



# Planning Commission Agenda

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**Planning Commissioners:**  
Troy Sherwood, Chair  
Kuri Gill, Vice Chair  
Tim Vohs  
Andrew Landen  
Grace Bergen  
Michael Koivula  
Sophie McGinley

Due to State-wide orders regarding social distancing and large gatherings, this meeting will be available via phone and internet using GoToMeeting. Members of the public wishing to attend this meeting electronically can call in or attend virtually by following the directions below. This information can also be found on the City's website. Face coverings are now required in all public buildings.

Please join my meeting from your computer, tablet or smartphone.

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The doors at the **South Entrance to City Hall** will be open at 5:45 pm to allow people to attend the Planning Commission meeting in person. The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. To request a reasonable accommodation at this meeting, please contact Shannon Morris at 541.744.3387 or smorris@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.

**July 7, 2020**

**6:00 p.m. Work Session**  
**Council Chambers - Virtual**

CALL TO ORDER

ATTENDANCE: Chair Sherwood \_\_\_\_\_, Vice Chair Gill \_\_\_\_\_, Koivula \_\_\_\_\_, Vohs \_\_\_\_\_, Landen \_\_\_\_\_, Bergen \_\_\_\_\_, and McGinley \_\_\_\_\_.

WORK SESSION ITEM(S)

**1. DEVELOPMENT CODE UPDATE PROJECT – QUARTERLY CHECK IN**

**Staff: Mark Rust, Senior Planner**  
**60 Minutes**

ADJOURNMENT

July 7, 2020

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**7:00 p.m. CCI Regular Meeting  
Council Chambers**

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CONVENE AND CALL TO ORDER THE REGULAR MEETING OF THE COMMITTEE FOR CITIZEN INVOLVEMENT

ATTENDANCE: Chair Sherwood \_\_\_\_\_, Vice Chair Gill \_\_\_\_\_, Vohs \_\_\_\_\_, Landen \_\_\_\_\_, Bergen \_\_\_\_\_, Koivula \_\_\_\_\_, and McGinley \_\_\_\_\_.

ADJUSTMENTS TO THE CCI REGULAR MEETING AGENDA

In response to a request by a member of the CCI, 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 CCI Regular Meeting Agenda

PUBLIC MEETING

**1. DEVELOPMENT CODE UPDATE PROJECT- COMMUNITY ENGAGEMENT PLAN REVISION**

- **Staff received direction from the City Council on June 22, 2020 to wait to proceed on the Phase I Residential Code until LCDC adopts rules to implement HB 2001. This includes holding off on further community outreach on the draft housing code section and potentially combining the community outreach for housing with the outreach on the Phase 2 Employment Lands code changes. This would create efficiencies in both time and cost to conduct community outreach for Draft Code language.**

**Staff: Mark Rust, Senior Planner  
30 Minutes**

**CONDUCT OF PUBLIC MEETING BEFORE THE COMMITTEE FOR CITIZEN INVOLVEMENT**

- Staff Report
- Chair opens the public hearing
- Testimony from people in the Council Chambers
- Testimony from those attending on-line (*please submit a request to speak via the chat feature*)
- Testimony from those calling in by telephone
- Chair closes the public hearing
- CCI discussion - may include questions to staff
- Motion to approve as presented, approve with modifications, or not approve the Revised Community Engagement Plan

REPORT OF COUNCIL ACTION

BUSINESS FROM THE COMMITTEE OF FOR CITIZEN INVOLVEMENT

- Upcoming Planning Commission meetings, committee reports, or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DEPARTMENT

ADJOURNMENT

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 7/7/2020  
**Meeting Type:** Work Session  
**Staff Contact/Dept.:** Mark Rust/DPW  
**Staff Phone No:** 541-726-3654  
**Estimated Time:** 60 minutes  
**Council Goals:** Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD  
PLANNING COMMISSION**

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**ITEM TITLE:** DEVELOPMENT CODE UPDATE PROJECT – QUARTERLY CHECK IN

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**ACTION REQUESTED:** No formal action is needed or requested. This meeting is an opportunity for the Planning Commission to provide input and feedback on the Development Code Update Project process.

**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 home town feel now and in the future.

**ATTACHMENTS:** Attachment 1: Communication Memo  
Attachment 2: Letter to DLCD regarding HB 2001 density  
Attachment 3: Map of Middle Housing Taxlots in Low Density Residential Zone  
Attachment 4: DLCD Memo on “In Areas”

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**DISCUSSION:** **Background**  
Staff last presented to the Planning Commission on this project on March 17, 2020. At this meeting staff gave the Planning Commission an update on the progress of both Phase 1, Housing, and Phase 2, Employment Lands of the Development Code Update Project. A Communication memo was sent to the Planning Commission on April 21, 2020 outlining adjustments being made in response to COVID-19 and updates in regard to the state rule making process for HB 2001 as related to Middle Housing.

**Discussion**

Staff is continuing to participate in the HB 2001 Rules Advisory Committee (RAC), and Model Code Technical Advisory Committee (MCTAC) that is focused on Middle Housing code requirements. This involvement is informing the work on Springfield’s draft housing code and will be discussed in more detail in the Briefing Memo and at the work session.

Staff is working on the code audit for Phase 2, Employment Lands. The city’s Technical Advisory Committee for Phase 2 has met virtually and will continue meeting to propose new code for employment lands.

**Next Steps**

Staff will continue making progress on the Development Code Update Project. Staff will continue to participate in the State HB2001 RAC and MCTAC.

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**COMMUNICATION MEMORANDUM**

**Meeting Date:** 7/7/2020  
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**Council Goals:** Encourage Economic Development and Revitalization through Community Partnerships

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**SPRINGFIELD  
PLANNING COMMISSION**

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**ITEM TITLE** DEVELOPMENT CODE UPDATE PROJECT – QUARTERLY CHECK IN

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**BACKGROUND**

Staff last presented to the Planning Commission on this project on March 17, 2020. At this meeting staff gave the Planning Commission an update on the progress of both Phase 1, Housing, and Phase 2, Employment Lands of the Development Code Update Project. A Communication memo was sent to the Planning Commission on April 21, 2020 outlining adjustments being made in response to COVID-19 and updates in regard to the state rule making process for HB 2001 as related to Middle Housing.

Staff convened the Governance Committee (GC) for the Project on June 4, 2020 to discuss the issues detailed in the memo below and their input helped inform the direction of this memo. The GC shared the concerns with the direction that the state rule making process for HB 2001 is going and believe the issues are worth considering further.

Staff presented the information contained in this memo to the City Council on June 22, 2020 and received feedback and direction as discussed below.

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**DISCUSSION****Project Phase 1 – Housing code**

The State is conducting a rulemaking process to implement the recent middle housing legislation HB 2001, and staff is participating on the Department of Land Conservation and Development (DLCD) HB 2001 Rules Advisory Committee (RAC) and Mode 1 Code Technical Advisory Committee (MCTAC). The outcome of how the rules direct the city to zone for residential development impacts how and where middle housing will be allowed in Springfield. There are several complex issues currently in play in these committees which merit explanation and further discussion, specifically: Residential Density, what ‘In Areas’ means, and Parking.

