

Section 92: Section 16.030 is hereby amended to read as follows:

“16.030 LOT SIZE STANDARDS

Minimum lot/parcel sizes in the residential districts shall be as follows:

- (1) Lots/parcels on east-west streets shall be:
4,500 square feet in area with 45 feet of street frontage.
- (2) Lots/parcels on north-south streets shall be:
5,000 square feet in area with 60 feet of street frontage.
- (3) Lots/parcels on the bulb portion of a cul-de-sac shall be:
6,000 square feet in area with 35 feet of street frontage.
- (4) Lots/parcels (duplexes) on corners in all residential districts shall be:
6,000 square feet in area with street frontage as specified in Subsections (1) and (2) of this Section. This standard prohibits the division of the lot/parcel to create separate ownership for each dwelling unit.

EXCEPTION:

10,000 square feet in area in the LDR District as specified in Section 16.100(5) of this Article with street frontage as specified in Subsections (1) and (2) of this Section. This standard is required to allow for the future the division of the lot/parcel to create separate ownership for each dwelling unit.

- (5) Lots/parcels within the boundary of the HD Hillside Development Overlay District shall be determined as specified in Section 26.050 of this Code:
 - (a) 10,000 square feet (less than 15 percent slope) with 60 feet of street frontage.
 - (b) 10,000 square feet (between 15 percent and 25 percent slope) with 90 feet of street frontage.
 - (c) 20,000 square feet in area when the slope is between 25 percent and 35 percent with 150 feet of street frontage.
 - (d) 40,000 square feet (over 35 percent slope) with 200 feet of street frontage.
- (6) Lots/parcels with panhandles shall be:
 - (a) 4,500 square feet in area in the pan portion with:
 - 1. 20 feet of street frontage for a single panhandle; or

2. 26 feet of street frontage for multiple panhandles. The street frontage for each panhandle parcel shall be determined by the number of parcels, i.e., if there are two panhandles, the frontage for each will be 13 feet.

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

1. Panhandle driveways shall be permitted where dedication of public right-of-way is impractical or to comply with the density standards in the applicable zoning district. Panhandle driveways shall not be permitted in lieu of a public street, as determined by the Director.
2. Panhandle driveways shall not encroach upon or cross a watercourse, other body of water or other topographic feature except as approved by the Director and the City Engineer.
3. The area of the pan portion does not include the area in the panhandle driveway.
4. No more than 4 lots/parcels or 8 dwelling units shall take primary access from one multiple panhandle driveway.
5. The paving standards for panhandle driveways shall be:
 - a. 12 feet-wide for a single panhandle driveway from the front property line to a distance of 18 feet, where there is an unimproved street and from the front property line to the pan of the rear lot/parcel, where there is an improved street; and
 - b. 18 feet-wide for a multiple panhandle driveway from the front property line to the pan of the last lot/parcel. This latter standard takes precedence over the driveway width standard for multiple family driveways specified in Table 32-2 of this Code.
6. The Director may waive the requirement that buildable lots/parcels have frontage on a public street when access has been guaranteed via a private street, or driveway with an irrevocable joint use/access easement.
 - a. Private streets shall be constructed as specified in Section 32.030 of this Code and not be permitted in lieu of public streets shown on the City's adopted Conceptual Street Plan or TransPlan.
 - b. An irrevocable joint use/access easement may be used when a proposed land division includes a single or multiple panhandle

lots/parcels where the front lot/parcel contains an existing primary or secondary structure and the land required for the panhandle diminishes the required 5 foot-wide side yard setback applicable to that front lot/parcel and/or the panhandle width standard cannot be met.

- i. For a single panhandle lot/parcel in the LDR District, the irrevocable access easement width shall be not less than 14 feet-wide.
- ii. For a single panhandle in the MDR and HDR District, or where multiple panhandles are proposed in any residential district, the irrevocable access easement width shall be not less than 20 feet-wide”

- (7) The creation of new parcels in the City’s urbanizable area shall be either 10 acres, 5 acres or shall meet the size standards of Sections (1)-(6) of this Section when approved through the Partition process specified in Article 34 of this Code.”

Section 93: Section 16.050, Subsections (1) - (4) are hereby amended to read as follows:

“16.050 SETBACK STANDARDS.

The following setback standards shall apply to all residential lots/parcels, unless multi-family development is proposed. In this case the setback standards specified in Section 16.110 of this Article shall take precedence. All setbacks shall be landscaped, unless a setback is for a garage or carport.

- (1) 10 feet for front yard, street side and rear yard setbacks. Determination of all yard setbacks for duplexes on corner lots shall be based upon the front yard of each unit as established by the streets used for address purposes.

EXCEPTIONS: Garages and Carports

- (a) 18 feet measured along the driveway from:

1. The property line fronting the street to the face of the garage or carport; or
2. The property line fronting the street to the far wall of the garage or carport where the face of the structure is perpendicular to the street.
3. Where a garage or carport faces a panhandle driveway, the 18 feet shall be measured from the inner travel edge (pavement or gravel) within the panhandle to the face of the structure.

- (b) There shall be no setback required when the garage or carport fronts an alley.
- (2) 5 feet for interior side yard setbacks.

EXCEPTIONS:

- (a) Attached dwellings (zero lot line) on individual lots/parcels; and
 - (b) A dwelling constructed over the common property line of two lots/parcels where there is a recorded deed restriction.
- (3) Accessory structures shall not be located between any front or street side yard and a primary structure and shall be set back at least 3 feet from interior side and rear lot lines.

EXCEPTIONS:

- (a) Stand alone garages and carports shall meet the setback standards specified in Subsections (1) and (2) of this Section.
 - (b) Group C accessory structures shall be permitted within setbacks as specified in Section 16.100(1)(e) of this Article.
- (4) Special provisions for panhandle and duplex lots/parcels.
- (a) All setbacks for panhandle lots/parcels shall be based on the orientation of the front and rear of the dwelling occupying the lot/parcel
 - (b) All setbacks for duplexes on corner lots/parcels shall be based upon the front yard of each unit established by the street or streets used for address purposes.”

Section 94: Section 16.090, Subsection (1))a)4. is hereby amended to read as follows:

“16.090 FENCE STANDARDS.

(1) General.

- (a) Except as specified elsewhere in this Code, fences shall not exceed the height standards listed below and shall be located as follows:
 - 4. Eight feet for public utility facilities, school yards and playgrounds, provided that the fence is located behind the front yard and street side yard planted area and outside of the vision clearance area. Residential properties abutting these facilities, railroad tracks or residential property side and rear yards abutting streets with 4 or more travel

lanes, may have fences of equal height (eight feet) along common property lines and right-of-way.”

Section 95: Section 16.100, Subsections (1)(a)1.; (1)(c)1.; (1)e); (4)(a)-(e); and (5)(a) are hereby amended to read as follows:

“16.100 SPECIAL USE STANDARDS.

(1) **Accessory Structures.** This subsection regulates structures that are incidental to allowed uses to prevent them from becoming the predominant element of the site.

(a) **Accessory Structure Groups.** Accessory structures are divided into three groups based on their characteristics. Accessory structures may be attached or separate from primary structures.

1. **Group A.** This group includes buildings and covered structures such as garages, bedrooms or living rooms, including bathrooms that are not an accessory dwelling unit as defined in Section 16.120 of this Article, art studios, gazebos, carports, greenhouses, storage buildings, boathouses, covered decks and recreational structures. Agricultural structures as defined in this Code shall be deemed Group A accessory structures if located on lots or parcels less than 2 acres.

(c) **Group A Standards.**

1. **Lot Coverage.** The combined square footage of all Group A accessory structures and the primary structure may not exceed the lot coverage standards specified in Section 16.040 of this Article.

(e) **Group C Standards.** Group C accessory structures are only allowed in required building setbacks if they are no more than two feet in width, or diameter, and no taller than 8 feet.

EXCEPTION: Flagpoles may be located outside of required setbacks or easements with a maximum height of 30 feet.

(4) **Day Care Centers**

(a) The Day Care Center shall meet Children Services Division (CSD) regulations.

(b) The outdoor play area shall be enclosed by a 6-foot high sight obscuring fence. In addition, the Director may require up to a 10-foot landscape buffer from an outdoor play area if conflicts with neighboring properties are identified.

- (c) Public sidewalks shall be installed in all cases where there are curb and gutter streets.
- (d) The Day Care Center shall have a planted front yard setback of 10 feet.
- (e) Wherever possible, each Day Care Center site shall have a circular drive for drop-offs. L-shaped drives or street side drop-offs may also be approved.

(5) Duplexes

- (a) On Corner Lots. A corner duplex or duplex lot/parcel in any residential District may be partitioned for the purpose of allowing independent ownership of each dwelling unit, if each of the two resulting lots/parcels meets the size standards specified in Section 16.030(4) of this Article. Duplexes or duplex lots eligible for such a partition shall meet the partition standards of Article 34 of this Code and the following:”

Section 96: Section 17.070, Subsection (4) is hereby amended to read as follows:

“17.070 STANDARDS FOR APPROVAL OF DWP OVERLAY DISTRICT APPLICATIONS WITHIN TIME OF TRAVEL ZONES

Applications shall comply with the following standards. Where the following standards are more restrictive than the standards of the Uniform Fire Code, the following standards shall apply:

- (4) 10-20 year TOTZ Standards. The storage, handling, treatment, use, production or keeping on premises of more than 20 gallons of hazardous materials that pose a risk to groundwater in aggregate quantities shall be allowed only upon compliance with containment and safety standards set by the most recent Fire Code adopted by the City.”

Section 97: Section 18.010, Subsection (4) is hereby amended to read as follows:

“18.010 ESTABLISHMENT OF COMMERCIAL ZONING DISTRICTS.

In order to fully implement the policies of the Metro Plan, regulate the use of land, structures and buildings, and protect the public health, safety and welfare, the following zoning districts are established in this Article:

- (4) **GO GENERAL OFFICE DISTRICT.** The GO district is intended to encourage appropriate office development and to implement neighborhood refinement plans. This district is designed to be a transition zone, providing a buffer between residential and more intensive commercial development at the boundaries of a Community Commercial or Major Retail Commercial designation. A development area of at least one acre shall be required.”

Section 98: Section 18.020, Subsections (6)(cc) and (8) are hereby amended to read as follows:

“18.020 COMMERCIAL ZONING DISTRICTS.

CATEGORIES/ USES	DISTRICTS			
	NC	CC	MRC	GO
(6) Recreational facilities (Section 18.110(5)):				
(cc) Shooting range (Also subject to provisions of Springfield Municipal Code, 1997	-	S	S	-

CATEGORIES/ USES	DISTRICTS			
	NC	CC	MRC	GO
(8) Residential uses in areas designated mixed use in the Metro Plan, Refinement Plans or Mixed Use Districts in this Code (Section 18.110(6))	S	S	S	-
(14)(b) One single family dwelling, attached or detached as a secondary use (Section 18.110(6))	P	P	-	-“

Section 99: Section 18.070, Subsection (15) is hereby amended to read as follows:

“18.070 OFF-STREET PARKING STANDARDS.

