record (continuance or extension by motion)
- Planning Commission discussion; possible questions to staff or public
- Motion to approve, approve with conditions, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Final Order signed by Chair incorporating findings and reasoning to support the decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

- **Upcoming Planning Commission meetings, committee assignments, appointments or other business**

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

- **Training / Discussion Topics for the Planning Commission**

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

AGENDA ITEM SUMMARY

Meeting Date: 9/12/2018
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 45 minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: DEVELOPMENT CODE UPDATE

ACTION REQUESTED: Review the status of the Development Code Update project. Staff will be presenting preliminary information to the Commission on draft project plan elements at this early stage, including the objectives and purpose.

ISSUE STATEMENT: The City Council recognizes that the Development Code is difficult to use, understand, and implement. Resolving the complexities and outdated nature of the code will help achieve the economic and housing goals for our community. The Council has directed staff to complete a full Development Code Update.

ATTACHMENTS: Attachment 1 – Council Briefing Memo

DISCUSSION:

The Development Code is the principle document that implements local, state, and federal land use, transportation, and environmental laws applicable in the City of Springfield. This ongoing mandate is the platform on which the City creates and fosters the successful development, redevelopment, and economic prosperity of the city. At the same time, the City relies almost entirely on the code to ensure that specific initiatives and policies are implemented and have the best chance of success, such as the redevelopment of Glenwood, affordable housing, economic prosperity, and downtown revitalization.

The evolution of the code over the last 30 years has resulted in a complex code that is not easy to understand for either the community or staff. The Council has recognized the need to update the code and has directed staff to proceed with a complete Development Code update.

In February of 2017 the City Council started discussing with staff ideas around updating the Springfield Development Code. In June of 2017 the Council adopted the Fiscal Year 2018 budget that included funding for a project manager for the development code update project. The City was unable to staff the project in FY 2018, so the Council again committed to funding a project manager for three years starting in FY 2019. The new project manager for the Development Code Update has begun work on the project and will begin to discuss some of the components for moving the project forward.

The attached Council Briefing Memorandum outlines the beginning steps for the initial phase of the project.

COMMUNICATION MEMORANDUM

Meeting Date: 9/18/2018
Meeting Type: Work Session
Staff Contact/Dept.: Mark Rust/DPW
Staff Phone No: 541-726-3654
Estimated Time: 45 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE The City Council recognizes that the Development Code is difficult to use, understand, and implement. Resolving the complexities and outdated nature of the code will help achieve the economic and housing goals for our community. The Council has directed staff to complete a full Development Code Update.

BACKGROUND In February of 2017 the City Council started discussing with staff ideas around updating the Springfield Development Code. At the time the Council began to articulate the city's goals for updating the code and endorsed a complete rewrite of the code. In June of 2017 the Council adopted the Fiscal Year 2018 budget that included funding for a project manager for the development code update project. The City was unable to recruit a project manager at that time.

In November of 2017 the City Council heard from staff in regard to identifying the project priorities for the project and looking at guiding principles. The Council discussed and supported a set of guiding principles and provided input on expectations for the project.

In the Summer of 2018 a project manager was selected from in-house staff (Mark Rust), and his work as a current planner has been back-filled with the hiring of a limited duration planner to allow Mark to devote his time to the Development Code Update project. In early September 2018 the project manager was introduced to Council and they were provided with information on the beginning steps of the project. At this meeting the project manager will be introduced to the Planning Commission and he will be presenting preliminary information to the Commission on draft project plan elements at this early stage, including the objectives and purpose.

WHAT IS A DEVELOPMENT CODE? A development code is the principle document that implements local, state, and federal land use, transportation, and environmental laws. The State's ongoing mandate is the platform on which the City creates and fosters the successful development, redevelopment, and economic prosperity of the city. At the same time, the City relies almost entirely on the Development Code to ensure that specific initiatives and policies are implemented and have the best chance of success, such as the redevelopment of Glenwood, affordable housing, economic prosperity, and downtown revitalization.

The following language was included in the Council Briefing Memorandum from November 6, 2017 and is included here for context. *Every aspect of land use or development or redevelopment that the Council wants to regulate or wants to limit or wants to allow, or that the state requires the Council to regulate or limit or allow, is found exclusively in the Springfield Development Code. It truly represents a one-stop, one size, and one source, for every citizen, developer, and investor; our partners and elected officials, for everything we do with our land and buildings,*

public or private, everywhere. The alternating source of all power, all authority and all grace that may be conferred by the Council to all of their constituents is a prodigious responsibility unlike any other single duty that resides with the Council. We all should be so lucky to have the honor of this experience.

As discussed below under the section “What the Development Code Update Is Not Expected To Do”, there are certain aspects of the development process that can’t necessarily be addressed through the Development Code Update project.

**OBJECTIVES for
the
DEVELOPMENT
CODE**

The following objectives for the Development Code were formed based on the guiding principles discussed with the Council in February of 2017.

- 1. Enable quick review of development applications.**
- 2. Be easy to understand with clear code language presented in a user-friendly format.**
- 3. Provide a straight-forward processing path to development decisions.**
- 4. Support/further economic development in all sectors.**
- 5. Protect and enhance the beauty of our city to boost or stabilize property values, encourage investment, and improve the image of the community.**
- 6. Comply with mandatory regulatory requirements.**
- 7. Implement the City’s adopted policies.**

Through the Development Code Update project, sections of the Development Code that do not meet these objectives will be removed or revised to meet these objectives.

Embodied within these objectives is an effort to allow the code to be responsive and flexible to future uses and development. The Council has previously expressed a desire to allow a wider range of uses. This project will evaluate the options for allowing more uses in certain zones where applicable, either through defining specific uses that are not allowed or listing more general categories of uses that would encompass a broader range of uses.

There has been discussion about the code being short in length. An easy to use and simple code does not necessarily mean a short code. Including more white space on pages, tables, diagrams, etc. can be used to help make a code user friendly and less complex, although it may add to the overall page count of the code. It is anticipated that these types of formatting tools will be utilized to simplify the code and make it easy to understand.

**PROJECT
PURPOSE**

Based on the above objectives, the following draft purpose statement has been developed for the code update project.