**DENSITY**

The Department of Land Conservation and Development (DLCD) staff is taking the approach of mandating housing density that cities must allow in residential zoning districts. Springfield staff has raised concerns with this approach at both the MCTAC and RAC meetings as well as by sending a follow up letter to DLCD (see attachment 2). The concerns have been acknowledged, but DLCD staff intends to proceed with the mandated density approach. Other members of the committees have raised similar concerns, and raised the concern that DLCD is exceeding the authority provided in the legislation. Through conversations with the City Attorney’s office, staff also believes that DLCD is exceeding the legislative authority specifically in regard to mandating density.

The draft Springfield residential code that staff has released for public review contemplates allowing middle housing throughout the residential zones based on existing density. The number of units allowed on each lot would be based on our existing adopted residential density ranges. As an example, Springfield’s Low Density Residential (LDR) zone, where most of the single unit housing is

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developed, allows between 6-14 units per net acre. This equates to a minimum 3,000 square foot lot size for a single family home. Under HB 2001 we would also be required to allow a duplex on every 3,000 foot lot. To meet Springfield's density range, the lot size for a triplex would equate to 9,000 square feet, and for a fourplex 12,000 square feet. Staff previously showed the attached map (attachment 3) in a work session but did not include it in the packet. The map shows the location of all LDR zoned lots of different size ranges that would allow triplexes and fourplexes based on the existing density. The map represents how staff proposes to allow the middle housing types in all residentially zoned areas of the city. In our read of HB 2001 this approach meets the intent of the legislation.

However with the DLCDC density approach, Springfield would have to allow a triplex and fourplex on every 3,000 square foot lot. This would effectively increase the density in the LDR zone from a maximum of 14 units per net acre to up to 56 units per acre on a lot by lot basis. As a comparison, the highest allowed maximum density in Springfield in the High Density Residential (HDR) zone is 42 units per net acre.

The HB 2001 specifically differentiates between allowing middle housing types in areas zoned for residential, and where increased density is required to be allowed. It appears that DLCDC mandating a minimum density may exceed the authority of the legislation.

There are a couple of other issues included in DLCDC's discussion on why they are recommending the density increase. First is the Green House Gas (GHG) executive order (EO) signed by the Governor, and second is the topic of equity.

As discussed briefly in the April 21 communication memo, Executive Order 20-04 is the order recently signed by the Governor that directs four State Departments, including DLCDC, to "exercise any and all authority and discretion vested in them by law to help facilitate Oregon's achievement of the GHG [greenhouse gas] emissions reduction goals set forth in paragraph 2 of this Executive Order". It appears to be DLCDC's position that mandating increased density will reduce GHG emissions as well as help address equity concerns. The logic is that higher density, coupled with reduction in parking will facilitate fewer single occupancy vehicle trips, possibly due to better options for walking, bicycling, using public transportation, as well as other alternative means of transportation, or reduction in trip length due to proximity of housing to jobs and services, thereby reducing GHG emissions.

The topic of equity has been discussed throughout the committee meetings. The Land Conservation and Development Commission (LCDC), in giving direction and authority to DLCDC to carry out the rule making process, included in their charge statement that the rulemaking "strive to result in equitable outcomes that benefit marginalized communities and/or people". It has been discussed that allowing all middle housing types on all lots that allow single family homes will help meet this goal. Staff understands DLCDC's position to be that allowing middle housing in all areas and at an increased density will lower housing costs thereby providing more opportunity for marginalized people to build wealth through home ownership and have equal access to live in a variety of different areas of a city.

#### **'IN AREAS'**

Another item of discussion at the state committee meetings is how to define "in areas" as used in the legislation. House Bill 2001 requires cities to allow duplexes

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on each lot or parcel that allows a single family home. For the other types of middle housing (triplex, quad-plex, cottage clusters, and townhouses), referred to by DLCDC as “higher middle housing types”, the bill requires cities to allow these middle housing types “in areas” zoned residential that allow single family dwellings. Defining what “in areas” means will be a continued topic of discussion at the state committee meetings. The DLCDC has proposed two initial approaches in a memo to the RAC (see attachment 6):

1. The “whittle away” approach
2. The “balloon” approach

The whittle away approach starts with the base assumption that higher middle housing types are allowed everywhere in residential zones that allow single family homes, and then deduct specific areas that are not well suited based on restrictions such as goal protected areas (floodway, wetlands, landslide areas?), and infrastructure constrained areas.

The balloon approach is based on location relative to services such as public transit, existing higher density areas, and mixed use development.

The DLCDC recommendation is to further explore the whittle-away approach. Staff generally agrees with the approach and the City Council agreed with that direction. The direction on the ‘in area’ approach combined with the topic of density as discussed above together will determine how and where middle housing is allowed in Springfield.

### **PARKING**

The other major issue involved in the rules currently being crafted is a limitation on the amount of on-site parking a city could require for residential development. The April Communication Memo covered this topic. The DLCDC will likely be recommending to the LCDC that jurisdictions not be allowed to require more than one parking space per unit. The City of Springfield Development Code, as recently amended as part of the Transportation System Plan (TSP) Implementation Project, requires: 1 space for each dwelling when paved on street parking is available directly abutting the property and there are no adopted plans to remove the on-street parking; or 2 spaces for each dwelling when no paved on street parking is available directly abutting the property or when the existing on street parking is planned to be removed as part of an adopted plan. The current code in Springfield requires more parking than the likely DLCDC recommended requirement. With the city’s draft housing development code changes that are out for public review currently, no changes were proposed to the adopted parking requirements.

### **COUNCIL DIRECTION**

Staff received direction from the City Council to (1) proceed with the approach we have proposed in our draft housing code to allow middle housing in residential zones based on currently adopted density, and (2) being prepared to modify our approach depending on how the DLCDC draft rules get recommended to LCDC for adoption in terms of density mandates and where those densities apply on the ground.

The draft Oregon Administrative Rules should be released sometime in August or September 2020 in preparation for a public hearing in front of the LCDC this fall. At Council’s discretion, staff will be prepared to testify at the LCDC hearing to make the case that Springfield’s approach meets the HB 2001 legislation.

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City Council direction includes waiting to proceed on the Phase 1 Residential Code until LCDC adopts rules. This includes holding off on further community outreach on the draft housing code sections and potentially combining the community outreach for housing with the outreach on the Employment Lands code changes. This would create efficiencies in both time and cost to conduct community outreach for Draft Code language.

The City Council agreed with the following two recommended approaches as proposed by staff.

1. Staff should continue raising concerns with the approaches DLCD seems to be taking in drafting rules to implement HB 2001, specifically in regard to mandated density, defining “in areas”, and maximum parking (as discussed in the 4/21/20 Communication memo) requirements. The LCDC is scheduled to conduct a public hearing on the draft large city middle housing rules at their September meeting. Staff will prepare to testify at the LCDC hearing to express city concerns and make a case that the rules should allow for an implementation strategy as proposed in Springfield’s draft housing code.
2. Phase 1, Housing. Staff should wait to conduct continued public outreach on the draft Housing code until we know more about the DLCD recommended rules for implementing HB 2001. The LCDC public hearing process is scheduled to take place in September 2020 with rules anticipated to be adopted by the end of 2020.