USE CATEGORIES	NUMBER OF SPACES
(15) Shopping centers or malls	1 for each 250 square feet of gross floor area, exclusive of covered pedestrian walkways. Once a shopping center or mall has been approved, no additional parking shall be required, unless there is new construction.”

Section 100: Section 18.110, Subsections (5)(a) and (6)(a)-(c) are hereby amended to read as follows:

“18.110 SPECIAL USE STANDARDS.

- (5) Recreational Facilities.
 - (a) Arcades, Auditoriums, Bingo Parlors (licensed by the state of Oregon in accordance with ORS 167.118), Dance Halls, Non-Alcohol Night Clubs, Hydrotubes and Skating Rinks shall not be permitted to abut a residential district.
- (6) Residential Uses.

- (a) In areas designated mixed use in the Metro Plan or a Refinement Plan diagram, Plan District map, or Conceptual Development Plan, multiple family development shall be required to meet development standards as specified in applicable regulation. MDR and HDR District standards contained in this Code shall be followed where a Refinement Plan diagram, Plan District map, or Conceptual Development Plan does not specify development standards, or in areas where no applicable regulation has been prepared.
- (b) In areas with mixed use zoning, the residential development standards of the applicable mixed use zoning and/or overlay district shall apply.
- (c) One single family dwelling, detached or attached to a commercial building in the NC or CC Districts as a secondary use, shall comply with the residential development standards of Article 16 of this Code concerning setbacks and height.”

Section 101: The Article 26 Title page is hereby amended to read as follows:

“ARTICLE 26

HD HILLSIDE DEVELOPMENT OVERLAY DISTRICT

26.010 PURPOSE

26.020 RESERVED FOR FUTURE USE

26.030 APPLICABILITY

26.040 REVIEW

26.050 DEVELOPMENT DENSITY OPTIONS

26.060 STREET GRADE STANDARDS

26.070 REPORTS REQUIRED

26.080 MODIFICATION OF STANDARDS

26.090 FIRE PROTECTION REQUIREMENTS”

Section 102: Section 26.010 is hereby amended to read as follows:

“26.010 PURPOSE.

The HD Overlay District ensures that development in hillside areas: Minimizes the potential for earth movement and resultant hazards to life and property; protects water quality by minimizing soil erosion and siltation; retains and protects natural vegetation, natural water features and drainageways, scenic quality and open space by minimizing vegetation removal in sloped areas; assures the compatibility of new development with surrounding areas; encourages site and building design that is consistent with the natural topography in order to minimize the cost of providing public infrastructure; provides for adequate access for emergency services; and otherwise protects the public health and safety.”

Section 103: Section 26.020 is hereby amended to read as follows:

“26.020 RESERVED FOR FUTURE USE.”

Section 104: Section 26.030 is hereby amended to read as follows:

“26.030 APPLICABILITY.

The HD Overlay District shall apply to all land within the city limits and the City’s urbanizable area above 670 feet elevation or where the percent of slope is 15 percent or greater, in residential zoning districts.”

Section 105: Section 26.040, Subsection (1) is hereby amended to read as follows:

“26.040 REVIEW.

- (1) Development within the HD Overlay District shall be reviewed under Type II procedure, submitted concurrently with the applicable application for a: Site Plan Review, Property Line Adjustment, or a Partition or Subdivision Tentative Plan.”

Section 106: Section 26.070, Subsections (1) and (5) are hereby amended to read as follows:

“26.070 REPORTS REQUIRED.

Where the buildable portion of the land to be developed exceeds 15 percent average slope, the following reports shall be required and their conclusions applied in order to prevent or mitigate possible hazards to life and property and adverse impacts on the natural environment, consistent with the purpose of this Article.

- (1) **Geotechnical Report.** This report shall include data regarding the geology of the site, the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and options and recommendations to maintain soil and slope stability and minimize erosion of the site to be developed in a manner imposing the minimum variance from the natural conditions. The investigation and report shall be prepared by a civil engineer/geologist or a geotechnical engineer.

- (5) Development Plan Report. A proposed development plan shall be submitted, depicting building envelopes for each lot, including driveway approaches and all other associated impervious surface areas. The applicant shall specify whether trees will be felled under one Tree Felling Permit, in accordance with Article 38 of this Code, as part of the subdivision construction process or by separate Tree Felling Permit for each individual lot prior to the issuance of a Building Permit. The plan shall be based upon the findings of the required reports in this Section and the lot coverage standards of Section 16.040. Building envelopes shall be specified in Covenants, Conditions, and Restrictions recorded with the Subdivision Plat.”

Section 107: Section 26.080, Subsections (1) and (2) are hereby amended to read as follows:

“26.080 MODIFICATION OF STANDARDS.

The Director may modify the standards of this Code, as they apply to the entire development area, within the following prescribed limits:

- (1) Front, side and rear yard setbacks may be reduced to zero (when in conformance with the Building Safety Codes); provided, however, where attached dwellings are proposed there shall not be more than 5 dwelling units in any group.
- (2) The reduction of public right of way, pavement width, and/or requirements for the installation of sidewalk as specified in Table 32-1 of this Code, may be allowed if provisions are made to provide off-street parking in addition to that required in Article 16, Residential Districts. The Director may require combinations of collective private driveways, shared parking areas and on-street parallel parking bays where topography, special traffic, building, grading, or other circumstances necessitate additional regulation to minimize land and soil disturbance and minimize impervious surface areas.”

Section 108: The Article 29 Title page is hereby amended to read as follows:

“ARTICLE 29

UF-10 URBANIZABLE FRINGE OVERLAY DISTRICT.

29.010 PURPOSE

29.020 RESERVED FOR FUTURE USE

29.030 APPLICABILITY

29.040 REVIEW

29.050 SCHEDULE OF USE CATEGORIES WHEN THERE IS AN UNDERLYING RESIDENTIAL DISTRICT

**29.060 SCHEDULE OF USE CATEGORIES WHEN THERE IS AN UNDERLYING
COMMERCIAL OR INDUSTRIAL DISTRICT**

29.070 SPECIAL USE STANDARDS”

Section 109: Section 29.010 is hereby amended to read as follows:

“ARTICLE 29

UF-10 URBANIZABLE FRINGE OVERLAY DISTRICT

29.010 PURPOSE.

To effectively control the potential for urban sprawl and scattered urbanization, compact growth and the urban service area concepts are, and will remain, the primary growth management techniques for directing geographic patterns of urbanization in the City. The UF-10 Overlay District implements the "Growth Management and the Urban Service Area" policies of the Metro Plan by limiting the interim parcelization and prohibiting urban development of unincorporated urbanizable land. This land will eventually be annexed to the City, and provided with a minimal level of key urban services to allow development at urban levels. All interim development shall be designed and constructed to City standards. The regulations of UF-10 Overlay District supplement the regulations of the underlying City district. Where the regulations and permitted uses of an underlying district conflict with those of an Overlay District the more restrictive standards shall apply.”

Section 110: Section 29.020 is hereby amended to read as follows:

“29.020 RESERVED FOR FUTURE USE.”

Section 111: Section 29.030 is hereby amended to read as follows:

“29.030 APPLICABILITY.

- (1) The provisions of the UF-10 Overlay District shall apply to all of the City’s urbanizable area.

EXCEPTION: The provisions of the UF-10 Overlay District shall not apply to land designated Government and Education on the Metro Plan Diagram.

- (2) The UF-10 Overlay District shall cease to apply upon annexation to the City.”

Section 112: Section 29.040 is hereby amended to read as follows:

“29.040 REVIEW.

- (1) The siting of single-family residences in the UF-10 Overlay District that require a Future Development Plan shall be reviewed under Type I procedure.

- (b) The Vacation shall not conflict with the provisions of Springfield Municipal Code 1997; and this Code, including but not limited to, street connectivity standards and block lengths; and
- (c) There shall be no negative effects on access, traffic circulation, emergency service protection or any other benefit derived from the public right-of-way publicly owned land or Partition or Subdivision Plat.”

Section 56: Section 9.070 is hereby amended by the addition of the following section:

“9.070 CONDITIONS OF APPROVAL.

If the Director or the City Council approves a Vacation, the following conditions may be attached:

- (1) For a Vacation involving public right-of-way, where applicable, an easement for a public facility, publicly owned utility or other utility shall be retained.
- (2) A public facility, publicly owned utility or other utility shall be constructed, relocated or removed at the applicant’s expense or through cost sharing with the City as may be available. A new public easement shall then be required.
- (3) A Vacated Partition or Subdivision Plat shall be replatted, where necessary.
- (4) A public right-of-way shall be relocated and rebuilt at the applicant’s expense or through cost sharing with the City, as may be available.
- (5) Where the Vacation of a City right-of-way results in an assessment of special benefit to the remaining property, the property owner shall provide compensation to the City in accordance with Section 3.204 of the Springfield Municipal Code 1997.
- (6) The City Council may attach any conditions as may be reasonably necessary in order to allow the Vacation to be granted.”

Section 57: The Article 10 Title page is hereby amended to read as follows:

“ARTICLE 10

DISCRETIONARY USES

10.010 PURPOSE

10.013 APPLICABILITY

10.015 SITING OF SCHOOLS

10.020 REVIEW

- (2) Partitions shall be reviewed under Type II procedure.
- (3) All other requests shall be reviewed in accordance with the procedures applicable in the underlying district (refer to Section 32.130 for siting standards and review process for certain wireless telecommunications systems facilities).
- (4) The Hearings Official shall hear all Type III land use requests.
- (5) A complete application together with all required materials shall be submitted to the Director prior to the review of the request as specified in Section 3.050, Application Submittal.”

Section 113: Section 29.050, Subsections (3), (6) and (6.5) are hereby amended to read as follows:

“29.050 SCHEDULE OF USE CATEGORIES WHEN THERE IS AN UNDERLYING RESIDENTIAL DISTRICT.

- (3) Detached single-family dwellings and manufactured homes S
- (6) Partitions (29.070(5)) P
- (6.5) Property Line Adjustments P”

Section 114: Section 26.060 is hereby amended to read as follows:

“29.060 SCHEDULE OF USE CATEGORIES WHEN THERE IS AN UNDERLYING COMMERCIAL OR INDUSTRIAL DISTRICT.

Only the following urban uses specifically listed may be permitted when the UF-10 District overlays a commercial or industrial zone, subject to the provisions, additional restrictions and exceptions set forth in this Code.”

Section 115: Section 29.070, Subsections (1)(a) and (e) and (5) are hereby amended to read as follows:

“29.070 SPECIAL USE STANDARDS.

- (1) General.
 - (a) The City shall not extend water or sanitary sewer service outside the city limits, unless the property owner obtains annexation approval from the LCLGBC.
 - (e) Lane County shall be considered an affected party and notified of all development applications.

- (5) Partitions. Proposed Partitions in the City's urbanizable area shall meet the standards and approval criteria of Article 34 of this Code. Any property to be partitioned that is within the distances specified in OAR 340-071-0160(4) shall require annexation to the City, unless the Director determines that a topographic or man-made feature makes the connection physically impractical."