The City of Springfield Development Code has become more complex through multiple revisions and additions since its initial adoption in 1987. This has resulted in a development code that can contribute to unclear standards and longer review times. The City Council recognizes the need to update the Development Code so that it is easy to understand, facilitates efficient application reviews, and supports economic development throughout Springfield. ***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 home town feel now and in the future. With the new updated Development Code the City of Springfield and the community can continue to implement Springfield's community vision together.

**POLICY
CONTEXT**

Perhaps the most overarching constituent of policy in regard to the Development Code Update is the following state law:

ORS 197.175 - each city and county in this state shall:

(a) Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission;

(b) Enact land use regulations to implement their comprehensive plans;

This mandate provides a clear and enduring relationship between the Statewide Planning Goals, the local comprehensive plan, and land use regulations which in Springfield are codified into the Springfield Development Code. Cities must adopt policies that comply with the goals; cities must adopt regulations that implement those policies; cities must achieve goal-plan-code consistency for the use and reuse of all land within its urban growth boundary.

The state land use goals referred to in ORS 197.175 and which apply to Springfield are:

- Goal 1 Citizen Involvement
- Goal 2 Land Use Planning
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6 Air, Water and Land Resources Quality
- Goal 7 Areas Subject to Natural Hazards
- Goal 8 Recreational Needs
- Goal 9 Economic Development
- Goal 10 Housing
- Goal 11 Public Facilities and Services
- Goal 12 Transportation
- Goal 13 Energy Conservation
- Goal 14 Urbanization
- Goal 15 Willamette River Greenway

Each of these goals is addressed either in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) or the new Springfield 2030 Comprehensive Plan; the current version of the Development Code is significantly consistent with policies in these local comprehensive plans.

However, the effect that the passage of time has on practical code implementation of policy can be striking, particularly with the emergence of new technologies, new market trends and changing demographics. For example, the recent project to update the city's accessory dwelling unit (ADU) standards relied on the same Metro Plan policies in effect in 2002 when the ADU standard was first adopted. The difference now is the Council expanded, adapted, and modified its 2002 ADU decision package to respond to the changing circumstances of housing access,

supply and cost present today and of key interest to the Council's position on affordable housing.

One mandate of significance that may influence prospective revisions is the requirement that land use inventories for the planning period must be preserved and protected through zoning. This means that zoning districts consistent with the planned use and development of the property shown on the plan map and described in the plan text will need to remain in the code. There are opportunities to amend the list of permitted or prohibited uses, or in fact to create new zoning districts, but zoning as we all know it will likely remain a fixture of municipal development codes until the state law is revised to say otherwise.

The City has developed and adopted an Urbanization Element, Economic Element, and Residential Land Use and Housing Element as part of the Springfield 2030 Comprehensive Plan, which include policies that will help guide the Development Code Update project. There are many visionary policies contained in these new elements of the Springfield 2030 Comprehensive Plan. Given the extended time horizon of some of these policies and the desire to complete an update within three years, fully implementing the newly adopted policies is outside the scope of this project. However, any new code language that is created must be consistent with adopted policy.

Other policy guidance documents have been developed as well including The Springfield Look – an economic development strategic plan, and Springfield's Affordable Housing Strategy.

Two strategies within The Springfield Look relate to updating the Development Code Update include:

World Class Customer Service, with tactics for code amendments and improving process; and

Minimum Development Standards, which includes tactics to update the MDS provisions and shorten timelines for processing.

The Affordable Housing Strategy includes the strategy to “Promote Housing of Diverse Types”. One way to accomplish this diversification of the housing stock is through development code amendments. New State law (SB 1051 passed in 2016) requires updating the code to allow for a variety of housing types to be reviewed with clear and objective standards. The City is pursuing technical assistance through the Oregon State Department of Land Conservation and Development (DLCD) to obtain consultant help to identify residential standards that are not clear and objective.

Springfield has a Transportation System Plan (TSP) which is part of the Springfield Comprehensive Plan. There is currently a TSP code update project underway to implement the adopted TSP policies. The Development Code Update project will not modify or duplicate these efforts.

**WHAT THE
DEVELOPMENT
CODE UPDATE IS**

While important from a customer service perspective, there are many aspects of the development process that are outside of the scope of the Development Code Update

**NOT EXPECTED
TO DO**

project. Below is a list of topic areas that are not anticipated to be addressed with this project.

1. Sign code regulations
2. Building code requirements
3. Fire code requirements
4. Infrastructure construction standards (Engineering Design Standards & Procedures Manual-EDSPM)
5. Annexations
6. The supply and inventory of buildable lands (Urban Growth Boundary-UGB)
7. Internal processing and coordination with departments and outside agencies
8. Fee's/costs
9. Funding for infrastructure
10. Application forms-format and structure
11. Business licenses
12. Nuisance code (municipal code)

NEXT STEPS

Staff is scheduled to return to the City Council on October 1, 2018 for another work session for the code update project. More detail will be available at the next work session in regard to a work plan, anticipated timelines, and advisory committee formation. Staff will be seeking Council's guidance on these additional items to move the project forward.

**RECOMMENDED
ACTION**

This topic is for informational purposes and not action is requested.

AGENDA ITEM SUMMARY

Meeting Date: 9/18/2018
Meeting Type: Regular Meeting
Staff Contact/Dept.: Andy Limbird, DPW
Staff Phone No: 541-726-3784
Estimated Time: 20 Minutes
Council Goals: Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: ZONING MAP AMENDMENT – REZONE APPROXIMATELY 1.4 ACRES OF DEVELOPED LAND FROM LIGHT MEDIUM INDUSTRIAL (LMI) TO COMMUNITY COMMERCIAL (CC) TO CORRECT A DISCREPANCY BETWEEN THE CURRENT ZONING AND THE COMPREHENSIVE PLAN DESIGNATION

ACTION REQUESTED: Conduct a public hearing and deliberations, and approve, approve with amendments, or deny a request for Zoning Map Amendment from Light Medium Industrial (LMI) to Community Commercial (CC).

ISSUE STATEMENT: Branch Engineering Inc., on behalf of 4740 Main LLC, is requesting a Zoning Map Amendment for 1.2-acres of property from LMI to CC.

