

MEMORANDUM

City of Springfield

To: Springfield and Lane County Planning Commissions
From: Linda Pauly, Planning Supervisor
Gary Karp, Planner 3
Date: February 17, 2010
Subject: Staff Response to DLCDC Comments on the Proposed Springfield Development Code
Amendments: Land Use Efficiency Measures Implementation Phase One LRP 2009-00015

ISSUE:

The purpose of this memorandum is to provide Springfield planning staff's response to a letter dated January 29, 2010 from Department of Land Conservation and Development (DLCDC) staff Ed Moore, Community Services Division, South Willamette Valley Field Office, 644 A Street, Springfield, OR 97477 (e-mailed a letter to Linda Pauly, Planning Supervisor). Mr. Moore's correspondence included an attached a PDF copy of the proposed SDC amendments with his additional comments/ suggestions in the margin.

BACKGROUND:

The City is proposing these code amendments to the Springfield Development Code (SDC) as Phase One Implementation of Land Use Efficiency Measures that were identified and prioritized in Springfield's land studies. By adopting these amendments, the City will achieve the following:

1. establishment of a Small Lot Residential zoning district that facilitates development of smaller attached and detached single family dwelling types;
 2. establishment of a Small Lot Residential zoning district with a proposed density consistent with the Metro Plan Low Density Residential plan designation;
 3. establishment of a zoning district to be applied on a case by case basis in association with a specific neighborhood refinement planning process;
 4. adds Small Lot Residential District (SLR) to the base zoning district list;
 5. establishes a minimum density of 6 dwelling units per net acre in the LDR District;
 6. adds the SLR District description;
 7. amends other residential district descriptions;
 8. adds uses for the SLR District;
 9. adds base zone development standards for the SLR District;
 10. adds reference to residential densities for Future Development Plans in the UF-10 Overlay District;
 11. adds Type I design standards for duplexes on corner lots/parcels and for certain duplex development in the MDR/HDR Districts;
 12. adds a new Section with requirement for a mix of housing types in SLR developments;
 13. adds a Type I development review process to Table 5.4-1, Development Applications, for duplex design standards;
 14. references SDC residential densities for Future Development Plans in the land division process;
 15. adds a condition of approval for recording a Future Development Plans with the Plat;
and
 16. adds/revises definitions pertaining to "dwellings" in support of the SLR District.
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Section/DLCD Comment	Staff Response
<p>3.2-205A. Mr. Moore suggested re-wording.</p>	<p>The words “single” and “up” will be revised in the next draft.</p>
<p>3.2-205B. Mr. Moore suggested re-wording.</p>	<p>The words “consistent with Metro Plan policy” and “up” will be revised in the next draft.</p>
<p>3.2-205B. <i>“At the proposed density of 8 to 14 dwelling units per acre, the proposed SLR District will have minimal, if any benefit.”</i></p>	<p>The intent was that the SLR zoning district would also be a Springfield 2030 Plan designation that would allow for more than 14 dwelling units per net acre. However, since the proposed SLR District would have to be approved under the current Metro Plan provisions and not the proposed Springfield 2030 Plan, the current Metro Plan residential designations apply. These designations have fixed breakpoints. For example, Low Density Residential through 14 dwelling units per net acre; Medium Density over 14 through 28 dwelling units per net acre; etc. At the time this draft was prepared, staff did not want to exceed the current breakpoint because it would be difficult to justify within the current Metro Plan context. This is why the SLR District is considered a second “LDR” District at this time.</p>
<p>3.2-210 <i>“How does this “encourage a mix of attached and detached single family dwellings and reduced lot/parcel sizes that are permitted outright”</i></p>	<p>The minimum density will require attached units to be part of the housing mix and attached single family units will not require Discretionary Use or Site Plan approval.</p>