Section 116: The Article 31 Title page is hereby amended to read as follows:

"ARTICLE 31

MINIMUM DEVELOPMENT STANDARDS AND SITE PLAN REVIEW STANDARDS

31.010 MINIMUM DEVELOPMENT STANDARDS

31.020 SITE PLAN REVIEW – PURPOSE AND APPLICABILITY

31.030 SITE PLAN REVIEW - REVIEW PROCESS

31.040 PHASED DEVELOPMENT

31.050 SITE PLAN REVIEW - INFORMATION REQUIREMENTS

31.060 SITE PLAN REVIEW - CRITERIA

31.070 SITE PLAN REVIEW - CONDITIONS OF APPROVAL

31.080 SITE PLAN REVIEW - FINAL SITE PLAN/FINAL SITE PLAN EQUIVALENT MAP

31.090 SITE PLAN REVIEW - DEVELOPMENT AGREEMENT

31.100 SITE PLAN REVIEW - MODIFICATIONS

31.110 SITE PLAN REVIEW - SECURITY AND ASSURANCES

31.120 SITE PLAN REVIEW - MAINTAINING THE USE

31.130 SITE PLAN REVIEW - LANDSCAPING STANDARDS

31.140 SITE PLAN REVIEW - PLANTING STANDARDS

31.150 SITE PLAN REVIEW - PLANTING INSTALLATION STANDARDS

31.160 SITE PLAN REVIEW - SCREENING AND LIGHTING STANDARDS

31.170 SITE PLAN REVIEW - PARKING STANDARDS

31.180 SITE PLAN REVIEW - PARKING LOT DESIGN STANDARDS – RESERVED FOR

FUTURE USE

31.190 SITE PLAN REVIEW - PARKING AREA IMPROVEMENT STANDARDS

31.200 SITE PLAN REVIEW - OFF-STREET LOADING STANDARDS

31.210 SITE PLAN REVIEW - BICYCLE PARKING STANDARDS

31.220 SITE PLAN REVIEW - MINIMUM REQUIRED BICYCLE PARKING SPACES

31.230 SITE PLAN REVIEW - BICYCLE COMMUTER FACILITIES

31.240 SITE PLAN REVIEW – WATER QUALITY PROTECTION”

Section 117: Section 31.010, Subsections (2)(a) and (b) and (4)(d) are hereby amended to read as follows:

“31.010 MINIMUM DEVELOPMENT STANDARDS

(2) Applicability.

(a) MDS shall apply:

1. To developed properties that do not require either Site Plan Review as specified in Section 31.020 of this Code or Site Plan Modification as specified in Section 31.100 of this Code; and
2. Within Springfield’s city limits only; and
3. Within commercial, industrial and public land zoning districts only, where there is:
 - a. An addition or expansion that is:
 - i. 50 percent or less than the existing building gross floor area and/or impervious surface area; or
 - ii. 5,000 square feet or less of additional building gross floor area and/or impervious surface area, whichever is less.
 - iii. Serial expansions shall be limited so that the standards specified in i and ii are not exceeded in a 3-year period.

EXCEPTION: The installation of items, including but not limited to, internal sidewalks or bases for benches that are less than 50 square feet in area, or covering existing storage areas with a permanent structure that is not enclosed, or a fully enclosed temporary structure shall not initiate MDS review; and

b. A change in use of a building or property.

- (b) Where there is an addition, expansion or change in use of a building or property containing multiple uses, the property owner shall bring the entire property into compliance with the standards specified in Subsection (4) of this Section. However, required improvements shall be installed under the rule of proportionality, based upon the number of businesses on the property. For example, if there are three businesses on the property and there is only one change of use, then only one-third of the improvements necessary for the entire

property area shall be required to be completed for that use. If the property contains more than three uses, the Director and property owner may enter into an agreement so that as a use changes or expands, a percentage of the property shall comply with MDS requirements with the intent that the total property will meet MDS requirements over time. This agreement shall not affect the MDS timelines specified in Subsection (5) of this Subsection.

EXCEPTION: In cases where the proposed addition, expansion or change in use is an espresso stand, the Director may waive the MDS requirement on properties containing existing multiple uses.

(4) SDC Standards Applicable to MDS Approval. In order to grant MDS approval, the Director shall determine compliance with all applicable standards specified below. Final occupancy shall be contingent upon the completion of required site improvements.

(d) Parking and circulation areas shall be paved and striped and wheel stops installed as specified in Sections 31.170 and 31.190 of this Article. Required paving and other impervious surfaces on the site shall comply with on-site stormwater management standards as specified in Section 32.110 of this Code for required parking, circulation area and storage area impervious surfaces only.

EXCEPTION: In cases where the number of vehicular parking spaces cannot be met due to lot size or physical constraint, the Director, in consultation with the Transportation Planning Engineer, may reduce the standard without a Minor Variance if a finding is made that the reduction will not have an adverse impact on public safety.”

Section 118: Section 31.020, Subsections (2)(c) and (f) and (3) are hereby amended to read as follows:

“31.020 SITE PLAN REVIEW – DESCRIPTION AND APPLICABILITY.

(2) Applicability. Within the city limits and the City’s urbanizable area, Site Plan Review shall be required for:

(a) Single family and duplex dwellings on properties zoned Medium Density Residential and High Density Residential in order to meet the minimum density requirements of these zones;

EXCEPTION: Site Plan Review does not apply to certain single-family and duplex dwellings on properties zoned Medium Density Residential and High Density Residential subject to building permit approval when:

1. The lot size allows only one such dwelling, or

2. There is an addition, remodel or replacement of an existing single-family dwelling or duplex/or an accessory structure is proposed.

(b) Multi-family residential, commercial, public and semi-public, and industrial development or uses, including construction of impervious surfaces for parking lots and storage areas, including:

1. New development on vacant sites and redevelopment as a result of demolition and removal of existing buildings and impervious surfaces on a formerly occupied site.

2. Additions or expansions that exceed either 50 percent of the existing building gross floor area or 5,000 square feet or more of new building gross floor area and/or impervious surface area.

3. Additions, expansions and changes of use, regardless of size or intervening use, that:

a. Contain or are within 150 feet of the top of bank (as measured from the property line of the subject property) of any Water Quality Limited Watercourses (WQLW) identified on the WQLW Map on file in the Development Services Department;

b. Contain or are within 100 feet of the top of bank (as measured from the property line of the subject property) of any direct tributaries of WQLW identified on the WQLW Map on file in the Development Services Department;

c. Are located within the City's urbanizable area, outside of the city limits; or

d. Are located within 50 feet of residentially zoned or designated land (as measured from the property line of the subject property).

e. **EXCEPTIONS:**

i. The Director may determine that a Type II Site Plan Review does not apply to certain changes of use required under Subsections 1. through 4. if a finding is made that the change of use will not have an adverse impact on water quality and/or residential uses. In this case, the change of use may be reviewed under Minimum Development Standards procedures specified in Section 31.010(2) of this Article or a Minor Site Plan

Modification in accordance with Section 31.100(3) of this Article.

- ii. Developed or partially developed industrial properties 5 acres or greater in size that have never obtained Final Site Plan Review approval prior to the adoption of this Code may obtain Final Site Plan Equivalent Map approval as specified in Section 31.080 of this Article. This approval is necessary to allow the property owner to use the Site Plan Modification process specified in Section 31.100 of this Article for future additions or expansions.

4. Discretionary Uses, where applicable.
5. Development within the area of adopted Development Area Plans and Conceptual Development Plans.
6. Any uses listed in the applicable zoning, overlay or plan district, which specifically require Site Plan Review.
7. Certain wireless telecommunications systems facilities (Article 32). Refer to Section 32.130 for siting standards and review process for applicable underlying zoning district.

- (3) No development permit will be issued by the City prior to approval of the Preliminary Site Plan application.

EXCEPTION: As may be permitted in the Springfield Municipal Code, 1997 and/or by Resolution No. 03-40, the Director may issue a Land and Drainage Alteration Permit prior to approval of the Preliminary Site Plan.”

Section 119: Section 31.030, Subsections (1) and (2) are hereby amended to read as follows:

“31.030 SITE PLAN REVIEW - REVIEW PROCESS.

- (1) Pre-Application Options. Although voluntary, prospective applicants are generally encouraged to request a Pre-Submittal Meeting (informal process) or Pre-Application Report (formal process) as specified in Section 3.040 of this Code.
- (2) Site Plans shall be reviewed under Type II procedure, unless otherwise specified elsewhere in this Code. A complete application, together with all required materials, shall be submitted to the Director prior to the review of the request as specified in Section 3.050, Application Submittal.”

Section 120: Section 31.040 is hereby amended to read as follows:

“31.040 SITE PLAN REVIEW - PHASED DEVELOPMENT.

The Director may approve phasing of development with the Site Plan Review application, subject to the following standards and procedures:

- (1) A Phased Development Plan shall be submitted with the Site Plan Review application as specified in Section 31.050(7) of this Article.
- (2) The Director shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 2 years, with a possible one-time one year extension as specified in Section 31.080(1) of this Article.

EXCEPTIONS:

- (a) If a longer phasing time line is desired, the applicant may submit a Master Plan in accordance with the provisions of Article 37 of this Code.
 - (b) Multiple Type II Site Plan Modification applications shall not be permitted to circumvent the Master Plan process (See also Section 31.100(1) of this Article.
- (3) Approval of a phased Site Plan Review application shall require satisfaction of the following approval criteria:
- (a) The public facilities required to serve each phase shall be constructed in conjunction with or prior to each phase, unless during the Site Plan Review process the Director finds that a public facility necessary for a subsequent phase is necessary as part of an earlier phase; and
 - (b) The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal.”

Section 121: Section 31.050, Subsections (7), (8) and (9) are hereby amended to read as follows:

“31.050 SITE PLAN REVIEW - INFORMATION REQUIREMENTS.

All Site Plan applications that contain structures over 4,000 square feet of gross floor area shall be prepared by an Oregon licensed Architect or Engineer. The services of an Oregon registered Engineer may also be required by the City in order to resolve utility issues, especially stormwater management, street design and transportation issues, site constraint and/or water quality. A Site Plan shall contain all the elements necessary to demonstrate that requirements of this Code are being fulfilled and shall include but not be limited to the following:

- (7) A Phased Development Plan. Where applicable, the Site Plan application shall include a phasing plan that indicates any proposed phases for development, including the

boundaries and sequencing of each phase as may be permitted in Section 3.040 of this Article. Phasing shall progress in a sequence that promotes street connectivity between the various phases of the development and accommodates other required public improvements, including but not limited to, sanitary sewer, stormwater management, water and electricity.

- (8) On-site Lighting Plan. The lighting plan shall show the location, orientation, and maximum height of all proposed exterior light fixtures, both free standing and attached. The lighting plan shall also detail the type and extent of shielding, including cut-off angles and the type of illumination, the wattage, luminous area, and a photometric test report for each light source.
- (9) Additional information and/or applications required at the time of Site Plan Review applications submittal shall include following items, where applicable:"

Section 122: Section 31.060 is hereby amended to read as follows:

"31.060 SITE PLAN REVIEW - CRITERIA.