**Project Phase 2 – Employment lands (commercial and industrial) code**

The Technical Advisory Committee (TAC) for Phase 2 has convened once virtually and will continue meeting to discuss the code audit of employment lands chapters of the Development Code. The first sections to be audited are the Minimum Development Standards (MDS) section and the Site Plan Review section.

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**NEXT STEPS**

Staff will present changes for the Community Engagement Plan for the project to the Committee for Citizen Involvement (CCI) to reflect the direction received by the City Council, specific to the project timeline.

Staff will continue to work on the code audit for the Phase 2, Employment Lands. The city’s Technical Advisory Committee for Phase 2 has met virtually and will continue meeting to propose new code for employment lands.

Staff will continue working on planning for the public outreach efforts to engage the community to receive feedback and input on the draft housing code sections as well as considering combining the community engagement efforts on both the housing and employment lands code.

The Planning Commission will receive another quarterly check in September 2020 to on the progress of the project.

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**RECOMMENDED ACTION**

No formal action is needed or requested. This meeting is an opportunity for staff to report to the Planning Commission on the City Council direction received at the June 22, 2020 meeting and for the Planning Commission to provide input and feedback on the Development Code Update Project process.

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Ethan Stuckmayer  
Oregon Department of Land Conservation and Development  
635 Capitol St NE # 150  
Salem, OR 97301

May 6, 2020

RE: HB 2001 LMC Model code for Middle housing – Density and number of units

This letter expresses staff's concern with the density proposals being discussed at the Model Code Technical Advisory Committee (MCTAC) and Housing Rulemaking Advisory Committee (RAC). House Bill 2001 requires cities to allow diverse housing types. Section 2(2) of the legislation states that cities must allow the development of all middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings. It does **not** require cities to allow increased density. The draft minimum lot size for middle housing should be allowed to reflect a jurisdiction's adopted and acknowledged density ranges for the residential zones that allow single family homes. The current language being contemplated by the MCTAC as detailed in the April 13, 2020 memo for the Large and Metro Cities Model Code Part 1 and Part 2, and by the RAC in their #6 meeting packet for the May 7, 2020 discusses allowing a minimum of 25 units per acre and up to 56 units per acre. These density ranges are typical for medium or high density residential zones. Typical standard residential density zones are much less than these contemplated densities. House Bill 2001 requires more diverse housing types to be allowed, not mandated high density residential development. The legislation should not be used as a back door way to force increased density.

The current options being considered by the committees include: (the densities discussed below are net densities)

- **OPTION 1:** The minimum lot size for a triplex or quadplex is the same as the minimum lot size for a detached single-family dwelling in the same zone.

*(For the City of Springfield this would triple or quadruple the allowed density in the low density/single family residential (LDR) zone. Current City of Springfield density range for the LDR zone is 6-14 units per acre with a 4,500 square foot minimum lot size. This option would allow up to 56 units per acre.)*

- **OPTION 2:** The minimum lot size for a triplex or quadplex is the same as the minimum lot size for a detached single-family dwelling in the same zone, except that no minimum lot size shall be less than:
  - [5,000 sf] for a triplex; or *(For the City of Springfield this would allow 26 units per acre.)*
  - [7,000 sf] for a quadplex. *(For the City of Springfield this would allow 24 units per acre.)*
- **OPTION 3:** Minimum lot size for a triplex or quadplex is calculated as a percentage of the minimum lot size for a detached single-family dwelling in the same zone as follows:
  - Triplex: [125 / 150] percent; and *(For the City of Springfield this would allow 19 or 23 units per acre.)*

- Quadplex: [150 / 200] percent. *(For the City of Springfield this would allow 19 or 25 units per acre.)*

*(Depending on the minimum lot size in each jurisdiction the density would vary. For the City of Springfield we currently have a minimum lot size of 4,500 for a single family dwelling in the Low Density Residential (LDR) zone. We are proposing to lower that minimum lot size to 3,000 square feet. However, with this proposal we are not likely to recommend that reduction.)*

- **OPTION 4:** The minimum lot size is based on the gross floor area (GFA) of the triplex or quadplex as follows:
  - If the GFA is no larger than 2,800 sf, the minimum lot size is the same as the minimum lot size for a detached single-family dwelling in the same zone; *(For the City of Springfield this would allow up to 56 units per acre.)*
  - If the GFA is over 2,800 sf, the minimum lot size is calculated as a percentage of the minimum lot size for a detached single-family dwelling in the same zone as follows:
    - Triplex: [125 / 150] percent; and *(For the City of Springfield this would allow 19 or 23 units per acre.)*
    - Quadplex: [150 / 200] percent. *(For the City of Springfield this would allow 19 or 25 units per acre.)*

The proposed densities associated with the draft minimum lot size standards would cause a drastic increase in density. Different cities have different density ranges for their residential zones. The City of Springfield has a minimum density that must be met, even in the low-density residential zone. Many cities do not have minimum densities and also have larger minimum lot sizes. The approach as proposed would create an unequitable situation among cities and would encourage increasing minimum lots sizes to avoid such extreme densities - resulting in the opposite of what may be intended.

Allowing such high densities anywhere in the low-density and medium-density residential zones undermines the basis for the zones. This approach effectively erases any distinction between residential zoning districts and would require major revisions to comprehensive plans including comprehensive plan maps (to consolidate residential plan designations), public facilities and services plans (to determine how to plan for and serve areas that could allow up to four times the planned densities), and potentially transportation system plans (including the potential need for public parking areas for neighborhoods that are not accommodating parking on-site). If the legislature had intended this outcome, it would have written a bill that required cities to eliminate distinctions between residential zoning districts or plan designations based on density. The legislature recently required cities to approve development proposal at the proposed density for the development<sup>1</sup>. The HB2001 language deals with housing types being allowed, not density.

Public acceptance and loss of local control of such drastic density increases is a major concern. Many people are not going to accept such increases in their neighborhoods that are not supported by a locally

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<sup>1</sup> ORS 227.175(4)(c) states "A city may not condition an application for a housing development on a reduction in density if: (A) The density applied for is at or below the authorized density level under the local land use regulations; and (B) At least 75 percent of the floor area applied for is reserved for housing."

adopted comprehensive plan. The draft approach undermines the existing comprehensive planning framework and the public trust in the planning process.

We urge the DLCD to reconsider the draft proposals for minimum lot size that would drastically increase density. Instead, focus on achieving the outcomes specified in the legislation. We support model code language that allows the development of triplexes and fourplexes in areas zoned for residential at the density ranges adopted for that jurisdiction. Allowing more diverse housing types to be mixed within a neighborhood will go a long way toward creating more middle housing.