ATTACHMENTS:

1. Staff Report and Findings for Zoning Map Amendment
2. Application and Exhibits
3. PC Final Order – Zoning Map Amendment Request 811-18-000148-TYP3

DISCUSSION: The property requested for Zoning Map Amendment is a portion of a developed commercial site at 4740 Main Street. The site is currently improved with a vacant multi-tenant building, accessory building, parking lot and driving aisles, and driveways onto Main Street. The subject property does not abut any residentially zoned properties.

The applicant is requesting a Zoning Map amendment to correct a plan/zone conflict between the current zoning of Light Medium Industrial and the comprehensive plan designation of Mixed Use Area #2 as depicted in the adopted *East Main Refinement Plan* diagram. The Refinement Plan designation provides for Medium Density Residential, High Density Residential, or Community Commercial zoning to achieve the comprehensive plan designation of Mixed Use along this stretch of Main Street. The Zoning Map amendment also would bring the historical commercial use into conformity with the provisions of the CC District, as it's considered a legally-created, non-conforming use in the LMI District. The public hearing for this application is scheduled for Tuesday September 18, 2018.

Staff observes that the proposed Community Commercial zoning is consistent with adjacent properties to the west that front onto Main Street. The rezoning action would facilitate redevelopment of the property with uses listed in the CC District. For these reasons, the request for Zoning Map Amendment can be reviewed on its own merits as a correction to a discrepancy between the current zoning and the adopted Refinement Plan designation.

**Staff Report and Findings
Planning Commission
Zone Change Request (4740 Main LLC)**

Hearing Date: September 18, 2018

Case Number: 811-17-000148-TYP3

Applicant: Branch Engineering Inc. on behalf of 4740 Main LLC

Property Owner: 4740 Main LLC & 5WDI LLC

Site: 4740 Main Street (Map 17-02-32-42, Tax Lots 101 & 102)

Request

Rezone Tax Lot 101 and a portion of Tax Lot 102 from Light Medium Industrial (LMI) to Community Commercial (CC) to correct a plan/zone conflict.

Site Information/Background

The application was submitted on August 9, 2018 and the public hearing on the matter of the Zone Change request is scheduled for September 18, 2018. The City conducted a Development Review Committee meeting on the Zone Change request on August 28, 2018.

The property that is subject of the Zone Change request is a developed commercial site with frontage on Main Street. The property proposed for rezoning is approximately 1.2-acres in extent and is currently zoned Light Medium Industrial (Figure 1). The property is addressed as 4740 Main Street (Assessor's Map 17-02-32-42, Tax Lots 101 and Ptn.102) and it currently contains a vacant 9,600 ft² commercial building, accessory building, parking lot and driving aisles, and driveways onto Main Street.

The adopted *East Main Refinement Plan* designates the subject property as Mixed Use Area #2. In accordance with provisions of the Refinement Plan, the Mixed Use designation can be achieved through Medium Density Residential (MDR), High Density Residential (HDR), or Community Commercial (CC) zoning. Because the current Light Medium Industrial (LMI) zoning is not consistent with the comprehensive plan designation, a plan/zone conflict exists. Additionally, the commercial building was previously an existing, non-conforming use on the site based on the current LMI zoning. Because the building is currently vacant (and has been for more than 18 months), any new uses introduced on the site would be limited to those listed in the LMI district.

The subject property does not abut any residentially zoned properties and the applicant is proposing to use CC zoning to achieve consistency with the adopted Comprehensive Plan designation. The requested Zoning Map amendment would bring the property and the existing building into conformity with the adopted Refinement Plan. Additionally, the Zoning Map amendment would allow the existing building and site to be used and/or redeveloped in accordance with the provisions of the CC District.

Notification and Written Comments

The proposed Zoning Map amendment requires notification to the Oregon Department of Land Conservation and Development (DLCD) at least 35 days prior to the first public hearing on the matter. Consistent with this requirement, DLCD was notified in writing of the proposed Zoning Map amendment on August 10, 2018 which is 39 days prior to the public hearing.

Notification of the September 18, 2018 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the site on August 28th, 2018. Notification was also published in the September 10, 2018 edition of *The Register Guard*. Staff posted public hearing notices in the City Hall lobby, on the digital display in the lobby of the Development & Public Works Department, on the City of Springfield website, and along the property frontage on Main Street. No telephone calls or written comments were received.