The Director shall approve or approve with conditions: a Type II Site Plan Review application upon determining that approval criteria (1) through (5) of this Section have been satisfied. If conditions cannot be attached to satisfy the approval criteria, the Director shall deny the application.

- (1) The zoning is consistent with the Metro Plan diagram, and/or the applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.
- (2) Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.
- (3) The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations to ensure the connection to public utilities and the installation of streets.
- (4) Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize curb cuts on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for state highways.
- (5) Physical features, including but not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their

associated riparian areas, wetlands, rock outcroppings and historic features have been evaluated and protected as specified in this Code or other applicable regulations.”

Section 123: Section 31.070, Subsections (3) and (7) are hereby amended to read as follows:

“31.070 SITE PLAN REVIEW - CONDITIONS OF APPROVAL.

To the extent necessary to satisfy the approval criteria of Section 31.060 of this Article, comply with all applicable standards of this Code and to mitigate identified negative impacts to surrounding properties, the Director may impose conditions of approval. Conditions imposed to satisfy the Site Plan application approval criteria shall not be used to exclude "needed housing" as defined in OAR 660-08-015. All conditions shall be satisfied prior to Final Site Plan approval. Conditions of approval may include, but are not limited to:

- (3) Installation of medians, traffic signals and signs; restricting access to and from arterial or collector streets; requiring a frontage road; restricting and strategically locating driveways; and/or requiring the joint use of driveways to serve 2 or more lots through a Joint Use/Access Agreement when transportation safety issues are identified by the Transportation Planning Engineer and/or a Transportation Impact Study.
- (7) Phasing of development to match the availability of public facilities and services, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls when these facilities and services are near capacity, as determined by the Public Works Director or the utility provider.”

Section 124: Section 31.080 is hereby amended to read as follows:

“31.080 SITE PLAN REVIEW - FINAL SITE PLAN/FINAL SITE PLAN EQUIVALENT MAP.

- (1) Final Site Plan, Generally. Within 90 days of an affirmative decision by the Approval Authority, a complete Final Site Plan shall be submitted to the Development Services Department. The Final Site Plan submittal shall incorporate all conditions of approval listed in the staff report. The Final Site Plan shall become null and void if construction has not begun within two years of the signing of the Development Agreement required in Section 31.090 of this Article.
- (2) Final Site Plan Equivalent Map. In the case of developed or partially developed industrial properties of more than 5 acres in size that did not receive Final Site Plan approval prior to the adoption of this Code, the Director may approve a Final Site Plan Equivalent Map to allow the property owner to use the Site Plan Modification process specified in Section 31.100 of this Article for future additions or expansions.
 - (a) Final Site Plan Equivalent Map - Review.

1. Final Site Plan Equivalent Map applications shall be reviewed under Type I Procedure.
2. The approval criteria shall be compliance with the submittal requirements of Subsection (2)(b) of this Section.
3. In the staff report, the Director shall condition the approved Final Site Plan Equivalent Map to require its submittal with any future Site Plan Modification application.

(b) Final Site Plan Equivalent Map - Submittal requirements. The Final Site Plan Equivalent Map application may be submitted concurrently with a Site Plan Review Modification application. The applicant shall submit a map based on City Government Information System maps at a scale not less than 1" = 100' that contains the following information:

1. The property lines;
2. The location of all existing buildings to include their use and dimensions;
3. Paved parking areas to include the number of parking spaces;
4. The location of public utilities on the property, specifically stormwater, sanitary sewer, electricity and water;
5. The location and identification of all outfalls, if there are waterways that abut the property. For properties that abut Water Quality Limited Watercourses the approximate location of top of bank, and the 150 foot required setback from top of bank;
6. Existing landscaping along the frontage of abutting public rights-of-way; and
7. Any additional information required by the Director that may be specific to a particular property.

(c) Final Site Plan Equivalent Map - Applications for proposed additions or expansions

1. The Director shall determine whether a Major or Minor Site Plan Modification application is required. The applicable development standards and approval criteria for the proposed addition or expansion shall be addressed as part of the Site Plan Modification application.

2. The applicant shall update the Final Site Plan Equivalent Map as a condition of Site Plan Modification preliminary approval.
3. The applicant shall submit the revised Final Site Plan Equivalent Map with the Final Site Plan for the Site Plan Modification.
4. No formal amendment of the original Site Plan Equivalent Map application shall be required in order to update the map. The intent is to have an up to date record of development on the industrial property on file in the last Site Plan Modification application.”

Section 125: Section 31.090 is hereby amended to read as follows:

“31.090 SITE PLAN REVIEW - DEVELOPMENT AGREEMENT.

- (1) To complete the Site Plan Review Process, a Development Agreement shall be prepared by the Director to be signed by the applicant. The purpose of the Development Agreement is to ensure that the terms and conditions of Site Plan Review approval are understood and binding upon both the applicant and the City. The Development Agreement and the Final Site Plan approval shall be valid for two years from the date the document is signed. If construction does not begin within this timeline, both the Final Site Plan and the Development Agreement shall become null and void. However, one extension, not to exceed one year may be granted by the Director upon receipt of a written request by the applicant, including an explanation of the delay. Work under progress shall not be subject to Final Site Plan or Development Agreement expiration.

EXCEPTION:

No Development Agreement shall be required for a Final Site Plan Equivalent Map application that is approved as specified in Section 31.080(2) of this Code.

- (2) A Building Permit may be issued by the Building Official only after the Development Agreement has been signed by the applicant.
- (3) No building or structure shall be occupied until all improvements are made in accordance with this Article, unless otherwise permitted in Section 31.110, Security and Assurances.
- (4) Upon satisfactory completion of site development, as determined by a Final Site Inspection (prior to the final building inspection), the City shall authorize the provision of public facilities and services and issue a Certificate of Occupancy.”

Section 126: Section 31.100, Subsection (1) is hereby amended to read as follows:

“31.100 SITE PLAN REVIEW - MODIFICATIONS.

- (1) Purpose. The Site Plan Modification process establishes procedures to allow certain adjustments to an approved Site Plan, either after Preliminary Approval or after Final Approval. This process shall assure that any proposed Major Site Plan Modification continues to comply with the approval criteria specified in Section 31.060 of this Article.”

Section 127: Section 31.140, Subsections (3)(a)-(c) are hereby amended to read as follows:

“31.140 SITE PLAN REVIEW - PLANTING STANDARDS.

- (2) Except in the LDR District (single family and duplex dwellings only) and as specified in Subsection (3) of this Section, at least 65 percent of each required planting area shall be covered with living plant materials within 5 years of the date of installation. The living plant materials shall be distributed throughout the required planting area. The planting acceptable per 1000 square feet of required planting area shall be as follows:
 - (a) As a minimum, two trees not less than 6 feet in height that are at least 2 inches in caliper (at the time of planting, not including root ball); and
 - (b) As a minimum, ten shrubs, five gallons or larger.
 - (c) Lawn and/or groundcover may be substituted for trees or shrubbery, unless required for screening when there are adequate provisions for ongoing maintenance.
- (3) Parking lot planting areas shall include one canopy tree at least 2 inches in caliper that meets City street tree standards as may be permitted by the City’s *Engineering Design Standards and Procedures Manual* and at least 4 shrubs, 5 gallon or larger, for each 100 square feet of planting area. Shrubbery that abuts public right-of-way or that is placed in the interior of any parking lot shall generally not exceed 2 ½ feet in height at maturity. Parking lot planting areas shall include:
 - (a) Parking and driveway setback areas specified in the applicable zoning district; and
 - (b) Five percent of the interior of a parking lot, exclusive of any required parking setbacks, if 24 or more parking spaces are located between the street side of a building and an arterial or collector street, and are visible from any street.
 - (c) See also Section 16.110(4)(h)3 of this Code for multi-family design standards.”

Section 128: Section 31.160, Subsections (2)(a) and (b) and (3) are hereby amended to read as follows:

“31.160 SITE PLAN REVIEW - SCREENING AND LIGHTING STANDARDS.

(2) Screening shall be vegetative, earthen and/or structural and shall be designed to minimize visual and audible incompatible uses from adjacent properties. Except as specified elsewhere in this Subsection, screening shall be continuous to at least 6 feet above ground level. The following standards shall apply:

(a) **Vegetative Screening.** Evergreen shrubs shall be planted which will grow to form a continuous hedge. When immediate screening is necessary, a sight-obscuring fence shall be installed in place of, or in conjunction with the plantings. The 6-foot height standard specified in Subsection (2) of this Section shall occur within 4 years of planting.

EXCEPTION: In the case of multi-family development, the vegetative screening standard of Section 16.110(4)(h)4. of this Code shall apply.

(b) **Earthen Screening.** Earthen berms may be used to screen either visual or noise impacts. A berm shall be combined with evergreen plantings or a fence to form an attractive sight and noise buffer. The maximum height of a berm shall be 6 feet along local streets and 8 feet along collector and arterial streets or railroad rights-of-way, unless an acoustical engineer determines a lower or higher height can be utilized. Height shall be measured from the base of the berm to the top of the berm and does not include additional fences or landscaping. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as an earthen slope or retained by means of a wall, terrace or other means acceptable to the Building Official. The maximum slope shall be 1:3. The crest area shall be a minimum of 4 feet in width. The slopes shall be protected to prevent erosion by trees, shrubs and groundcover. Berms shall be irrigated in accordance with Section 31.140(3) of this Section. No part of a berm shall encroach into an easement. The toe of a berm over 3 feet in height shall be set back at least 5 feet from any property line, unless when abutting public right-of-way. Berms shall not interfere with the drainage patterns of the property.

(3) **On-site Lighting Standards.**

(a) **Purpose.** On-site lighting standards are established to create a safe and secure environment during hours of darkness and reduce or prevent light pollution by minimizing glare.

(b) **Applicability.**

1. On-site lighting standards shall apply to any development requiring Site Plan Review approval.

2. **EXCEPTIONS:**

On-site lighting standards shall not apply to:

- a. Individual single family or duplex dwelling units;
 - b. City street light standards and design criteria. Street lights shall be regulated by Section 32.060 of this Code and by the City's *Engineering Design Standards and Procedures Manual*;
 - c. Lighting necessary for emergency equipment and work conducted in the interests of law enforcement or for the safety, health, or welfare of the City; and
 - d. Sign lighting. Signs shall be regulated in Springfield Municipal Code 1997.
- (c) General. On-site lighting shall be the minimum illumination necessary for a given application. All exterior light fixtures shall be shielded or recessed so that direct glare and reflection are contained within the boundaries of the property, and shall be directed downward and away from abutting properties; public rights-of-way; and riparian, wetlands and other protected areas identified in this Code on the same property.
- (d) Height.
1. The height of a free standing exterior light fixture shall not exceed 25 feet or the height of the principal permitted structure, whichever is less. Height shall be measured as the vertical distance between the paved surface and the bottom of the light fixture.
 2. **EXCEPTIONS:**
 - a. The Director may allow an increase to the standard in Subsection (d)1. when a determination is made that personal security is an issue, special security needs exist, or where vandalism or crime are possible. The Director may consider specific site characteristics, level of vehicle and pedestrian conflict, special security needs, and history or likelihood of crimes in making the determination.
 - b. The height of a free standing exterior light fixture within 50 feet of any residential district and riparian, wetlands and other similarly protected areas shall not exceed 12 feet.
 - c. The height restriction in Subsection (d)1. shall not apply to lighting used to illuminate outdoor performance areas, sport and recreation facilities, and playfields, unless these light

fixtures are located within 50 feet of a residential zoning district.