Sincerely,

Mark Rust, AICP  
Senior Planner  
City of Springfield

# Middle Housing Taxlots in LDR Zones

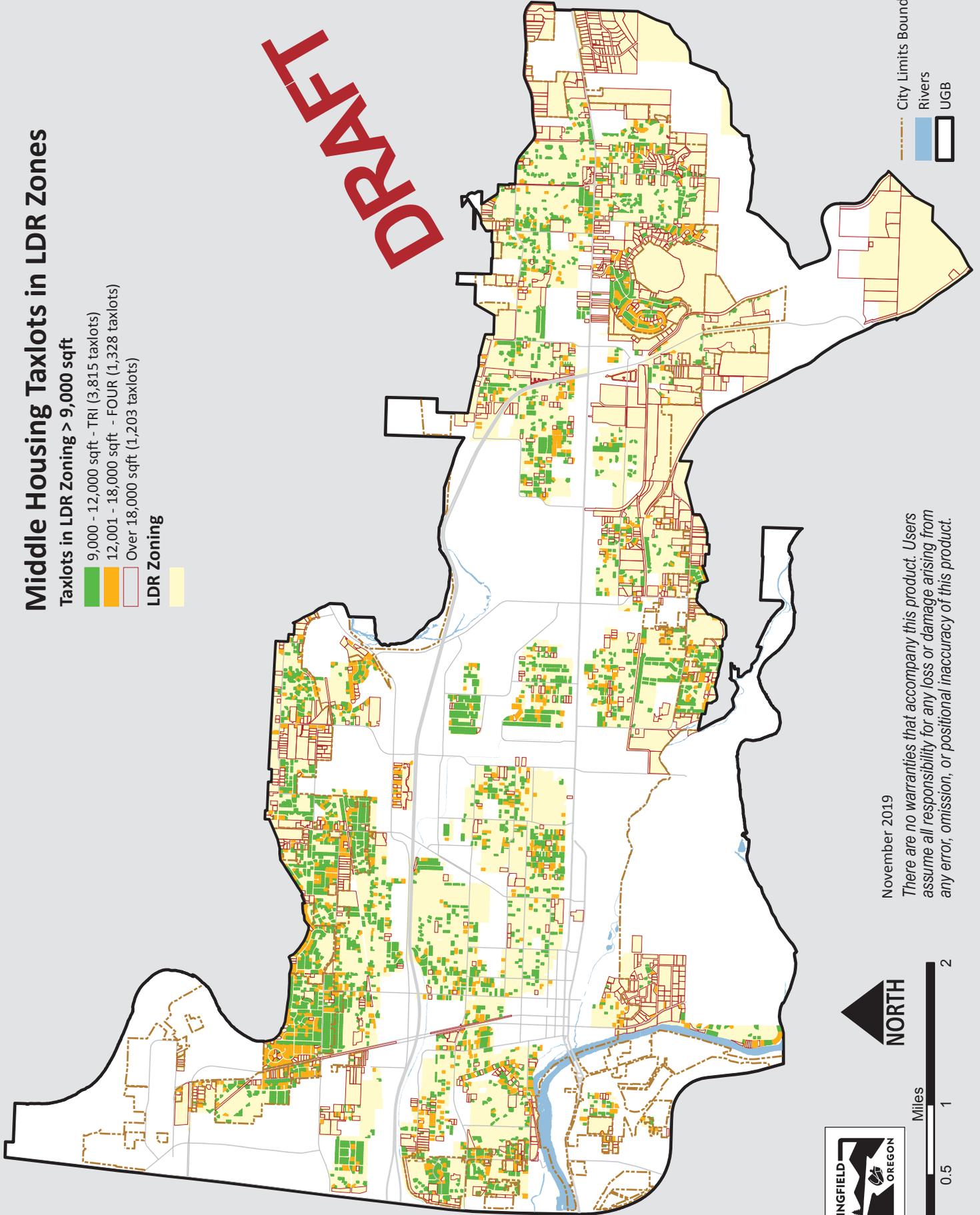
## Taxlots in LDR Zoning > 9,000 sqft

- 9,000 - 12,000 sqft - TRI (3,815 taxlots)
- 12,001 - 18,000 sqft - FOUR (1,328 taxlots)
- Over 18,000 sqft (1,203 taxlots)

## LDR Zoning

- Light Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)

DRAFT



November 2019

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# HOUSING RULEMAKING ADVISORY COMMITTEE MEETING PACKET #7



**TO:** Housing Rulemaking Advisory Committee Members  
**FROM:** Ethan Stuckmayer, Senior Housing Planner; Robert Mansolillo, Housing Planner  
**SUBJECT:** Approaches to Defining “In Areas”

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## Introduction

At this point in the rulemaking process for HB 2001, we are confronted with the issue of clarifying the meaning behind the phrase “in areas” for the development of higher density middle housing. For Large and Metro cities, this definition is important in determining where “higher middle housing types” (i.e. triplex, quadplex, cottage clusters and townhomes) will be allowed.

As it applies to medium cities, HB 2001 states that duplexes must be allowed on each lot or parcel zoned for residential use. The same language applies to Large and Metro cities where duplexes are concerned, however, there is different language to direct where higher middle housing types are allowed. HB 2001 Section 2 (2) states (emphasis added), “...each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of: (a) All middle housing types *in areas* zoned for residential use that allow for the development of detached single-family dwellings;...”.

“In areas zoned for residential use” is not as prescriptive as “each lot or parcel” and is somewhat ambiguous as to exactly where higher density middle housing is allowed. A key priority in rulemaking for Large and Metro cities is clarifying how this phrase should apply to fulfill the intent of House Bill 2001.

## Approach Overview

The department is considering two approaches to clarify the meaning of “in areas”. One approach, referred to as the “whittle away” approach, starts with a base assumption that middle housing is eligible in all residential areas zoned for single-family detached dwellings and layers in reductions to the allowance of middle housing in areas that are not well-suited for middle housing development. The other approach, referred to as the “balloon” approach, determines areas that are well-suited for middle housing development, considering locational factors such as proximity to centers and services.

### “Whittle Away” Approach

The basis for the “whittle away” approach is to allow as many lots or parcels as possible to qualify for the allowance of higher middle housing types. However, the department recognizes the need for cities to ensure that the allowance for higher middle housing types do not preclude their ability to apply protective measures in goal protected areas. Likewise, the department has heard that cities need to

balance the allowance of higher middle housing types with the availability of adequate infrastructure systems. As such, the ‘whittle away’ approach would start from a base assumption that all areas zoned for residential use that allow for the development of single-family detached dwellings are eligible for the allowance of higher middle housing types. From there, a local jurisdiction would consider restrictions on middle housing in areas that are not well-suited for higher middle housing development.

The first priority would include statewide planning goal-protected areas, in which restrictions on middle housing are warranted to protect resources or mitigate risk to life or property from hazards. Additionally, areas with insufficient infrastructure to serve higher middle housing types (i.e. “infrastructure constrained areas”) may warrant additional restrictions on higher middle housing types.

The distinction between infrastructure deficient and constrained areas is important to highlight. “Infrastructure deficient areas” are required to allow all types of middle housing, with a local government applying for an IBTER to allow them time to provide necessary infrastructure improvements. “Infrastructure constrained areas” will likely not see the necessary infrastructure needed to allow for higher density middle housing for the foreseeable future and should therefore be exempt from higher middle housing development.