Figure 1 – Extract from Springfield Zoning Map

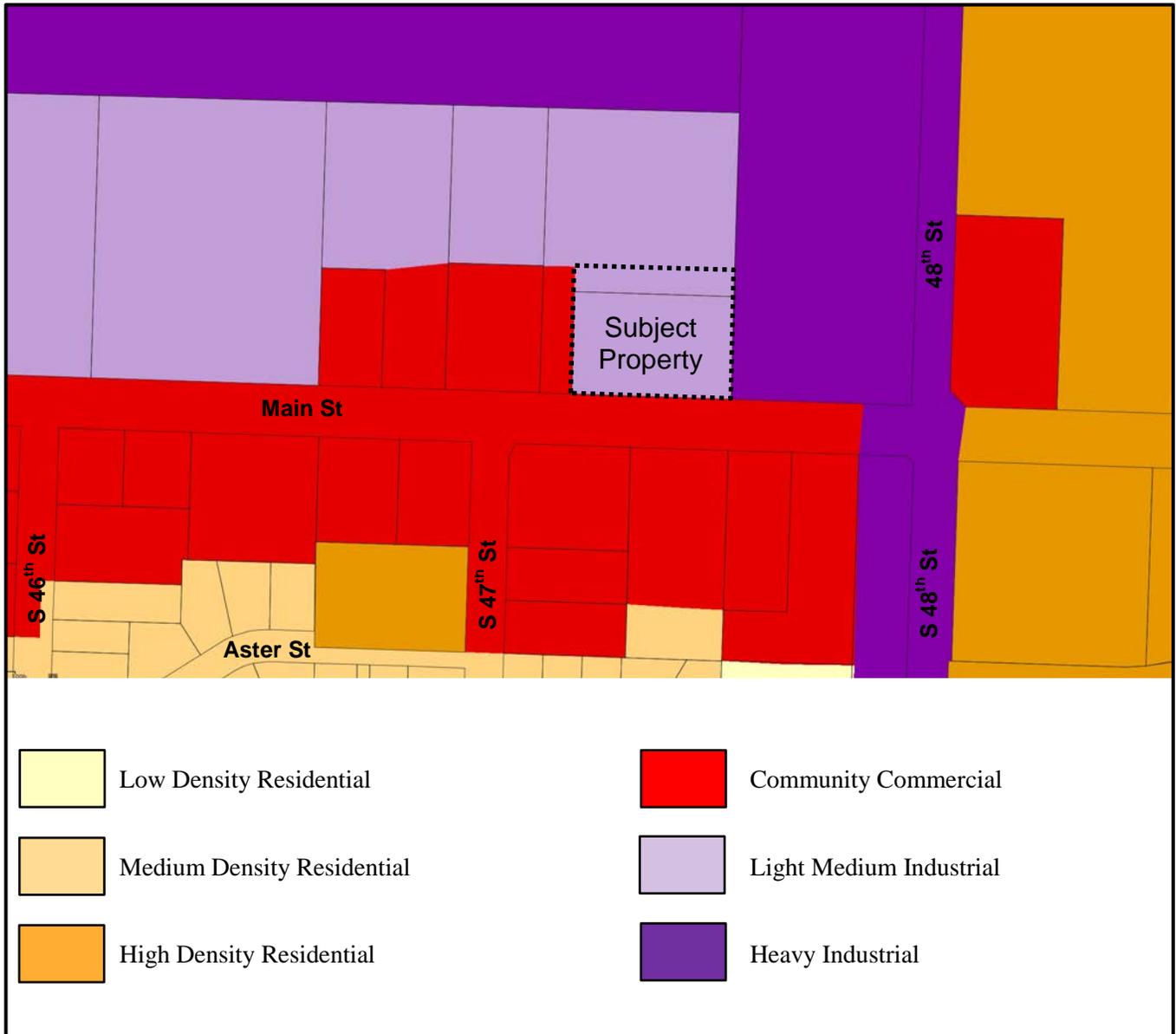
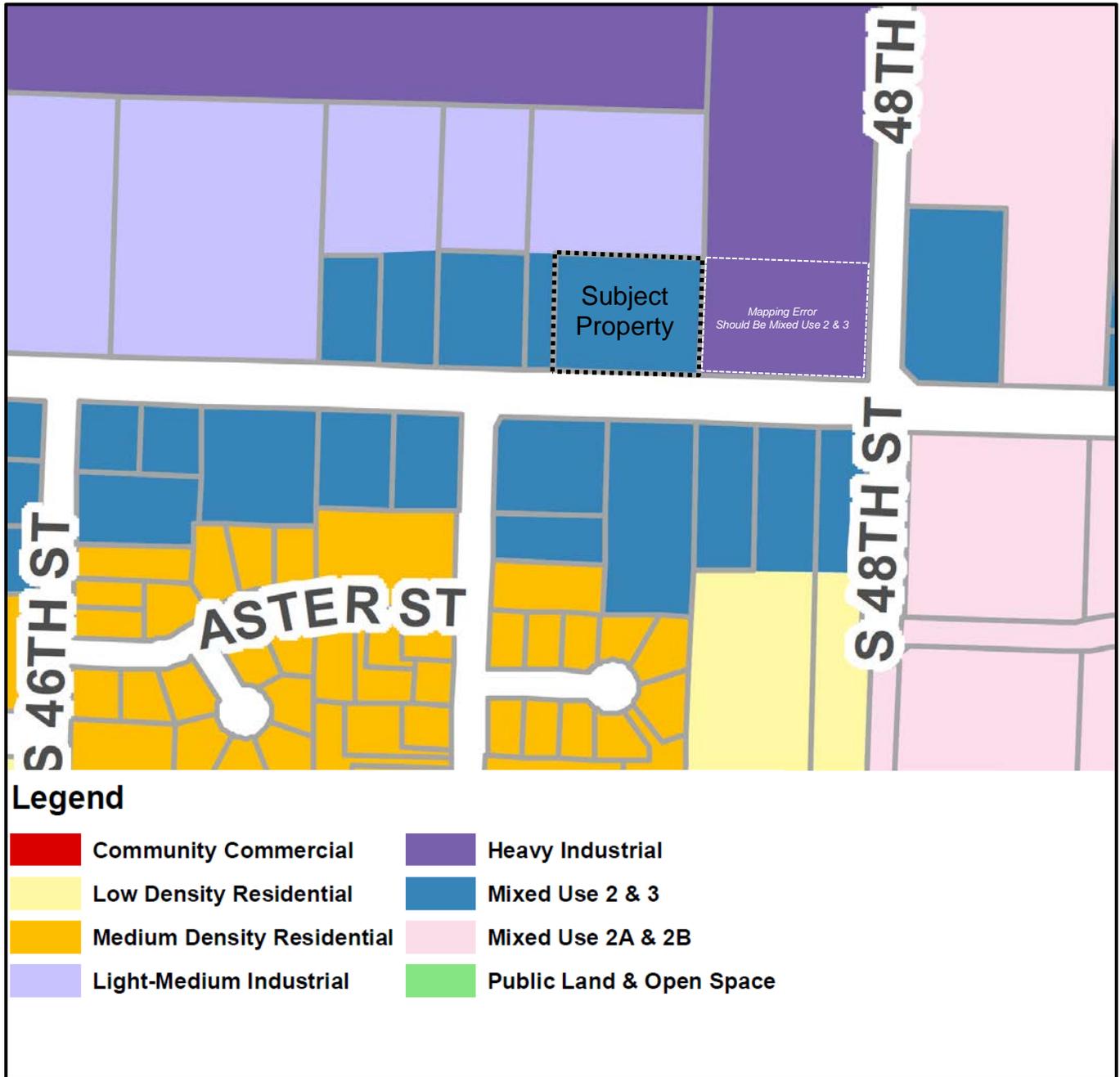


Figure 2 – Extract from *East Main Refinement Plan* diagram



Criteria of Approval

Section 5.22-100 of the SDC contains the criteria of approval for the decision maker to utilize during review of Zoning Map amendment requests. The Criteria of Zoning Map amendment approval criteria are:

SDC 5.22-115 CRITERIA

C. *Zoning Map amendment criteria of approval:*

1. *Consistency with applicable Metro Plan policies and the Metro Plan diagram;*
2. *Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and*

3. *The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*
4. *Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:*
 - a. *Meet the approval criteria specified in Section 5.14-100; and*
 - b. *Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.*

Proposed Findings In Support of Zone Change Approval

Criterion: Zoning Map amendment criteria of approval:

1. Consistency with applicable *Metro Plan* policies and the *Metro Plan* diagram;

Applicant's Submittal: *"The Metro Plan Diagram designates the subject site for Commercial zoning. The proposal is to change the zoning from Light-Medium Industrial to Community Commercial is consistent with the Metro Plan's designation. The following are Metro Plan policies that are relevant to the proposal:*

Metro Plan Policy B.16, Page III-B-5: 'Utilize processes and local controls, which encourage retention of large parcels or consolidation of small parcels of industrially or commercially zoned land to facilitate their use or reuse in a comprehensive rather than piecemeal fashion.'