- (e) The lighting standards in this Subsection shall be addressed in the On-site Lighting Plan as specified in Section 31.050(8) of this Article."

Section 129: Section 31.180 is hereby amended to read as follows:

"31.180 SITE PLAN REVIEW - PARKING LOT DESIGN - RESERVED FOR FUTURE USE."

Section 130: Section 31.190, Subsections (8)(a) and (b) and (10) are hereby amended to read as follows:

"31.190 SITE PLAN REVIEW - PARKING AREA IMPROVEMENT STANDARDS.

All parking areas shall conform to the setback, vision clearance, planting and screening provisions of this Code and shall be completed prior to occupancy. Required parking spaces shall be improved in accordance with the following standards:

- (8) Parking Spaces for disabled persons.
 - (a) Parking spaces for disabled people and accessible passenger loading zones that serve a particular building shall be located on the shortest possible circulation route to an entrance of the building.
 - (b) The number and dimensions of parking spaces for disabled persons shall be as specified in Section 1104 of the Structural Specialty Code.
- (10) Any lights provided to illuminate any public or private parking area or vehicle sales area shall be arranged so as to reflect the light away from any less intensive use and comply with the lighting standards specified in Section 31.160(3) of this Article."

Section 131: The Article 32 Title page is hereby amended to read as follows:

"ARTICLE 32

PUBLIC AND PRIVATE IMPROVEMENTS

32.010 PURPOSE

32.020 STREETS - PUBLIC

32.030 STREETS - PRIVATE

32.040 SIDEWALK AND PLANTER STRIP STANDARDS

32.050 STREET TREES

32.060 STREET LIGHTS

32.070 VISION CLEARANCE AREAS

32.080 ACCESS AND CURB CUTS

32.085 INTERSECTIONS

32.090 BIKEWAYS, PEDESTRIAN TRAILS AND ACCESSWAYS

32.100 SANITARY SEWERS

32.110 STORMWATER MANAGEMENT

32.120 UTILITIES

32.130 SITING AND REVIEW PROCESS FOR WIRELESS TELECOMMUNICATIONS SYSTEMS FACILITIES”

Section 132: Section 32.010 is hereby amended to read as follows:

“32.010 PURPOSE.

- (1) Planning references for public and private improvements. The intent of this Article is to ensure that public and private improvements within the city limits and the City’s urbanizable area are installed and serve all lots, parcels, buildings or structures in accordance with applicable Metro Plan policies, including Auxiliary Map#1, TransPlan, other functional plans; the Conceptual Local Street Map; applicable Refinement Plans, Plan Districts, Master Plans, and Conceptual Development Plans; this Code; and any other applicable regulations.
- (2) Construction and design references for public improvements under City jurisdiction. Specifications for the design, construction, reconstruction or repair of streets, alleys, sidewalks, bus turnouts, accessways, curbs, gutters, street lights, street signs, sanitary sewers, stormwater management systems, street trees and planter strips within the public right-of-way, medians and other public improvements within the city limits and the City’s urbanizable area shall be in accordance with this Code, the Springfield Municipal Code 1997, the City’s *Engineering Design Standards and Procedures Manual* and, the Public Works Standard Construction Specifications. The Public Works Director retains the right to modify their cited references on a case-by-case basis.

- (3) Construction and design references for other public agency improvements. Each public agency, including but not limited to, the provider of water, electricity, parks and public transit service that have specific construction standards shall submit correspondence during the Development Review process that addresses their construction requirements.
- (4) Construction design references for private improvements.
 - (a) Specifications for private street improvements within the city limits and the City's urbanizable area shall be approved by the Public Works Director in accordance with Section 32.030 of this Article and the City's *Engineering Design Standards and Procedures Manual* and any other applicable regulations.
 - (b) Other private improvements within the city limits and the City's urbanizable area shall be as specified in this Code and/or approved by the Building Official.
- (5) Americans with Disabilities Act. All applicable public and private improvements shall also meet current applicable standards of the Americans with Disabilities Act."

Section 133: Section 32.020, Subsections (1)(a)1.b. and i., (1)(b), (1)(c)1.-3., (1)(d); (1)(e)5., (3)-(6), (7)(d)1., (8), (9)(a) and (10) are hereby amended/and or renumbered to read as follows:

"32.020 STREETS - PUBLIC.

(1) General Provisions.

- (a) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, and to the planned use of land to be served by the streets. The street system shall assure efficient traffic circulation that is convenient and safe. Grades, tangents, curves and intersection angles shall be appropriate for the traffic to be carried, considering the terrain. Street location and design shall consider solar access to building sites as may be required to comply with applicable solar regulations specified in this Code, the need for utility locations, and the preservation of natural and historic resources inventoried in the Metro Plan. Street locations shall ordinarily be shown in TransPlan; applicable Refinement Plans, Plan Districts, Master Plans, Conceptual Development Plans; or the Conceptual Local Street Map. The arrangement of public streets shall provide for the continuation or appropriate projection of existing streets in the surrounding area, unless topographical or other conditions make continuance or conformance to existing street alignments impractical.

- 1. The following street connection guidelines shall be used in evaluating street alignment proposals not shown on an adopted plan or that are different from the Conceptual Local Street Map:

- b. Combined access for two or more lots/parcels are required to reduce the number of access points along a street, as determined by the Public Works Director.
- (d) Development Approval shall not be granted where a development will create dangerous or hazardous traffic conditions.
- (e) A developer may be required to prepare a Traffic Impact Study to show how the design and installation of on-site and off-site improvements will minimize identified traffic impacts. The study shall be included with a development application, in any of the following instances:
 - 5. The Public Works Director will determine the nature and the extent of the Traffic Impact Study requirements relating to the number of trips associated with a specific development and potential traffic hazards.
- (3) Street right of way widths shall be as specified in Table 32-1, unless otherwise indicated in TransPlan, the Conceptual Local Street Plan, or where necessary to achieve right of way and street alignment.
- (4) Functional classification of streets. The City's street system consists of Major Arterial; Minor Arterial; Collector and Local streets consistent with the *Federally Designated Roadway Functional Classification* map, contained in TransPlan. Local Streets include all streets not classified as an Arterial or Collector street.
- (5) Dead-end streets.
 - (a) Dead-end streets shall terminate in cul-de-sac bulb, "hammerhead" or other design that provides an adequate vehicular turn around area as may be approved by the Public Works Director and the Fire Marshal.
 - (b) A cul-de-sac, excluding the bulb, or other approved vehicular turn-around area, shall have a minimum length of 65 feet and shall have a maximum length of 400 feet as measured from the nearest curb line of the intersecting street. The right-of-way and paving requirements for cul-de-sacs, including the bulb or other approved vehicular turn around area, shall be in accordance with the Public Works Standard Construction Specifications and the City's *Engineering Design Standards and Procedures Manual*.

EXCEPTION:

Where new streets intended to be through streets are partially constructed during phased development, temporary dead end streets with temporary vehicular turn-around areas shall be permitted in accordance with the City's *Engineering Design Standards and Procedures Manual*. In this case, the 400 foot maximum length standard shall not apply.

- (c) Where there is an existing dead end street without a turn around at the time of development that generates additional vehicular trips, the property owner shall provide for a turn around area to the satisfaction of the Public Works Director and the Fire Marshall. Permitted vehicular turn around areas may include, but are not limited to: hammerheads, partial cul-de-sac bulbs and private driveways.
- (6) Where necessary to ensure that adequate access will be feasible for the orderly development and/or division of adjacent land or to provide for the transportation and access needs of the City as determined by the Public Works Director, streets shall be extended to the appropriate boundary of the property proposed to be developed, partitioned or subdivided. A City standard barricade and/or signs and markings as may be necessary to adequately warn traffic shall be constructed at the developer's expense at the end of, and/or parallel to the street.
- (7) Additional Right of Way and Street Improvements.
- (d) Partial width (two-thirds) streets shall be permitted only if all of the following approval criteria are met:
1. There is inadequate right of way to install a full-width street improvement without changing street alignments.
- (8) Where a development will result in the need to improve a railroad crossing, or an approach to a railroad crossing, the developer shall bear the cost for such improvements. When other property owners are benefited, other equitable means of cost distribution may be approved by the City.
- (9) Signs and Signals.
- (a) All traffic control signs, traffic signals pavement markings and street name signs shall be in conformance with the U.S. Department of Transportation's Manual of Uniform Traffic Control Devices for Streets and Highways (including Oregon supplements), the City's *Engineering Design Standards and Procedures Manual*, the Public Works Standard Construction Specifications and this Code.
- (10) Street names shall be assigned as specified in the Springfield Municipal Code 1997. "

Section 134: Section 32.040 is hereby amended to read as follows:

"32.040 SIDEWALK AND PLANTER STRIP STANDARDS.

- (1) Sidewalks and planter strips abutting public streets shall be located wholly within the public street right-of-way, unless otherwise approved by the Public Works Director.

- (2) Sidewalks shall be designed, constructed, replaced or repaired in accordance with the City's *Engineering Design Standards and Procedures Manual*, the Public Works Standard Construction Specifications and the Springfield Municipal Code 1997. New sidewalk design shall be consistent with existing sidewalk design in the same block in relation to width and type
- (3) Planter strips may be required as part of sidewalk construction. Planter strips shall be at least 4.5 feet in width. Maximum planter strip width is dependent upon the type of tree selected as specified in the City's *Engineering Design Standards and Procedures Manual*.
- (4) Maintenance of sidewalks shall be the continuing obligation of the abutting property owner."

Section 135: Section 32.050, Subsections (3) and (7) are hereby amended to read as follows:

"32.050 STREET TREES.

Street trees are those trees located within the public right-of-way. Street trees may be located within planter strips, in individual tree wells within a sidewalk, roundabouts or medians. The primary purpose of street trees is to create a streetscape that benefits from the aesthetic and environmental qualities of an extensive tree canopy along the public street system. Street trees are attractive amenities that improve the appearance of the community, providing shade and visual interest. Street trees also improve air quality, reduce stormwater runoff and moderate the micro-climate impacts of heat absorbed by paved surfaces.

EXCEPTION: Where there is no planter strip and street trees cannot be planted in the public right-of-way, trees shall be planted in the required front yard or street side yard setback of private property as specified in the applicable zoning district, in order to meet street tree requirements.