Currently, the Large and Metro Cities Model Code is structured to allow middle housing in areas zoned for residential use as described above (all residentially zoned areas that allow for detached single-family dwellings except goal protected areas and infrastructure constrained areas), but local jurisdictions may need additional flexibility to justify further restriction on the allowance of higher middle housing in certain areas. A good example of this type of circumstance comes from the recent Residential Infill Project in Portland:

In determining areas that are not appropriate for middle housing development, one area that the City prohibited middle housing development in included areas in the “Airport noise impact overlay zone”. The City has a prior agreement with the Port of Portland to restrict residential density in this area, which is necessary to fulfill federal regulatory compliance.

This scenario is illustrative that there are likely a variety areas where restriction on higher middle housing types beyond infrastructure and goal-protected areas is warranted. Thus, in order to implement a “whittle away” approach, it would be necessary to construct parameters to define scenarios that warrant restrictions on higher middle housing types.

This could include common scenarios that warrant restrictions (e.g. federal regulatory compliance), but it will be unlikely that all scenarios could be captured in rulemaking. Therefore, it would also be necessary to establish a process by which a jurisdiction can “make the case” that an area or type of constraint warrants restrictions on higher middle housing types.

Under this approach, local governments would have the opportunity to designate certain areas to be “whittled away”, so long as they have a robust justification for restricting middle housing types in these areas. This “whittling away” approach would provide the greatest potential for allowing higher middle housing types.

### **“Balloon” Approach**

The “balloon” approach is based on locational services, such as public transit, existing higher density areas and mixed residential and commercial use zones. This approach would encourage middle housing development in categorical areas that are already higher density and have transportation or other services.

The analysis for establishing a baseline “area” would be based on locational criteria that make an area well-suited to middle housing development. An example would be in areas that are a certain distance (yet to be determined) from existing transit lines, mixed-use areas, and major employment or commercial developments. For example, higher density middle housing types will be allowed within ½ mile of a transit route. For communities without public transit, an arterial street could be used.

Once these baseline areas are established, local governments are provided the opportunity to add additional areas of interest to the baseline areas as to “grow” the areas where higher middle housing types are allowed.

This “balloon” approach will allow middle housing types in areas that are already higher density and will most likely have services available to promote reduced dependence on auto travel. However, the department identifies two potential complications with the “ballooning” approach:

***Equity implications*** – One clear theme from previous RAC discussions with regard to the Large and Metro Cities Model Code was that attempting to develop locational criteria for the allowance of middle housing had the potential to result in a distorted provision of housing opportunities, which could disproportionately benefit certain communities while precluding high opportunity housing options for communities with less access to opportunity.

An example of this issue was also deliberated over in the development of the Portland Residential Infill Project. Originally, the proposal sought to provide these additional housing opportunities only in areas near transit lines and centers. It became clear that this approach would leave many areas without access to housing opportunity, especially in East Portland and other disinvested areas.

***Ensuring the intent of House Bill 2001 is fulfilled*** – While there are undoubtedly discussion and questions surrounding the specific legislative intent of House Bill 2001, there is a clear and certain intent to provide more housing choice in historically exclusive residential areas. One obstacle in achieving this intent is among traditionally exclusive communities that seek to limit the provision of higher middle housing types to limited portions of the city.

An example illustrating this is in the deliberations over the application of the Residential Infill Project, in which one councilor proposed rolling back middle housing provisions to encompass only the R2.5 zone, which would have the effect of precluding middle housing from most single-family zones in the city (roughly 40% of total land area) to a zone that comprised approximately 3% of total city land area. The implementation of such a decision would clearly run counter to the intention of HB 2001.

It is clear that if this approach were to be recommended, it will need specific parameters to ensure that local jurisdictions comply with the intent of the bill. One type of parameter that could achieve this is to establish minimum thresholds for allowing higher middle housing types that a jurisdiction must satisfy. For example, this could be in the form of a performance standard that stipulates a certain percentage of land allows the development of middle housing. The key issue with this parameter is that the Bill provides no guidance on the amount of middle housing that ought to be permitted, and it would be

challenging to establish a basis in statute or best practice for any performance standard recommendation without being completely arbitrary.

An additional parameter for consideration is a requirement for jurisdictions to select certain areas to allow the provision of middle housing development. This could potentially provide the opportunity for exclusive communities with greater means to better lobby and enforce the prohibition of middle housing in their neighborhoods, which would have the effect of reinforcing segregation on the basis of class and race, a pattern that has been largely upheld by current zoning practice in the United States and Oregon.

### **Discussion**

Given the challenges associated with equity of housing opportunity and ensuring intent of the bill is met as described above, the project team currently considers the “whittling away” approach more appropriate in defining “in areas”. This approach will provide the greatest development potential and the greatest level of certainty as to where higher middle housing types may be constructed while also taking into consideration areas that are not appropriate for higher density development. This approach also preserves the opportunity for local jurisdictions to restrict middle housing development in areas where it is inappropriate based on local circumstances.

The Housing Team feels that the decision surrounding the “in areas” question is one of the most significant decisions to make during the rulemaking process, and therefore, warrants robust discussion at the RAC. We welcome your insight and considerations on the proposed approaches.

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 7/7/2020  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Mark Rust/DPW  
**Staff Phone No:** 541-726-3654  
**Estimated Time:** 30 minutes  
**Council Goals:** Encourage Economic Development and Revitalization through Community Partnerships

**SPRINGFIELD  
COMMITTEE FOR CITIZEN INVOLVEMENT**

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**ITEM TITLE:** DEVELOPMENT CODE UPDATE PROJECT – COMMUNITY ENGAGEMENT PLAN REVISIONS

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**ACTION REQUESTED:** Consider approving revisions to the Community Engagement Plan for the Development Code Update Project to reflect recent City Council direction.**ISSUE STATEMENT:** Staff is seeking approval from the Committee for Citizen Involvement for revisions to the Community Engagement Plan for the Development Code Update Project.**ATTACHMENTS:** Attachment 1: Revised Community Engagement Plan

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**DISCUSSION:** Staff received direction from the City Council on June 22, 2020 to wait to proceed on the Phase 1 Residential Code until LCDC adopts rules to implement HB 2001. This includes holding off on further community outreach on the draft housing code sections and potentially combining the community outreach for housing with the outreach on the Phase 2 Employment Lands code changes. This would create efficiencies in both time and cost to conduct community outreach for Draft Code language.

Waiting to proceed on the draft Housing code will allow staff to know more about the DLCD recommended rules for implementing HB 2001 and to be prepared to modify our approach depending on how the DLCD draft rules get recommended to LCDC for adoption. The LCDC public hearing process is scheduled to take place in September 2020 with rules anticipated to be adopted by the end of 2020.

To respond to this direction staff is proposing to modify the project timeline contained in the Community Engagement Plan. The proposed modifications to the project timeline contemplates extending the timeline for Task 6, Draft Housing Code Sections; Task 7, Public Outreach for Housing Code Sections; and Task 8, Adoption Process for Housing Code Sections.

These tasks now essentially parallel the steps for Phase 2 of the project for Employment lands.

Staff is requesting the CCI to approve the proposed changes to the Community Engagement Plan as shown in Attachment 1.