Metro Plan Policy B.11, Page III-B-5: 'Encourage economic activities, which strengthen the metropolitan area's position as a regional distribution, trade, health, and service center.'

Metro Plan Policy B.28, Page III-B-6: 'Recognize the vital role of neighborhood commercial facilities in providing services and goods to a particular neighborhood.'

Consistent with the above policies, a change to Community Commercial zoning will create cohesive commercial zoning along Main Street and will work to encourage economic growth along the corridor. The commercial zoning will also introduce opportunities for the property to provide important goods and services to the neighborhood."

Finding 1: The City has also adopted several elements of the *Springfield 2030 Refinement Plan*, including the *Economic Element* which provides policy direction for commercial and industrial site development and redevelopment throughout Springfield. When the *Economic Element* was adopted in Ordinance 6361, Metro Plan policies in Chapter III, Section B were amended to reflect that those policies no longer apply to Springfield. Ordinance 6361 is effective, but has yet to receive acknowledgement under state law.

Finding 2: In accordance with the *Springfield 2030 Refinement Plan – Economic Element*, Policy E.1: "Designate an adequate supply of land that is planned and zoned to provide sites of varying locations, configurations, size and characteristics as identified and described in the Economic Opportunity Analysis to accommodate industrial and other employment over the planning period. These sites may include vacant undeveloped land; partially developed sites with potential for additional development through infill development; and sites with redevelopment potential."

Finding 3: In accordance with the *Springfield 2030 Refinement Plan – Economic Element*, Policy E.5: "Provide an adequate, competitive short-term supply of suitable land to respond to economic development opportunities as they arise. 'Short-term supply' means suitable land that is ready for construction within one year of an application for a building permit or request for service extension. 'Competitive Short-term

Supply’ means the short-term supply of land provides a range of site sizes and locations to accommodate the market needs of a variety of industrial and other employment uses.”

Finding 4: In accordance with the *Springfield 2030 Refinement Plan – Economic Element*, Policy E.6: “Facilitate short term and long term redevelopment activity and increased efficiency of land use through the urban renewal program, updates to refinement plans and the development review process.”

Finding 5: In accordance with the *Springfield 2030 Refinement Plan – Economic Element*, Policy E.7: “Where possible, concentrate development on sites with existing infrastructure or on sites where infrastructure can be provided relatively easily and at a comparatively low cost.”

Finding 6: In accordance with the *Springfield 2030 Refinement Plan – Economic Element*, Policy E.47: “Enhance, maintain and market Springfield’s reputation for: rapid processing of permits and applications, maintaining City agreements and commitments, and providing developers with certainty and flexibility in the development process.”

Finding 7: Consistent with the above-listed *Springfield 2030 Refinement Plan – Economic Element* policies, the proposed rezoning of the property would create a site with Community Commercial (CC) zoning that fronts onto Main Street. Upon rezoning, this property could be functionally consolidated with the adjoining panhandle to the west (which is also zoned CC) thereby creating a more viable development site.

Finding 8: ORS 197.625(4) requires land use decisions that are subject to an effective but unacknowledged provision of a comprehensive plan to include findings of compliance with applicable land use statutes, statewide planning goals, and administrative rules. As relevant to this decision, only the *Springfield 2030 Refinement Plan – Economic Element*, which implements Statewide Planning Goal 9, falls under the scope of ORS 197.625. The existing Metro Plan Diagram designation of Commercial is an acknowledged plan provision.

Finding 9: Goal 9 requires the City to adequately plan for and designate an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies. Rezoning the property from Light Medium Industrial to Community Commercial consistent with the acknowledged Commercial designation on the *Metro Plan* diagram is consistent with Goal 9.

Finding 10: Consistent with the above-listed *Springfield 2030 Refinement Plan – Economic Element* policies and Goal 9, the proposed rezoning of the property would create a commercial site that is eligible for further development and/or redevelopment. Staff finds that the proposed Zoning Map amendment satisfies Criterion 1.

2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans;

Applicant’s Submittal: “*The site is within the East Main Refinement Plan area. Mixed Use Element Policies 2A and 2B of the East Main Refinement Plan are as follows:*

- 2A) *The following land uses are allowed under Community Commercial zoning:*
 - *Medium and High Density Residential*
 - *All Community Commercial uses subject to Article 18 [Note: now Article 3.2-300] of the Springfield Development Code.*
- 2B) *All properties shall be legislatively rezoned to Community Commercial except as stated in Section D below.*

The East Main Refinement Plan designates the subject property for Mixed Use. As stated in policy 2B above, properties designated mixed use shall be rezoned to Community Commercial. Therefore, the proposed zoning map amendment is consistent with the applicable refinement plan.”

Finding 11: The subject property is within the adopted *East Main Refinement Plan* area as depicted on Figure 2 above. The Refinement Plan diagram depicts the subject property as being within an area designated as “Mixed Use 2 & 3”. As stated in the applicant’s narrative, the property is identified as being within an area designated for Community Commercial uses.

Finding 12: The Commercial Element, Policies 1 and 2, of the *East Main Refinement Plan* states:

- 1) Where safe and efficient vehicular access can be provided, encourage the development of neighborhood or small commercial shopping centers at the intersections of collector streets and Main Street.
- 2) Apply site-specific Commercial refinement plan designation to clearly define the limits of new commercial uses where there is not an existing, legally established, and beneficial mixing of uses.