- (1) New street trees. New street trees shall be 2 inches in caliper. New street trees shall be selected from the City Street Tree List and installed as specified in the City's *Engineering Design Standards and Procedures Manual*. The Public Works Director shall determine which species are permitted or prohibited street trees.
- (2) Existing street trees.
 - (a) Street tree retention standards. Existing trees may meet the requirement for street trees (i.e., trees on the City Street Tree List specified in the City's *Engineering Design Standards and Procedures Manual* with a minimum caliber of 2 inches) if excavation or filling for proposed development is minimized within the dripline of the tree. Sidewalks of variable width, elevation and direction may be used to save existing trees, subject to approval by the Director and Public Works Director. Existing street trees shall be retained in accordance with the *Engineering Design Standards and*

Street lighting design and placement shall be in accordance with the City's *Engineering Design Standards and Procedures Manual* and the Public Works Standard Construction Specifications and shall be approved by the Public Works Director.

- (1) Street lighting shall be included with all new developments or redevelopment. Existing street lights shall be upgraded to current lighting standards with all new developments or redevelopment as determined by the Public Works Director. The developer shall be responsible for lighting installation costs.
- (2) A developer may choose to install decorative streetlights, as may be permitted in the City's *Engineering Design Standards and Procedures Manual* and the Public Works Standard Construction Specifications."

Section 137: Section 32.080 is hereby amended to read as follows:

"32.080 ACCESS AND DRIVEWAY STANDARDS.

- (1) Driveway Specifications - General.
 - (a) All developed lots/parcels shall have an approved access to a public street, private street or alley as specified in Section 32.020(1)(c) of this Article.
 - (b) Joint use of driveways at a property line shall be required whenever necessary to reduce the number of access points to streets as specified in Section 32.020(1)(c)3. of this Article.
 - (c) Driveway access to designated State Highways shall be subject to the provisions of this Article in addition to requirements of the Highway Division, Oregon Department of Transportation. Where regulations of the City and State conflict, the more restrictive regulations shall apply.
- (2) Driveway access to local streets is generally encouraged in preference to access to streets of higher classification.
 - (a) Driveway access to arterial and collector streets may be permitted if no reasonable alternative street access exists or where heavy use of local streets is inappropriate due to traffic impacts in residential areas.
 - (b) Where a proposed development abuts an existing or proposed Arterial or Collector Street, the development design and off-street improvements shall minimize the traffic conflicts.
 - (c) Bus turn out lanes shall be required consistent with adopted Lane Transit District plans and policies.
 - (d) Additional improvements or design modifications necessary to resolve identified transportation conflicts may be required on a case by case basis.

Procedures Manual, unless approved for removal as a condition of Development Approval or in conjunction with a street construction project.

- (b) Street tree removal standards.
 - 1. Any existing street trees in the public right-of-way proposed to be removed by the City shall be exempt from the tree felling regulations specified in Article 38 of this Code.
 - 2. Any existing street trees on private property proposed to be removed shall require notification of the Public Works Director prior to removal. Removal of 5 or more street trees shall be subject to the tree felling standards specified in Article 38 of this Code.
- (c) Street tree replacement standards. Where, possible, any street tree proposed to be removed shall be replaced with a tree at least 2 inches in caliper.
 - 1. It shall be the responsibility of the City to plant any replacement tree within the public right-of-way.
 - 2. It shall be the responsibility of the property owner to plant any replacement street tree on private property, either as a condition of a Tree Felling Permit or when the property owner removes a street tree on private property without the City's authorization. Any replacement street tree shall be listed on the City Street Tree List specified in the City's *Engineering Design Standards and Procedures Manual*.
 - 3. Whenever the property owner removes a street tree within the public right-of-way without the City's authorization, that person shall be responsible for reimbursing the City for the full value of the removed tree, to include replanting and watering during the two year establishment period.
- (3) Street tree maintenance responsibility.
 - (a) Maintenance of street trees in the public right-of-way shall be performed by the City.
 - (b) Maintenance of street trees on private property shall be performed by the property owner."

Section 136: Section 32.060 is hereby amended to read as follows:

"32.060 STREET LIGHTING STANDARDS.

- (3) Driveways shall be designed to allow safe and efficient vehicular ingress and egress in accordance with Tables 32-2, 32-3, 32-4, 32-5 and 32-6 and the City's *Engineering Design Standards and Procedures Manual* and the Public Works Standard Construction Specifications. Minimum separation between a standard driveway and the nearest intersection curb return (the end of the curb radius at an intersection) on the same side of the street shall be as shown on Table 32-2."

Section 138: Table 32-2 is hereby amended to read as follows:

"TABLE 32-2

DRIVEWAY DESIGN SPECIFICATIONS

LAND USE	DRIVEWAY WIDTH 1-WAY MINIMUM	DRIVEWAY WIDTH 2-WAY		TRANSITION DRIVEWAY WIDTH THROAT		DEPTH
		MIN.	MAX.	MIN.	MAX.	
Single Family and Duplexes***	n/a	12'	24'*	3'	3'	n/a
Multi-family Residential	16'	24'	35'*	5'	8'	18'**
Commercial/ Public Land	16'	24'	35'*	8'		18'**
Industrial	16'	24'	35'*	8'		18'**

* Driveway widths and throat depths may be varied if no other reasonable alternative exists to accommodate on-site development needs and traffic safety is not impaired.

** Measured from the face of curb to the first stall.

***Single driveways serving single family and duplex dwellings shall be paved for the first 18 feet when abutting a curb and gutter street; these driveways may be graveled for the remainder of their length. Driveways abutting unimproved streets shall be graveled."

Section 139: Table 32-3 is hereby amended to read as follows:

"TABLE 32-3

CURB RETURN DRIVEWAY DESIGN SPECIFICATIONS*

DRIVEWAY WIDTH	RADIUS OF CURB	DRIVEWAY THROAT DEPTH
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LAND USE	MIN. MAX.**		MIN. MAX.***		MINIMUM****
	MIN.	MAX.	MIN.	MAX.	MINIMUM
Single family and Duplexes	n/a	n/a	n/a	n/a	n/a
Multi-family Residential	24'	30'	10'	20'	60'
Commercial/ Public Land	24'	35'	15'	35'	60'
Industrial	24'	35'	15'	35'	60'

* Curb return driveways shall be used where the driveway will serve more than 1,000 vehicle trips per day in accordance with Institute of Transportation Engineer's Trip Generation Informational Report. Driveways that serve less than 1,000 vehicle trips per day shall be constructed with standard transitions.

** Wider driveways may be permitted to accommodate traffic demands and/or to improve traffic safety.

*** Greater curb radii may be permitted where high volumes of large trucks are anticipated.

**** Measured from the face of the curb to the first stall or aisle."

Section 140: Table 32-4 is hereby amended to read as follows:

"TABLE 32-4

MINIMUM SEPARATIONS BETWEEN A STANDARD DRIVEWAY AND THE NEAREST INTERSECTION CURB RETURN ON THE SAME SIDE OF THE STREET.*

LAND USE	STREET TYPE		
	<u>ARTERIAL</u>	<u>COLLECTOR</u>	<u>LOCAL</u>
Industrial	200'	200'	150'
Commercial/ Public Land	200'	100'	75'
Multi-family Residential	200'	100'	75'
Single-family Residential and Duplexes	200'	50'	30'

* Each category of street shall be considered separately. Distances may be reduced in the following circumstances:

1. Access is from a one-way street.
2. The driveway is marked "right turn entrance only" and is designed to prevent two-way traffic.
3. The driveway is marked "exit only" and is designed to prevent left turns.
4. In cases where an existing lot and/or use make compliance with these specifications unreasonable, a new driveway or an existing driveway required to be relocated by this Code shall be placed at the furthest point from the intersection curb return, considering both safety and internal circulation requirements of the development."

Section 141: Section 32.085 is hereby amended by the addition of the following section:

"32.085 INTERSECTIONS.

Intersections shall be designed and constructed in accordance with the City's *Engineering Design Standards and Procedures Manual* and the following requirements.

- (1) In order to minimize traffic conflicts and provide for efficient traffic signalization, intersections involving curb return driveways and streets, whether public or private, shall be directly opposed, unless a Traffic Impact Study indicates that an offset intersection benefits public safety to a greater degree.
- (2) Streets shall be laid out so as to intersect as nearly as possible at right angles. The angle of intersection between two intersecting streets shall be at least 80 degrees. At intersections, each local street shall be straight or shall have a radius greater than 400 feet for a distance of 100 feet from each intersection. At intersections, each collector or arterial street shall be straight or shall have a radius greater than 600 feet for a distance of 100 feet from each intersection.
- (3) The minimum offset between two local streets that do not have left turn storage needs shall be 150 feet. The minimum offset between two streets other than local streets shall be determined by the Public Works Director. Tables 32-5 and 32-6 discuss minimum offset specifications where left turn storage needs are necessary. In all cases, the minimum distances shall be the offset of the centerlines of side streets or driveways. These minimums may be increased based on traffic safety considerations."

Section 142: Section 32.090 is hereby amended to read as follows:

"32 090 BIKEWAYS, PEDESTRIAN TRAILS AND ACCESSWAYS.

- (1) Bikeways. Development abutting existing or proposed bikeways identified in the TransPlan or Springfield Bicycle Plan shall include provisions for the extension of these facilities through the development area by the dedication of easements or rights of

way. The developer shall bear the cost of bikeway improvements, unless additional property owners are benefited. In this case, other equitable means of cost distribution may be approved by the City. Bikeways shall be designed and constructed in accordance with the City's *Engineering Design Standards and Procedures Manual*.

(2) Pedestrian Trails.

(a) Developments abutting existing or proposed pedestrian trails identified on the adopted Willamalane Park and Recreation District Comprehensive Plan shall provide for the future extension of such pedestrian trails through the dedication of easements or right-of-way. The developer shall be responsible for trail surfacing, as approved by the Willamalane Parks and Recreation District or the City, as appropriate. Trails shall be constructed to allow for adequate drainage and erosion control.

(b) In dedicating an easement or right-of-way for public trails, the owner shall demonstrate compliance with the following criteria:

1. Trail easements or right-of-way shall be 25 feet. This standard may be reduced if the Planning Director finds this standard to be impractical due to physical constraints. In all cases the adopted easement or right-of-way must accommodate trails built to the standards adopted by the City.
2. Trail easements or rights-of-way shall allow for future construction of trails in accordance with specifications as to width and surfacing as contained in the ODOT Bicycle and Pedestrian Plan and/or with the City's *Engineering Design Standards and Procedures Manual*.
3. Trail easements or rights-of-way shall be located within a site in such a manner as to allow the trail to be buffered from existing and proposed dwellings on the site and on adjacent properties, and to maintain the maximum feasible privacy for residents.
4. Trail easements or rights-of-way shall be located within a site so that future trails construction will avoid parking and driveway areas and other activity areas which might conflict with pedestrian movements.
5. Site area included within a trail easement or right-of-way shall be counted as a portion of the landscaped and open space area required for the proposed development.

(3) Accessways.

(a) Where no public street access exists, accessways allow pedestrians and bicyclists convenient linkages to adjacent streets, residential areas,

neighborhood activity centers, industrial or commercial centers, transit facilities, parks, schools, open space, or trails and paths. Accessways may also be used as a secondary emergency access. Accessways shall be dedicated as public right-of-way during the development review process.

EXCEPTIONS:

1. There is an existing building or conditions on an abutting property that makes the accessway impractical; or
2. There are slopes in excess of 30 percent.