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The logo features a stylized green illustration of a house, a multi-story building, and a construction site with scaffolding. Below the illustration, the word "SPRINGFIELD" is written in a bold, green, sans-serif font. Underneath that, the words "DEVELOPMENT CODE" and "UPDATE PROJECT" are stacked in a larger, grey, sans-serif font.

# SPRINGFIELD DEVELOPMENT CODE UPDATE PROJECT

## Community Engagement Plan

Approved by the Committee for Citizen Involvement: December 18, 2018

Revisions approved: October 1, 2019

**Revisions proposed: July 7, 2020**

The Community Engagement Plan will serve as a guide for outreach and community engagement activities for the Development Code Update Project.

### I. Introduction

The Community Engagement Plan describes activities that the City of Springfield will implement to ensure that interested and affected parties have adequate opportunities to provide meaningful input to the Development Code Update Project. The Community Engagement Plan highlights the expected outcomes, and is designed with the general public, decision makers, technical advisory committee members, and the project team in mind as the intended audience.

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.

### II. Community Engagement Goals

Throughout this project, we are committed to sharing information and gathering input.

The Community Engagement goals are to:

- Ensure the Springfield community has opportunities to be informed about the project
- Ensure the Springfield community has opportunities to provide input on the project.
- Ensure the community understands the key issues related to the Development Code.
- Foster and sustain a collaborative and mutually respectful process while completing the Development Code Update Project.
- Communicate complete, accurate, understandable, and timely information to the community and partners throughout the Development Code Update Project including explanation of potential impacts from the proposed changes.
- Demonstrate how input has influenced the process and is incorporated into the final Development Code update.
- Adhere to the City of Springfield community engagement guiding principles.

### III. Project Objectives

The established project objectives were developed in conjunction with the Springfield City Council and Planning Commission. The Project objectives are to:

1. Enable quick review of development applications.
2. Provide easy to understand code language presented in a clear and 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 including implementation of HB 2001.
7. Implement the City's adopted policies.

### IV. Key Messages

The use of key messages throughout project communications is helpful in maintaining consistent messaging about the project goal and project objectives. These messages are to be used both on written communications and as talking points.

Key messages within the Community Engagement Plan can be updated to include feedback and themes from the various phases of the project.

- The City of Springfield is committed to:
  - Reducing development barriers to allow for efficient utilization of the available land supply inside the Urban Growth Boundary.
  - Encouraging and facilitating development of more attached and clustered single-family housing in the low density and medium density residential zones.
  - Providing a variety of housing options for all income levels in both existing neighborhoods and new residential areas.
  - Enhancing the quality and affordability of new development within existing neighborhoods and of multi-family housing.
  - Promoting compact, orderly, and efficient urban development.
  - Making development decisions predictable, fair, and cost-effective.
  - Promoting efficient and economical patterns of mixed land uses and development densities.
  - Broadening, improving, and diversifying the Springfield economy.
  - Maintaining or enhancing environmental qualities and Springfield's natural heritage.
- There will be multiple ways and opportunities for the Springfield community to receive project information and provide input on the project.

## V. Community Engagement Strategies

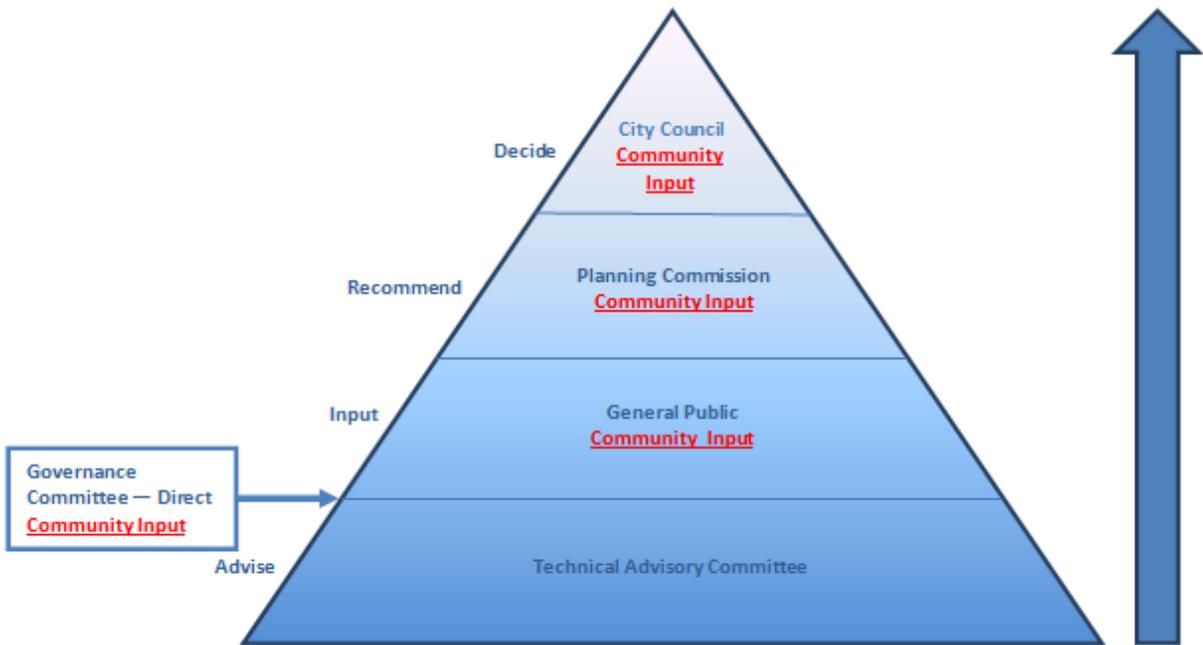
The activities listed below highlight the specific communication strategies that are anticipated to be used throughout the Development Code Update Project. These strategies will include explanation of the potential impacts from the proposed changes where applicable. Specific efforts will be made as part of the strategies to reach out to and engage the Spanish-speaking community. These efforts will include targeted efforts to involve and collaborate with the Spanish-speaking community members.

Community Engagement Strategies	Purpose	Timeline	Level of Community Engagement
<b>Project webpage</b>	Provides project information in one location.	Established 11/2018	Inform
<b>E-Newsletter article(s)</b>	Provide project information on specific topics or issues.	Edition(s) TBD	Inform
<b>E-update(s)</b>	Establish online sign up mechanism and share periodic project updates	Established 11/2018	Inform
<b>Social Media Campaign (ex. LinkedIn, Facebook, Twitter, etc.)</b>	Build overall awareness and promote project activities and findings.	On-going/as needed	Inform
<b>Factsheet/FAQ's</b>	Provide information about project and answer common questions.	Develop and update as needed	Inform
<b>Open House – Online or in person (possible video)</b>	Introduce project, present existing conditions and gather feedback	Date(s) based on project timeline	Consult, gather feedback
<b>Key messages</b>	Convey main points of project	As needed	Inform
<b>Media release</b>	Announce timely information	As needed	Inform
<b>Presentations/Events/ Focus Groups (possible video)</b>	Provide project information and receive feedback	As opportunities arise	Inform and gather feedback
<b>Mailings/postcards</b>	Provide information, invite to participate, request feedback	Create based on project timeline, update as needed	Inform
<b>One-on-One meetings</b>	Provide information, gather feedback	As appropriate	Inform and gather information
<b>Technical Advisory Committee</b>	Provide input and feedback on options to consider for code updates	Establish 12/2018 then throughout the project	Consult, gather input and feedback
<b>Survey</b>	To gather information and feedback	At the end of the project	Gather feedback
<b>Analytics</b>	Evaluate effectiveness of outreach	On-going	Analysis
<b>Debrief meetings</b>	After key project milestones	As needed	Analysis