Finding 13: Consistent with provisions of the adopted *East Main Refinement Plan*, changing the subject area to Community Commercial zoning would implement the policies of the adopted neighborhood-specific Refinement Plan, bring the existing building and site into conformity with the Refinement Plan designation, allow for potential redevelopment of the site in accordance with provisions of the CC District, and provide for functional consolidation of the subject property with an adjoining piece of vacant, CC-zoned property.

Finding 14: *The Springfield 2035 Transportation System Plan* (TSP) is the functional refinement to the *Metro Plan* dealing specifically with transportation facilities and Springfield’s compliance with statewide planning Goal 12. The proposed zone change from LMI to CC is consistent with, and does not alter the TSP’s policies and projects, and is therefore consistent with the TSP. Staff finds that the proposed Zoning Map amendment satisfies Criterion 2.

3. **The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.**

Applicant’s Submittal: *“The site is currently developed with two structures, a parking area, and access drives connecting to Main Street. Given the property is developed and most recently supported a restaurant/bar, it is evident that the property is presently provided with adequate public facilities, services and transportation networks. Utilities and transportation facilities are available in Main Street, and these existing facilities will be upgraded to meet current standards as necessary through tenant improvements and/or redevelopment.”*

Finding 15: The property requested for Zone Change has a full range of public utilities, services, and a developed urban transportation network available along the Main Street site frontage. Therefore, urban utilities and services are immediately available for further site development or redevelopment as future needs dictate. Staff finds that the proposed Zoning Map amendment satisfies Criterion 3.

4. **Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:**
 - a. **Meet the approval criteria specified in Section 5.14-100; and**
 - b. **Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Finding 16: The requested Zone Change is being undertaken as a correction to a plan/zone conflict between the current zoning and the plan designation identified in the adopted *East Main Refinement Plan*. Because the proposed CC zoning is consistent and compatible with the *Metro Plan* diagram and the adopted *East Main Refinement Plan* land use designation, a *Metro Plan* diagram amendment is not required or warranted. Therefore, the criterion to comply with SDC 5.14-100 is not applicable.

Finding 17: The Transportation Planning Rule, OAR 660-012-0060(1), requires a local government to put in place certain mitigation measures if an amendment to a land use regulation (including a zoning map amendment) would “significantly affect” an existing or planned transportation facility. OAR 660-012-0060 (9) provides that the “local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility” if all the requirements in subsections (a)-(c) are met.

Finding 18: OAR 660-012-0060 (9)(a) requires that the proposed zoning map amendment be consistent with the existing comprehensive plan map designation, and the map amendment does not change the comprehensive plan map. As found above, the proposal brings the property into compliance with the Refinement Plan diagram.

Finding 19: OAR 660-012-0060 (9)(b) requires that the local government has an acknowledged Transportation System Plan (TSP) and that the proposed zoning map amendment is consistent with the TSP. The *Springfield 2035 TSP* was acknowledged by DLCD, and the proposed zone change is consistent with the TSP, and does not adversely affect TSP policies or projects.

Finding 20: OAR 660-012-0060 (9)(c) requires that the area subject to the proposed zoning map amendment not be subject to an exemption from the TPR standards pursuant to a prior UGB amendment or TSP amendment to account for urbanization of the area. The subject site is within the Springfield UGB and city limits, so this criterion is not applicable.

Finding 21: Because the proposed zoning map amendment meets all the criteria of OAR 660-012-0060(9)(a)-(c), the proposed amendment does not “significantly affect” an existing or planned transportation facility under OAR 660-012-0060(1), and no mitigation measures under that rule are required. Therefore, the proposal complies with the Transportation Planning Rule, OAR 660-012-0060. Staff finds that the proposed Zoning Map amendment satisfies Criterion 4.

Conclusion: Based on the above-listed criteria, staff recommends support for the request as the proposal meets the stated criteria for Zone Change approval in accordance with provisions of the *Metro Plan* and the Springfield Development Code.

Conditions of Approval

SDC Section 5.22-120 allows for the Approval Authority to attach conditions of approval to a Zone Change request to ensure the application fully meets the criteria of approval. The specific language from the code section is cited below:

5.22-120 CONDITIONS

The Approval Authority may attach conditions as may be reasonably necessary in order to allow the Zoning Map amendment to be granted.

Most of the subject property has been developed with a 9,600 ft² multi-tenant building, parking lot and driving aisles, and driveways onto Main Street. As such, it is not expected that extensive redevelopment will occur on the property aside from re-use of the existing building and vacant or underutilized portions of the site. The existing building has been vacant for more than 180 days so a new use will need to be established on the site through a Minimum Development Standards (MDS) approval. Any further development or redevelopment of the site would be subject to City land use approvals and permits, including Site Plan Review.

The Planning Commission may choose to apply conditions of approval as necessary to comply with the Zone Change criteria.

Recommendation

The subject application facilitates development and redevelopment of the property with commercial uses, which cannot be readily achieved with the current Light Medium Industrial zoning. Staff advises that the requested Zoning Map amendment can be reviewed and approved on its own merit because it brings the property and existing building into conformity with the adopted *East Main Refinement Plan*. For these reasons, staff recommends support for the requested Zoning Map amendment.

City of Springfield
 Development & Public Works
 225 Fifth Street
 Springfield, OR 97477



Zoning Map Amendment, Type III

Required Project Information (Applicant: complete this section)

Applicant Name:	4740 Main LLC / 5WDI LLC	Phone	541-746-0637
Company:		Fax:	
Address:	1824 Garden Avenue, Eugene, OR 97403	Contact Person: Erik Berg-Johansen, Branch Engineering, Inc.	
Applicant Signature:		310 5th Street, Springfield, OR 97477 erikb@branchengineering.com	

Property Owner:	4740 Main LLC / 5WDI LLC	Phone	
Company:		Fax:	
Address:	1824 Garden Avenue, Eugene, OR 97403		
Owner Signature:			

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf

ASSESSOR'S MAP NO:	17-02-32-42	TAX LOT NO(S):	101, 102
Property Address:	4740 Main Street, Springfield, OR 97478		
Area of Request	Square Feet:	Acres: 1.4	

Existing Use(s) of Property: Vacant structures with parking lot and access drive / Vacant land

Description of The Proposal: The subject site is zoned Light-Medium Industrial, which is in conflict with the Metro Plan's "Commerical" designation for the property. The requested zone change from Light-Medium Industrial to Community Commercial will bring the property into compliance with the Metro Plan diagram. The request includes Tax Lot 101 and a portion of Tax Lot 102.