(b) Accessways shall comply with the following design standards:

1. In the case where an accessway is proposed for only bicycle and/or pedestrian travel, the right-of-way shall be a minimum of 12 feet wide paved with either asphalt concrete or Portland Cement concrete. Any necessary light standards shall be installed outside of the 12-foot travelway, but within the public right-of-way.
2. In the case where an accessway is proposed as a secondary access for emergency vehicles or in combination with bicycle and/or pedestrian travel, the right-of-way shall be 20 feet wide consisting of a 10 foot wide area paved with either asphalt concrete or Portland Cement concrete and with two additional 5 foot wide areas that may be turf block, grass-crete or other similar permeable material approved by the Public Works Director on a base of gravel capable of supporting fire equipment weighing 80,000 pounds. Any necessary light standards shall be installed outside the 20 foot travelway, but within the public right-of-way.
3. In addition to the locational standards accessway lighting specified in Subsections (b)1. and 2. any street light installed in an accessway shall be a City approved decorative streetlight.

- (c)** The Director may require improvements to existing unimproved accessways on properties abutting and adjacent to the property to be divided and/or developed. Where possible, the improvements to unimproved accessways shall continue to the closest public-street or developed accessway. The developer shall bear the cost of accessway improvements, unless other property owners are benefited. In this case, other equitable means of cost distribution may be approved by the City. Where possible, accessways may also be employed to accommodate public utilities.”

Section 143: Section 32.100, Subsections (1) and (5) are hereby amended to read as follows:

“32.100 SANITARY SEWERS.

- (1) Sanitary sewers shall be installed to serve each new development within the city limits and to connect developments to existing mains. Installation of sanitary sewers shall provide sufficient access for maintenance activities and shall comply with the provisions of this Code, with the Public Works Standard Construction Specifications, the City's *Engineering Design Standards and Procedures Manual* the Springfield Municipal Code, 1997 and Department of Environmental Quality (DEQ) regulations.
- (5) For proposed developments in unincorporated urbanizable land, the Lane County Sanitarian shall approve all septic system designs.”

Section 144: Section 32.120, Subsections (3) is hereby amended to read as follows:

“32.120 UTILITIES.

- (3) Each development area shall be provided with a water system having sufficiently sized mains and lesser lines to furnish adequate supply to the development and sufficient access for maintenance. Fire hydrants and mains shall be installed by the developer as required by the Fire Marshal and the utility provider.”

Section 145: The Article 34 Title page is hereby amended to read as follows:

“ARTICLE 34

PARTITION STANDARDS

34.010 PURPOSE AND APPLICABILITY

34.020 TENTATIVE PLAN REVIEW

34.030 TENTATIVE PLAN SUBMITTAL REQUIREMENTS

34.040 SUBDIVISION DETERMINATION

34.050 TENTATIVE PLAN CRITERIA OF APPROVAL

34.060 TENTATIVE PLAN WATER QUALITY PROTECTION

34.070 TENTAIVE PLAN CONDITIONS OF APPROVAL

34.080 PARTITION PLAT REVIEW

34.090 PARTITION PLAT SUBMITTAL REQUIREMENTS

34.100 PARTITION PLAT CRITERIA OF CITY APPROVAL

**34.110 RECORDING THE PARTITION PLAT AT LANE COUNTY AND CITY
DEVELOPMENT APPROVAL”**

Section 146: Section 34.010, Subsection (2) is hereby amended to read as follows and Subsection (3) is hereby deleted:

“34.010 PURPOSE AND APPLICABILITY

- (2) **Applicability.** The Partition process shall apply within the city limits and the City’s urbanizable area. No parcel may be created without being partitioned in accordance with the standards of this Code. No development permit will be issued by the City prior to approval of the Partition Tentative Plan application.

EXCEPTION: As may be permitted in the Springfield Municipal Code, 1997 and/or by Resolution No. 03-40, the Director may issue a Land and Drainage Alteration Permit prior to approval of the Partition Tentative Plan.”

Section 147: Section 34.030, Subsections (1)(f)-(l) are renumbered, and (6)(i) and (7) are hereby amended to read as follows:

“34.030 TENTATIVE PLAN SUBMITTAL REQUIREMENTS.

A Partition Tentative Plan shall contain the elements necessary to demonstrate that requirements of this Code are being fulfilled. In the case of Partitions that involve the donation of land to a public agency, the Director may waive any submittal requirements that can be addressed as part of a future development application during the Pre-Submittal Meeting.

(1) General Requirements.

- (f)** City boundaries, the Urban Growth Boundary (UGB) and any special service district boundaries or railroad right-of-way, which cross or abut the proposed partition.
- (g)** Applicable zoning districts and the Metro. Plan designation of the proposed partition and of properties within 100 feet of the boundary of the subject property.
- (h)** The dimensions (in feet) and size (either in square feet or acres) of each parcel and the approximate dimensions of each building site, where applicable, and the top and toe of cut and fill slopes to scale.
- (i)** The location, outline to scale and present use of all existing structures to remain on the property after platting and their required setbacks from the proposed new property lines.
- (j)** The location and size of existing and proposed utilities and necessary easements and dedications on and adjacent to the site, including sanitary sewer

mains, stormwater management systems, water mains, power, gas, telephone, and cable TV. Indicate the proposed connection points.

- (k) The locations widths and purpose of all existing or proposed easements on and abutting the proposed partition; the location of any existing or proposed reserve strips.
 - (l) The locations of all areas to be dedicated or reserved for public use, with the purpose, condition or limitations of the reservations clearly indicated.
- (6) Additional information and/or applications required at the time of Subdivision Tentative Plan application submittal shall include the following items, where applicable:
- (i) A Geotechnical Report for slopes 15 percent or greater and in accordance with Article 26 of this Code and/or if the required Site Assessment Section 34.030(2)(e) of this Article indicates the proposed development area has unstable soils and/or high water table as specified in the *Soils Survey of Lane County*.
- (7) The locations and size of all existing and proposed utilities, including but not limited to, sanitary sewer mains, storm drains, water lines, electric, telephone, TV cable, and gas lines. In the case of multiple panhandle Partitions, include a utility plan showing how the multiple panhandle parcels will be served by these utilities.”

Section 148: Section 34.040, is hereby amended to read as follows:

“34.040 TENTATIVE PLAN SUBDIVISION DETERMINATION.

If the Director determines that a property has been or is in the process of being divided into 4 or more lots, full compliance with the subdivision regulations specified in this Code may be required.

EXCEPTIONS.

- (1) When the parcels of a partition can be redivided, a Future Development Plan may be required as specified elsewhere in this Code.
- (2) Land within the City’s urbanizable area may be partitioned more than once as long as no proposed parcel is less than 5 acres in size.”

Section 149: Section 34.050 is hereby amended to read as follows:

“34.050 TENTATIVE PLAN CRITERIA OF APPROVAL.

The Director shall approve or approve with conditions a Tentative Plan application upon determining that all applicable criteria of approval have been satisfied. If conditions cannot be attached to satisfy the approval criteria Director shall deny the application. In the case of Partitions

that involve the donation of land to a public agency, the Director may waive any approval criteria upon determining the particular criterion can be addressed as part of a future development application.

- (1) The request conforms to the requirements of this Code pertaining to parcel size and dimensions.
- (2) The zoning is consistent with the Metro Plan diagram and/or applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.
- (3) Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.
- (4) The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations to ensure the connection to public utilities and the installation of streets.
- (5) Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize curb cuts on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for state highways.
- (6) Physical features, including but not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas, wetlands, rock outcroppings and historic features have been evaluated and protected as specified in this Code or other applicable regulations.
- (7) Development of any remainder of the property under the same ownership can be accomplished in accordance with the provisions of this Code.
- (8) Adjacent land can be developed or is provided access that will allow its development in accordance with the provisions of this Code.
- (9) When no concurrent annexation application is submitted with a Partition Tentative Plan on property that is outside of the city limits but within the City's urbanizable area, the standards specified below shall also apply.
 - (a) The minimum area for the partitioning of land in the UF-10 Overlay District shall be 10 acres.
 - (b) **EXCEPTIONS:**

1. Any proposed new parcel between 5 and 10 acres shall require a Future Development Plan as specified in Section 29.070(1)(c) for ultimate development with urban densities as required in this Code.
2. In addition to the standards of Subsection (9)(b)1, any proposed new parcel that is less than 5 acres shall meet one of the following standards:
 - a. The property to be partitioned shall be owned or operated by a governmental agency or public utility; or
 - b. A majority of parcels located within 100 feet of the property to be partitioned shall be smaller than five acres.
3. No more than three parcels shall be created while the property remains within the UF-10 Overlay District, unless permitted by Section 34.040(2)."

Section 150: Section 34.070, Subsection (6) is hereby amended and Subsections (14)-(16) are hereby amended by the addition of the following subsections:

"34.070 TENTATIVE PLAN CONDITIONS OF APPROVAL.

To the extent necessary to satisfy the approval criteria of Section 34.050 of this Article, comply with all applicable standards of this Code and to mitigate identified negative impacts to surrounding properties, the Director shall impose conditions of approval. All conditions shall be satisfied prior to Partition Plat approval. Conditions of approval may include, but are not limited to:

- (6) Phasing of development to match the availability of public facilities and services, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls when these facilities and services are near capacity, as determined by the Public Works Director or the utility provider.
- (14) Where there are multiple panhandle Partitions, compliance with approval criteria Section 34.050(3) and (4) shall require construction of necessary utilities to serve all approved panhandle parcels prior to recording the Partition Plat.
- (15) Where there is a Partition with a concurrent annexation application, if there is an existing dwelling, that dwelling shall connect to sanitary sewer prior to recording the Partition Plat.
- (16) Where there is a Partition with a panhandle parcel, if a noticed party requests screening, a solid screen, in accordance with Section 31.160 of this Code shall be provided along the property line of the abutting property and the proposed panhandle driveway."

Section 151: Section 34.080 is hereby amended to read as follows:

“34.080 PARTITION PLAT REVIEW.

- (1) Partition Plats shall be reviewed under Type I procedure.

EXCEPTION:

Until the intergovernmental Agreement with Lane County regulating planning outside of the City Limits, but within Springfield's UGB is amended, Partition Plats for partitions within Springfield's UGB shall be reviewed and approved by the Lane County Surveyor.

- (2) A complete application together with all required materials shall be submitted to the Director prior to the review of the request as specified in Section 3.050, Application Submittal.”

Section 152: Section 34.090 is hereby amended to read as follows:

“34.090 PARTITION PLAT SUBMITTAL REQUIREMENTS.

- (1) The Partition Plat pre-submittal meeting shall be held within 1 year of the date of Tentative Plan approval. The mylars and application fee shall be submitted within 180 days of the pre-submittal meeting. If the applicant has not submitted the Partition Plat within these times, Tentative Plan approval shall become null and void and re-submittal of the Tentative Plan shall be required.

EXCEPTION: The applicant may request an extension of the Partition Plat submittal time line for up to one year. The applicant shall submit the request writing to the Director no later than 30 days prior to the expiration of the Partition Tentative Plan approval and shall explain why the request is necessary and demonstrate how the Partition Plat application will be submitted within the requested extension time line. The Director may grant or amend the request if a determination can be made that the applicant is making progress on the Partition Plat application.