## VI. Community Involvement Process

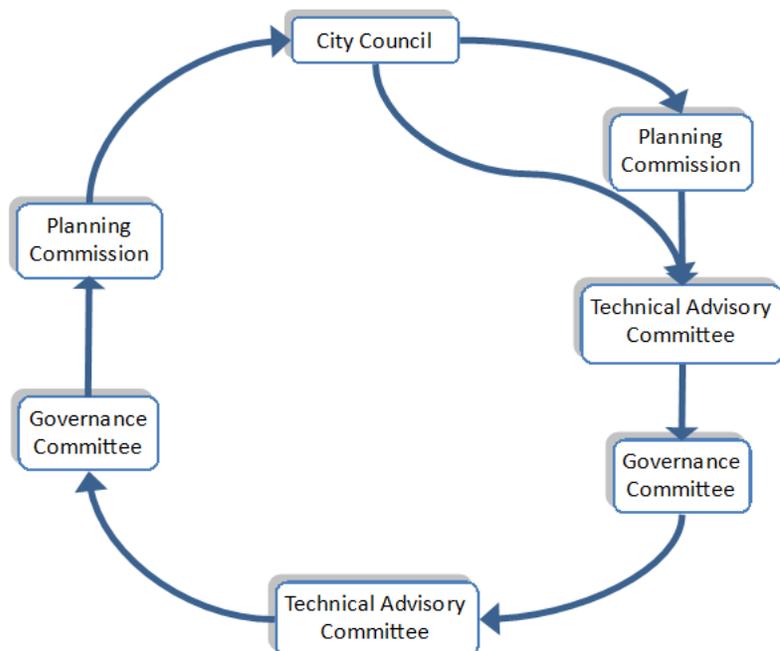
### Advisory Bodies & Decision-Making Structure

The decision making structure is represented by the graphics below. The structure is designed to ensure that the community is engaged and consulted, and that the Springfield City Council and committees have the benefit of that community input at major milestones of the project.



Each phase of the project, Housing, Commercial/Industrial, and Other, will go through a similar process as represented in these graphics.

- The Technical Advisory Committee will perform an analysis of the existing code and new code concepts and provide technical advice on how changes could be made and why the changes are proposed based on the Project Objectives.
- The Governance Committee will identify key issues and provide direction on areas of focus and opportunities at a policy level.

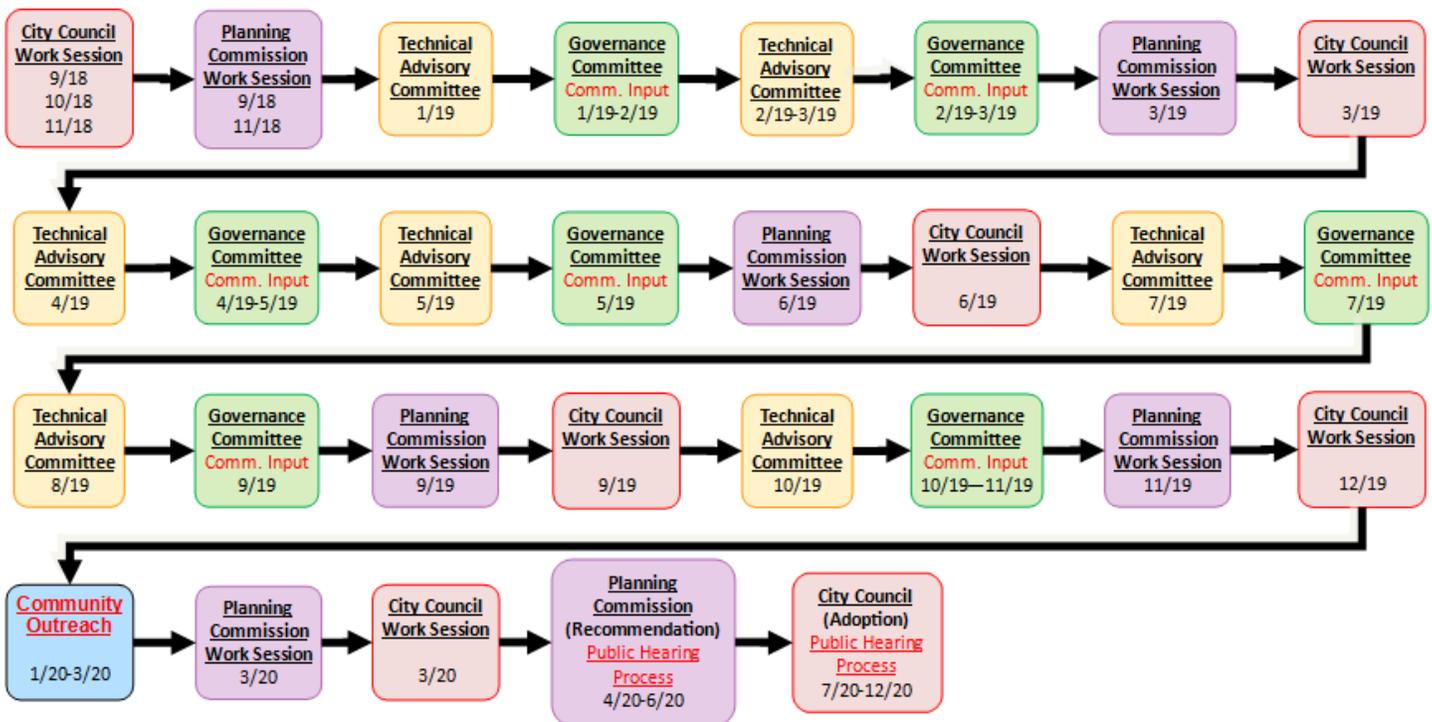


- The public will be engaged throughout the project as highlighted above in the engagement strategies. A concerted community outreach effort will seek input from the community on concepts and draft code language that is developed during each phase of the Project. All of this input will feed into a public hearing draft code that will be presented to the Planning Commission. The Planning Commission will conduct a public hearing process and make a recommendation to the City Council. The City Council will conduct a second public hearing process and take into consideration the Planning Commission recommendation as well as additional public input to make a final decision.

### Process

The following diagram represents an example of how the dynamic process of the decision making between the different participants might look for the housing portion of the code update process. Based on the approved revisions made to the Project Timeline at the end of this plan, the below diagram, specifically the dates, are no longer accurate.

### Housing Code Update Process



### Decision-Making Groups

**Springfield City Council:** The Springfield City Council has oversight and decision making responsibilities for the Project. The project team will provide briefings to the City Council and solicit feedback and guidance at regular check in meetings, either quarterly or on an as needed basis. The Springfield City Council holds the ultimate local authority on the approval and adoption of the final Development Code.