Required Property Information (City Intake Staff: complete this section)

Case No.:	81-18-000148-TYP3	Date	8/9/18	Received by:	(initials) DL
Application Fee:		Postage Fee:	446.00	Total Fee:	\$ 446.00
81-18-000149-PROJ					

Edited 7/19/2007 bjones

Date Received

AUG 09 2018

Original Submittal

Zoning Map Amendment Submittal Requirements Checklist

1. **The application fee** - Refer to the Development Code Fee Schedule for the appropriate application and postage fee. A copy of the Fee Schedule is available at the Development & Public Works Department.
2. **Deed** - A copy of the deed to show ownership.
3. **Vicinity Map** - A map of the property and the surrounding vicinity which includes the existing zoning and plan designations. One copy must be reduced to 8 ½" by 11" which will be mailed as part of the required neighboring property notification packet.
4. **Findings** - Before the Planning Commission can approve a Zone/Overlay District Change Request, there must be information submitted by the applicant which adequately supports the request. The Criteria the Planning Commission will consider in making their decision is listed below. If insufficient or unclear data is submitted by the applicant, there is a good chance that the request will be denied or delayed. It is recommended that you hire a professional planner or land use attorney to prepare your findings.

Criteria of Approval (Quasi-judicial)

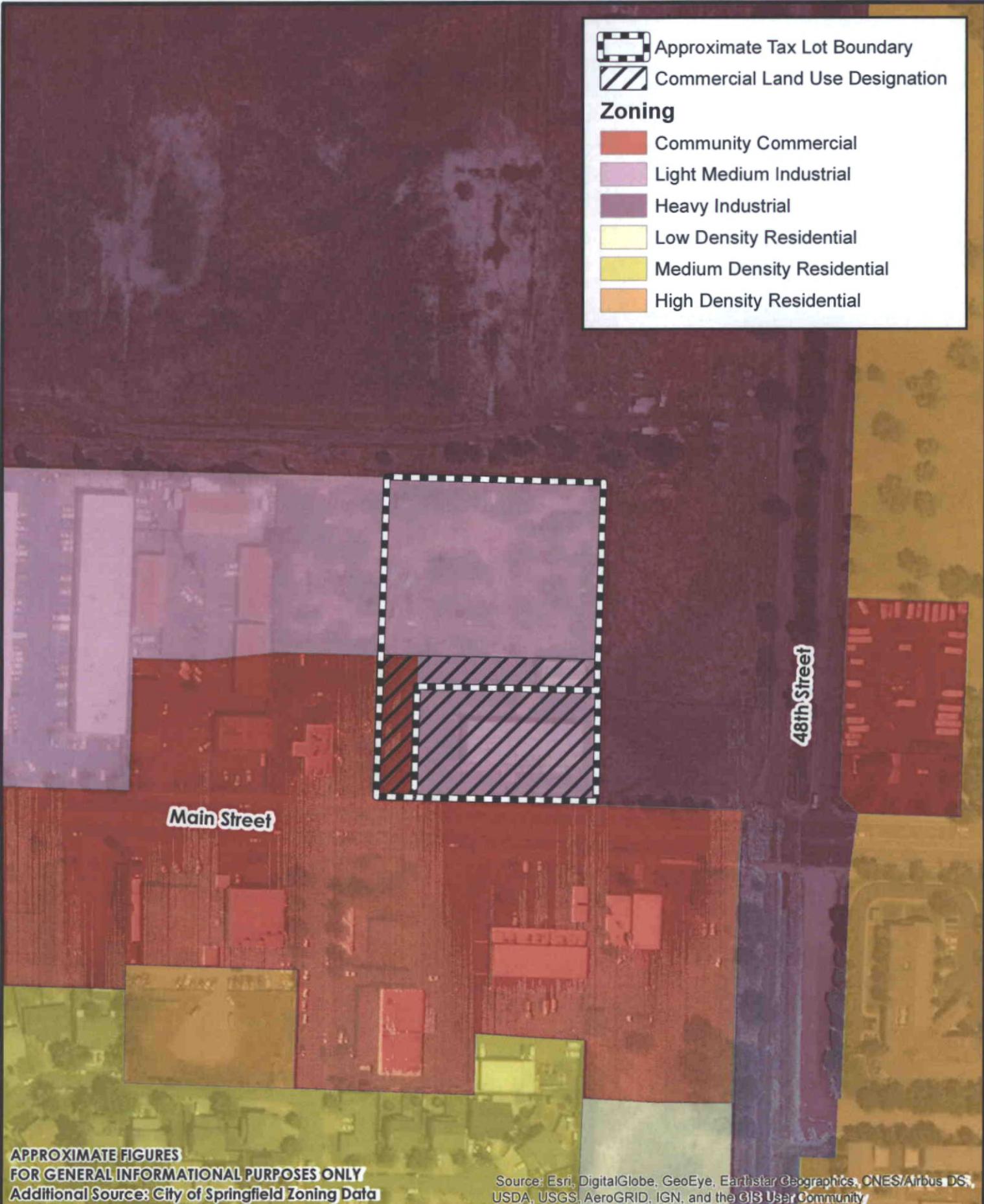
SDC 12.030 requires that in reaching a decision on these actions, the Planning Commission or Hearings Official map approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria (a)-(c), below.

