

MEMORANDUM**CITY OF SPRINGFIELD**

DATE OF HEARING: March 13, 2007

TO: Springfield Planning Commission **TRANSMITTAL
MEMORANDUM**

FROM: Mark Metzger, Planner

SUBJECT: Proposed Amendments to Article 26—Hillside Development Overlay extending the potential use of Cluster Development

ISSUE: At the February 6, Commission meeting, amendments to Article 26—Hillside Development Overlay District were presented for review and public hearing. It was noted by staff that some of the proposed amendments were discovered to pose some unintended consequences and the Commission decided to continue the hearing on the matter to the March 13 meeting. Staff is suggesting changes to the original proposal to remove the unintended conflicts. At issue is whether to move the amendments forward to the City Council with a recommendation.

DISCUSSION: The revised amendments to Article 26—Hillside Development Overlay District, remove the language that was the focus of the unintended consequences and brings the focus of the amendments back to the expanded use of cluster development on slopes between 15% and 25%.

The revised amendments to Article 26 are intended to: 1) allow the location of cluster development to all-facing hillsides with slopes of between 15 and 25%; 2) adjust the formula for computing the acreage for density transfers to avoid double counting of eligible land and 3) allow the City to require developers to fund peer review of the complicated engineering and geotechnical analysis required for hillside development design.

The elements that were removed from the original amendment proposal were meant to strengthen existing health, safety, and fire access provisions in the Article. They also sought to strengthen the role of the Planning Director, City Engineer and Fire Marshall in the approval of site design in response to hillside conditions. These issues will be reworked and brought back to the Commission as part of a larger Development Code policy review, once the Development Code Reformatting project is complete.

The recent concern with a fill slope under construction in the MountainGate Phase 3B development has heightened public awareness of hillside development issues. The City Engineer does not believe that there is a direct connection between the circumstances of this situation and the proposed policy to expand the use of cluster development standards on slopes between 15% and 25% to include north, east and west-facing slopes. That said, this situation may prompt staff to present additional recommendations for other changes to Article 26 or to the *Engineering Design Standards and Procedures Manual* at a later date.

ACTION REQUESTED: The Planning Commission is requested to review the proposed amendments to Article 26 and make a recommendation to the City Council to approve, approve with suggested modifications or to deny the amendments. The Commission may also recommend to the City Council that no action be taken on the amendments at this time.

ATTACHMENTS:

Attachment 1: Revised Amendments in Legislative Format

Attachment 2: Revised Planning Commission Order