**Governance Committee:** A Governance Committee will be established to provide informed direction on the Project to the Project Core Team. The Governance Committee will be comprised

of two City Councilors and two Planning Commissioners. One role of the Governance Committee will be to provide an additional opportunity for the community to provide input. The committee members will provide updates to their respective bodies (Planning Commission and Council).

**Planning Commission:** The Springfield Planning Commission will provide recommendations to the City Council on the draft project materials. The Planning Commission will act in its capacity as the Committee for Citizen Involvement (CCI) to approve the Community Engagement Plan. Throughout the process the Planning Commission will conduct meetings and a public hearing that will provide opportunity for community input.

### General Public Input

Springfield community members will have multiple opportunities to provide input at key points throughout the project as outlined in the Community Engagement Strategies. The Decision Making Structure and Process diagrams above also identify points where community members can provide input and comments for consideration.

### Advisory Group

**Technical Advisory Committee (TAC):** The role of the Technical Advisory Committee is to provide the Project Core Team with support necessary to develop code revisions by:

- Establishing a forum to identify, discuss, and resolve technical issues and concerns.
- Establishing a forum to maintain interdepartmental and interagency communication.
- Providing data and information, as requested.
- Reviewing and providing feedback on draft work products in a timely manner.

**Membership:** Upon formation, the TAC will be comprised of various interests from within the community. The Project Core Team will actively reach out to potential participants to invite them to the TAC. There will be multiple compositions of the Technical Advisory Committee over the life of the project. At the outset of the Project a Housing related TAC will be formed. Later on a TAC focused on Economic Development, and finally a TAC to address many other areas of the Development Code. It is also anticipated that focus groups related to specific topic areas may be formed to address identified areas of the Development Code.

Part of the TAC will include City staff, other government agencies staff, and utility provider participants on a topic specific basis. TAC meetings will be open to the public for observation. The list of proposed TAC member representatives is below.

Members of the TAC will be invited to representative the following areas:

**Housing participants:**

1. Home Builders Association of Lane County
2. Residential developer
3. Residential contractor
4. Non-profit housing developer
5. Consultant (land use, engineering, architect, etc.)
6. Springfield Board of Realtors - residential realtor
7. Historic Commission
8. Housing/low cost housing advocate
9. American Disabilities Act (ADA) representative
10. Insurance/financing representative
11. Property management/multi-family housing developer
12. Springfield resident
13. Springfield youth

**Economic development participants:**

1. Springfield Chamber of Commerce
2. Commercial Industrial Developer
3. Commercial/industrial contractor
4. Business owner
5. Consultant (land use, engineering, architect, etc.)
6. Commercial realtor
7. Commercial appraiser
8. Springfield consumer

**Utility participants (on a topic specific basis):**

1. SUB Water
2. SUB Electric
3. Rainbow Water District
4. Comcast
5. Charter
6. EWEB
7. Sanipac
8. NW Natural Gas

**Government agencies:**

1. Oregon Department of Land Conservation and Development (DLCD) - South Willamette Valley Regional Representative
2. Lane County – Land Management
3. Lane County – Engineering, Transportation Planning
4. Lane County – Health and Human Services
5. Willamalane Park and Recreation District
6. Springfield School District
7. Lane Transit District
8. Oregon Department of Transportation

**City participants (on a topic specific basis):**

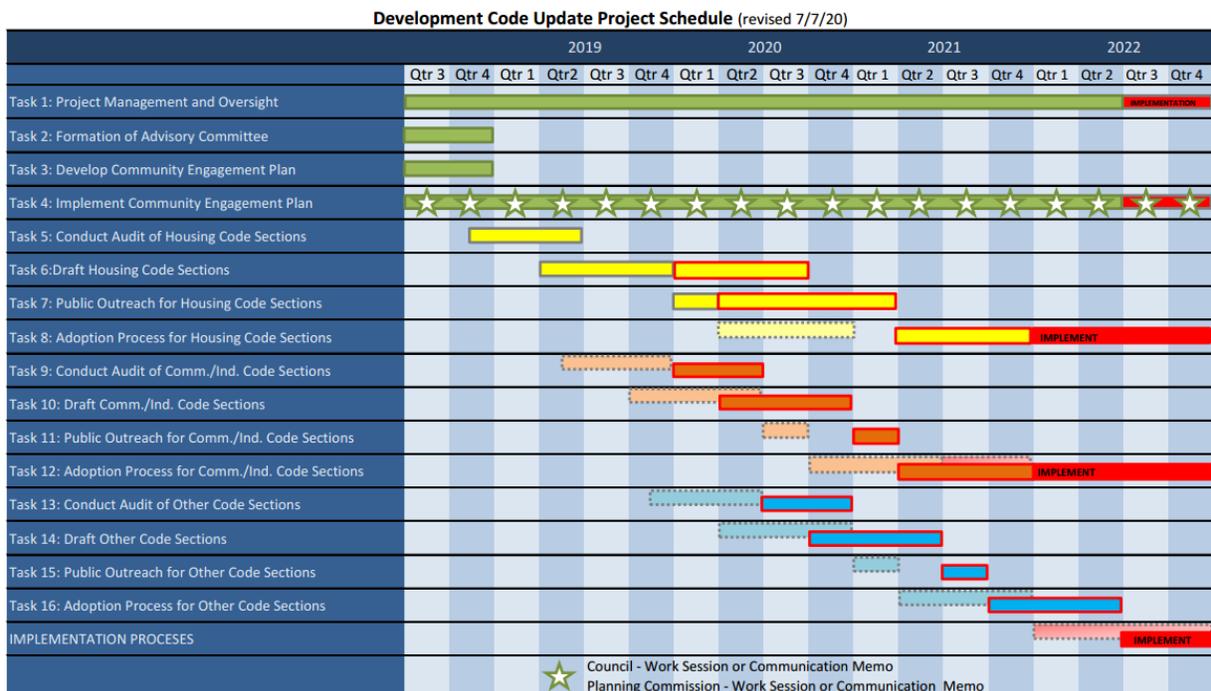
1. Building program
2. Fire Marshalls Office
3. Economic development
4. Emergency management
5. Civil engineering program
6. Transportation engineering
7. Transportation planning
8. Current planning
9. Comprehensive planning
10. Storm water Program
11. Housing

## VII. Measures of Success

Measures of success will help determine the effectiveness of community involvement efforts. Measures are based on the established Community Engagement Goals specified in Section II of this plan. The City will evaluate the effectiveness of the community engagement throughout and at the end of the Project. The following factors can be used to assess the engagement efforts in addition to or in relation to the Community Engagement Goals.

- Number of participants attending meetings or events.
- Number of responses received to a survey.
- Number of website views during a specific time period.
- Number of people who sign up for the project mailing list.
- Number of people who opened and clicked through on e-updates.
- Number of project comments received (phone, email, comment cards, online).
- How project decisions have been modified as a result of public input.
- Whether the comments received are relevant to the project (project understanding).
- Was the Project executed as planned, or did changes support the goals.
- Level of acceptance of Project outcomes.
- Survey participants to assess the level of understanding of process and changes.

## Project Timeline



This high level project timeline shows and demonstrates how the project is intended to be phased.