- (a) Consistency with the Metro Plan policies and the Metro Plan Diagram;
- (b) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and
- (c) The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

Date Received

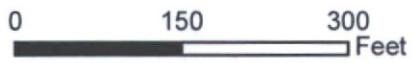
AUG 09 2018

 Approximate Tax Lot Boundary
 Commercial Land Use Designation
Zoning
 Community Commercial
 Light Medium Industrial
 Heavy Industrial
 Low Density Residential
 Medium Density Residential
 High Density Residential



APPROXIMATE FIGURES
 FOR GENERAL INFORMATIONAL PURPOSES ONLY
 Additional Source: City of Springfield Zoning Data

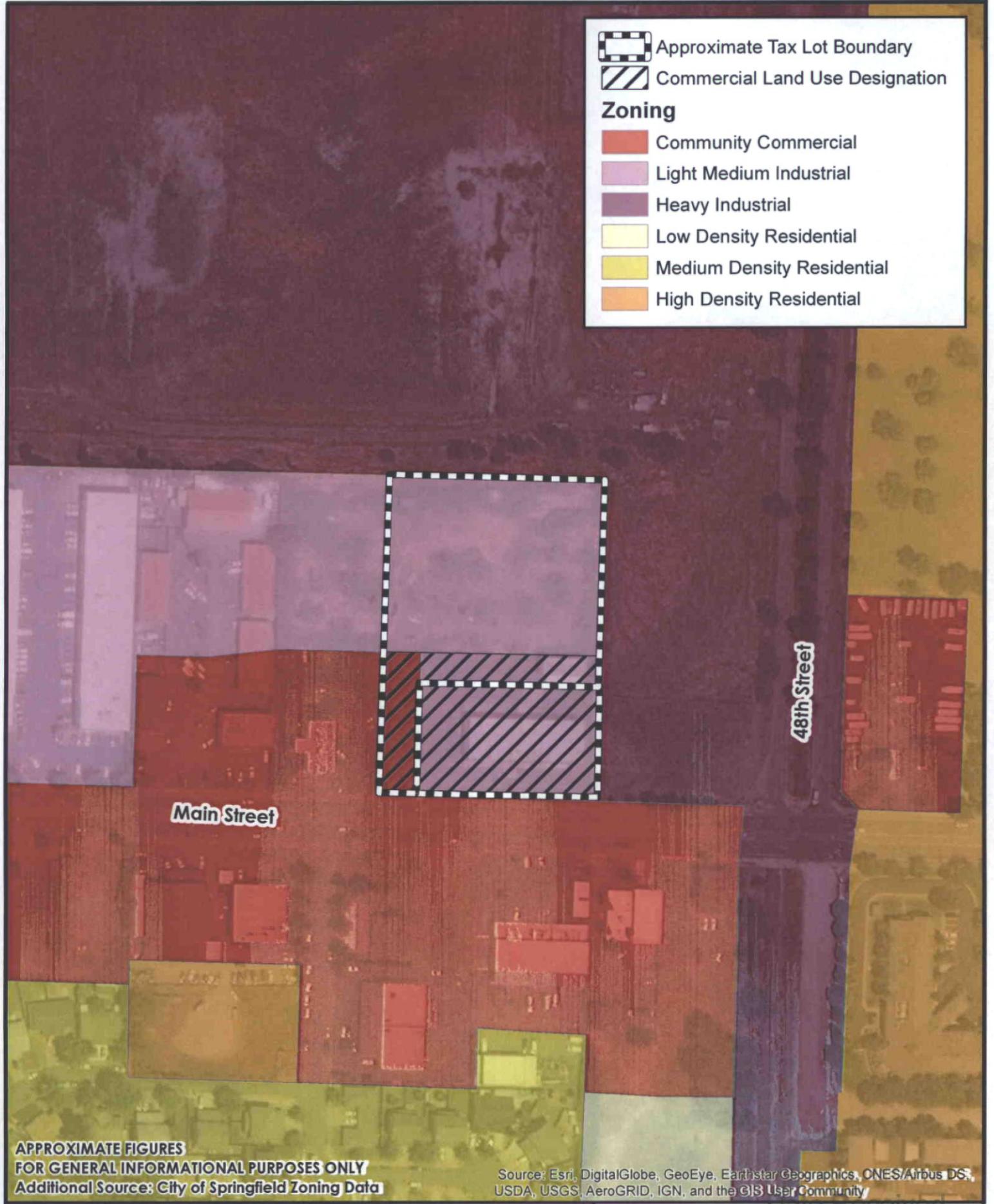
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
 USDA, USGS, AeroGRID, IGN, and the GIS User Community



Date Received
MAIN STREET
ZONING MAP AMENDMENT
 AUG 09 2013

SW

 Approximate Tax Lot Boundary
 Commercial Land Use Designation
Zoning
 Community Commercial
 Light Medium Industrial
 Heavy Industrial
 Low Density Residential
 Medium Density Residential
 High Density Residential



APPROXIMATE FIGURES
 FOR GENERAL INFORMATIONAL PURPOSES ONLY
 Additional Source: City of Springfield Zoning Data

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
 USDA, USGS, AeroGRID, IGN, and the GIS User Community



Date Received
MAIN STREET
ZONING MAP AMENDMENT

EXHIBIT A

PROPERTY REZONED FROM LIGHT MEDIUM INDUSTRIAL (LMI) TO COMMUNITY COMMERCIAL (CC)





August 29, 2018

ZONE CHANGE LEGAL DESCRIPTION
TM 17-02-32-42, TL 101 & PORTION 102
 Branch Engineering Inc. Project No. 18-204

All those lands conveyed as "Property #1 (Account 1066941, Map No. 17-02-32-42, TL 101)" in that Statutory Special Warranty Deed recorded on February 10, 2015 as Reception Number 2015-005257 in the Lane County Oregon Official Records. Said lands being described as follows in said deed:

A parcel of land in the Thos. D. Edwards Donation Land Claim No. 55, Section 32, in Township Seventeen (17) South, Range Two (2) West of the Willamette Meridian, described as follows:

Beginning at a point on the East line of the Thos. D. Edwards Donation Land Claim No. 55 in said section, township and range said point being 1047.23 feet South 0°11'55" West of the Northeast corner of said donation land claim; and run thence South 0°11'55" West 200.00 feet to the Northerly right-of-way of the McKenzie Highway (East Main Street), in Springfield, Oregon; thence along said right-of-way North 89°44' West 250.00 feet; thence North 0°11'55" East 200.00 feet; thence South 89°44' East 250.00 feet to the point of beginning, containing 1.15 acres of land, more or less, in said section, township and range in Lane County Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Renee Clough Digitally signed by Renee Clough
Date: 2018.08.29 15:37:40 -07'00'

OREGON
NOVEMBER 30, 2007
RENEE CLOUGH
69162LS

RENEWAL DATE: 12/31/19