<p>3.2-210 <i>"If the establishment of an SLR zoning district is to be used as an efficiency measure for purposes of establishing a UGB for Springfield, the City needs to demonstrate how many more residential units, and for which housing types and at what densities, can be accommodated within the proposed UGB through application of the SLR District versus the existing LDR District."</i></p> <p>3.2-210 <i>"Detached dwellings shouldn't be permitted in the SLR District."</i></p>	<p>The City is creating the tool for future planning purposes. The City is not proposing to apply the zone to specific parcels of land at this time. The City is not utilizing the measure for purposes of establishing a UGB. The City is creating the tool to provide for efficient land use, to reduce the cost of developing single family dwellings, and to permit and facilitate development of a range of housing types and choices for the community.</p>
<p>3.2-210 <i>"Since the purpose of SLR is for housing types not permitted in LDR, the location restriction on duplexes should be removed and duplexes should be an outright permitted use anywhere in SLR as an additional efficiency measure, and also to encourage a more affordable housing type."</i></p> <p>3.2-210 <i>"Duplexes should be an outright permitted use and not subject to special development standards."</i></p> <p>3.2-210 <i>"It doesn't make sense for a Discretionary permit for duplexes in a multi-family zone".</i></p>	<p>Duplex dwellings are a housing type permitted in the LDR and will be permitted in the SLR district on corner lots. The Planning Commission and City Council directed staff to prepare new development standards for duplex dwellings standards and allowances for duplexes prior to allowing duplexes mid-block. These measures will be included in Land Use Efficiency Measures Implementation Phase Two and residential infill development standards.</p> <p>The Planning Division's work program includes a future code audit and preparation of updated residential development standards that address identified impediments to developing affordable housing, including issues raised in Mr. Moore's comments.</p>
<p><i>"To achieve more efficient use of land within the medium and high density residential districts, MDR and HDR respectively, detached single-family housing, including zero lot-line single-family housing and manufactured houses on individual lots, should not be allowed in the MDR and HDR Districts (allowing land to be used for other more appropriate housing types); and duplexes should be an outright</i></p>	<p>Detached single family dwellings are only permitted In MDR or HDR districts where they can meet the minimum density of the zone and thus are only permitted in the MDR and HDR districts on very small lots.</p> <p>Springfield has had a history of developers building at the low end of the density range in the Medium Density Residential District by building duplex units rather than multifamily units. This results in lower overall density achieved in the MDR districts and underutilization of</p>

<i>permitted use and not subject to special development standards.”</i>	MDR-designated land.
3.2-210 <i>The zero lot line dwelling is a detached housing type that shouldn't be permitted in the MDR and HDR Districts.</i>	Multi-family housing could also be sited in a zero-lot line pattern. This has been done in PUDs and cluster subdivisions elsewhere.
3.2-210 <i>“The SLR District does not allow mobile home parks as shown in this section. ORS 197.480(1)(b) requires permitting manufactured home parks in all zones with density ranges of 6-12 units/acre. Since the SLR zone falls within this density range, the schedule of uses table needs to be amended to allow mobile home parks in the SLR.”</i>	Staff will address Mr. Moore’s comment in the next draft.
3.2-210 <i>“Not allowing places of worship outright in any residential zone may make the city vulnerable to litigation under federal RLUIPA.”</i>	Staff will address Mr. Moore’s comment in the next draft.
3.2-215 <i>“Should not be able to create any new parcels/lots outside of the city limits, but within the UGB.”</i>	“The creation of new lots/parcels in the City’s urbanizable area shall be either 10 acres, 5 acres or shall meet the area standards of this Section when approved through the Partition process specified in Section 5.12-100.” The cited text is has been in the SDC since 1986, is not part of the SLR amendment process, and is based upon the Metro Plan Urban Growth Management Policies 26, 27 and 28, which do allow for the partitioning of property outside of the city limits, within the UGB.
3.3-825 <i>“Don’t you mean “net”?”</i>	Yes. The commentary will be revised to read “net” in the next draft.
4.7-140A. <i>“or larger”</i>	The text will be revised to include “or larger” in the next draft.
4.7-140B. <i>“Are we talking 6,000 or 3,000?”</i>	The explanation from the table in Section 3.2-215 is as follows: “(1) 6,000 square feet in area for one duplex in the LDR

	<p>District. This standard prohibits the division of the lot/parcel to create separate ownership for each duplex dwelling unit.</p> <p>(2) 10,000 square feet in area for one duplex in the LDR District as specified in this Section and Section 4.7-140. This standard allows for the future division of the lot/parcel to create separate ownership for each half of the duplex.”</p> <p>These standards apply to the LDR District only. Additional text to be added to Subsection (2) will state: “In the SLR District, a duplex lot/parcel of 6,000 square feet or more may be also divided as specified above.</p>
<p>4.7-140D. <i>Why so restrictive to MDR/HDR Districts?</i></p>	<p>Springfield has had a history of developers circumventing the Multi-Unit Design Standards by building duplexes, which currently have no design standards, rather than apartments. This fact has a direct affect on density in the MDR and HDR Districts.</p>
<p>4.7-233A.1. <i>delete “a minimum of”</i></p> <p>4.7-233A.3. <i>does not seem to be clear and objective.</i></p>	<p>Mr. Moore’s suggested revisions will be addressed in the next draft.</p>
<p>5.12-120E.2. <i>These terms will eventually become obsolete, I would suggest using the following – the city’s acknowledged TSP...</i></p>	<p>The City’s TSP is scheduled to be adopted in August 2011. There are numerous references to TransPlan, the RTP, etc. in the SDC. An SDC amendment will occur either concurrently or shortly after adoption if the City’s TSP. Section 5.12-120 and any other applicable Section will be amended at that time.</p>
<p>5.12-120E.3. <i>Add additional utilities</i></p>	<p>Mr. Moore’s suggested revisions will be addressed in the next draft.</p>
<p>6.1-110 Dwelling, Cottage Cluster - Why the limit to number of units?</p>	<p>The limitation was from Redmond, Washington’s definition. Since the number of units must meet at least the minimum SLR density, the text will be revised to delete the reference to the number of dwelling units.</p>