- (2) The Partition Plat submittal shall:
- (a) Be surveyed and monumented in accordance with ORS Chapters 92 and 209;
 - (b) Include documentation addressing all conditions of Tentative Plan approval. Conditions may include showing the following information on the Partition Plat: floodplain boundaries and spot elevations; riparian area boundaries; building envelopes; and any other information required by the Director; and.
 - (c) Comply with the submittal requirements of Section 3.050 of this Code and the application form. The applicant shall also submit the following information:

1. A copy of any deed restrictions.
2. A copy of any dedication requiring separate documents.
3. Boundary and lot closure computations and the total area of each lot and any open space dedication in square feet or acres.
4. A statement of water rights.
5. A copy of any document required as a condition of Tentative Plan approval.
6. A current title report."

Section 153: Section 34.100 is hereby amended to read as follows:

"34.100 PARTITION PLAT CRITERIA OF APPROVAL.

The Director, in consultation with the City Surveyor and City Engineer, shall approve or deny the Partition Plat. Approval shall be based on compliance with the following approval criteria:

- (1) The City Surveyor has approved the Partition Plat for compliance with applicable platting requirements in accordance with State law, Lane County ordinances and any other applicable regulations.
- (2) Streets, bicycle paths, accessways, and alleys for public use have been dedicated without any reservation or restriction other than reversionary rights upon vacation.
- (3) Public improvements, as required by this Code or as a condition of Tentative Plan approval, are completed, or:
 - (a) A petition for public improvements and for the assessment of the real property for the improvements has been signed by the property owner seeking the partition and the petition has been accepted by the City Engineer; or
 - (b) A performance bond or suitable substitute as agreed upon by the City Engineer and the applicant has been filed with the City in an amount sufficient to assure the completion of all required public improvements.
- (4) Public assessments, liens, and fees with respect to the partition have been paid, or:
 - (a) A segregation of assessments and liens has been applied for and granted by the City, or
 - (b) An adequate guarantee in a form acceptable to the City has been

provided assuring the liens, assessments and fees will be paid prior to recording the final plat.

- (5) All conditions of Tentative Plan approval have been met and the Partition Plat substantially conforms to the provisions of the approved Tentative Plan.”

Section 154: Section 34.110 is hereby amended to read as follows:

“34.110 RECORDING THE PARTITION PLAT AT LANE COUNTY AND CITY DEVELOPMENT APPROVAL.

- (1) After the Partition Plat has been signed by the City, the applicant’s surveyor or other designated person shall deliver the Plat to the Lane County Surveyor for recording.
- (2) The applicant shall deliver a reproducible copy of the recorded Partition Plat to the City Engineer. Once the City has proof that the Partition Plat has been recorded, the parcels may be sold and the City may issue a Building Permit.”

Section 155: Section 34.120 is hereby deleted.

Section 156: The Article 35 Title page is hereby amended to read as follows:

“ARTICLE 35

SUBDIVISION STANDARDS

35.010 PURPOSE AND APPLICABILITY

35.020 TENTATIVE PLAN REVIEW

35.030 TENTATIVE PLAN - GENERAL

35.040 TENTATIVE PLAN SUBMITTAL REQUIREMENTS

35.050 TENTATIVE PLAN CRITERIA OF APPROVAL

35.055 TENTAIVE PLAN – WATER QUALITY PROTECTION

35.060 TENTATIVE PLAN - CONDITIONS OF APPROVAL

35.070 RESERVED FOR FUTURE USE

35.080 SUBDIVISION PLAT REVIEW

35.090 SUBDIVISION PLAT SUBMITTAL REQUIREMENTS

35.100 SUBDIVISION PLAT CRITERIA OF CITY APPROVAL

35.110 RECORDING THE SUBDIVISION PLAT AT LANE COUNTY AND CITY DEVELOPMENT APPROVAL"

**Section 157: Section 35.010, Subsection (2) is hereby amended to read as follows and Subsection (3) is hereby deleted:
"35.010 PURPOSE AND APPLICABILITY.**

- (2) **Applicability.** The Subdivision process shall apply within the city limits and the City's urbanizable area. No lots may be created without being subdivided in accordance with the standards of this Code. No development permit will be issued by the City prior to approval of the Subdivision Tentative Plan application.

EXCEPTION: As may be permitted in the Springfield Municipal Code, 1997 and/or by Resolution No. 03-40, the Director may issue a Land and Drainage Alteration Permit prior to approval of the Subdivision Tentative Plan."

Section 158: Section 35.030 is hereby amended to read as follows:

"35.030 TENTATIVE PLAN - GENERAL.

In any residential land division, lots and blocks shall conform to the following standards:

- (1) The lot dimensions shall conform to the minimum standards of this Code. When lots are more than double the minimum area permitted by the district, the Director shall require that such lots be arranged:
- (a) To allow redivision; and
 - (b) To allow for the extension of streets to serve future lots.
 - (c) Placement of structures on the larger lots shall be subject to approval by the Director upon a determination that the potential maximum density of the larger lot is not impaired. In order to make this determination, the Director may require a Future Development Plan as specified in Section 35.040(5) of this Section.
- (2) Double frontage lots shall be avoided, unless necessary to prevent access to residential development from collector and arterial streets or to overcome specific topographic situations.
- (3) Panhandle lots shall comply with the standards specified in Section 16.030(6) of this Code. In the case of multiple panhandles in Subdivisions, construction of necessary utilities to serve all approved panhandle lots shall occur prior to recording the Subdivision Plat.
- (4) Block length for local streets shall be as specified in Section 32.020 of this Code."

Section 159: Section 35.040, Subsections (2)(g)-(m) and (13) and (14) are renumbered, and (5), (6) and (8) are hereby amended to read as follows:

“35.040 SUBDIVISION STANDARDS TENTATIVE PLAN SUBMITTAL REQUIREMENTS

A Subdivision Tentative Plan shall contain the elements necessary to demonstrate that requirements of this Code are being fulfilled:

- (1) General Requirements.
 - (g) City boundaries, the Urban Growth Boundary (UGB) and any special service district boundaries or railroad right-of-way, which cross or abut the proposed Subdivision.
 - (h) Applicable zoning districts and the Metro Plan designation of the proposed Subdivision and of properties within 100 feet of the boundary of the subject property.
 - (i) The dimensions (in feet) and size (either in square feet or acres) of each parcel and the approximate dimensions of each building site, where applicable, and the top and toe of cut and fill slopes to scale.
 - (j) The location, outline to scale and present use of all existing structures to remain on the property after platting and their required setbacks from the proposed new property lines.
 - (k) The location and size of existing and proposed utilities and necessary easements and dedications on and adjacent to the site, including sanitary sewer mains, stormwater management systems, water mains, power, gas, telephone, and cable TV. Indicate the proposed connection points.
 - (l) The locations widths and purpose of all existing or proposed easements on and abutting the proposed Subdivision; the location of any existing or proposed reserve strips.
 - (m) The locations of all areas to be dedicated or reserved for public use, with the purpose, condition or limitations of the reservations clearly indicated.
- (5) A Future Development Plan.
 - (a) Where phasing is proposed, the Subdivision Tentative Plan shall include a Future Development Plan as specified in Section 29.070(1)(c) that indicates any proposed redivision, including the boundaries and sequencing of each proposed redivision. Any phasing shall progress in a sequence that promotes street connectivity between the various phases of the development and accommodates other required public improvements, including but not limited to, sanitary sewer stormwater management, water and electricity.

- (b) A Future Development Plan may also be required as specified in Section 35.030(1) of this Article when large lots are proposed.
- (6) Additional information and/or applications required at the time of Subdivision Tentative Plan application submittal shall include the following items, where applicable:
- (a) A brief narrative explaining the purpose of the proposed Subdivision and the existing use of the property.
 - (b) For common wall divisions with an existing structure, a copy of a housing inspection obtained through the Community Service Division.
 - (c) If the applicant is not the property owner, written permission from the property owner shall be required.
 - (d) A Vicinity Map drawn to scale showing bus stops, streets, curb cuts, pedestrian connections, fire hydrants and other transportation/fire access issues within 200 feet of the proposed Subdivision and all existing Subdivisions, Partitions and tracts of land immediately adjacent to the proposed Subdivision.
 - (e) A draft of proposed restrictions and covenants affecting the Subdivision, where applicable.
 - (h) A Geotechnical Report for slopes 15 percent or greater and in accordance with Article 26 of this Code and/or if the required Site Assessment Section 35.030(2)(e) of this Article indicates the proposed development area has unstable soils and/or high water table as specified in the *Soils Survey of Lane County*.
- (8) The location and size of all existing and proposed utilities, including but not limited to, sanitary sewer mains; storm drains; water lines; electric, telephone, TV cable, and gas lines; and street lights. In the case of multiple panhandle lots in Subdivisions, include a utility plan showing how the multiple panhandle lots will be served by these utilities.
- (13) For Cluster Subdivision the following additional information shall be submitted with the Tentative Plan:
- (14) Where the Subdivision of a manufactured dwelling park or mobile home park is proposed, the Director may waive certain submittal requirements specified in Section (1) through (12) of this Section. However, the Tentative Plan shall address the applicable standards listed under the park Subdivision approval criteria specified in Section 35.050(9)."

Section 160: Section 35.050 is hereby amended to read as follows:

“35.050 TENTATIVE PLAN - CRITERIA OF APPROVAL.

The Director shall approve or approve with conditions a Subdivision Tentative Plan application upon determining that all applicable approval criteria of approval have been satisfied. If conditions cannot be attached to satisfy the approval criteria, the Director shall deny the application.

- (1) The request conforms to the requirements of this Code pertaining to lot size and dimensions.
- (2) The zoning is consistent with the Metro Plan diagram and/or applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.
- (3) Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.
- (4) The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations to ensure the connection to public utilities and the installation of streets.
- (5) Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize curb cuts on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for state highways.
- (6) Physical features, including but not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas, wetlands, rock outcroppings and historic features have been evaluated and protected as specified in this Code or other applicable regulations.
- (7) Development of any remainder of the property under the same ownership can be accomplished in accordance with the provisions of this Code.
- (8) Adjacent land can be developed or is provided access that will allow its development in accordance with the provisions of this Code.
- (9) Where the Subdivision of a manufactured dwelling park or mobile home park is proposed, the following approval criteria shall apply:
 - (a) The park was approved before July 2, 2001 and is in compliance with the standards in Article 36 or other land use regulations in effect at the time the site

was approved as a manufactured dwelling park or mobile home park; or the park is an approved non-conforming use. In the latter case, a park is in compliance if the City has not issued a notice of noncompliance on or before July 2, 2001.

- (b) The number of lots proposed shall be the same or less than the number of mobile home spaces previously approved or legally existing in the park.
- (c) The external boundary or setbacks of the park shall not be changed.
- (d) The use of lots, as shown on the Tentative Plan, shall be limited to the installation of manufactured dwellings; i.e., "stick-built" houses shall be prohibited.
- (e) Any other areas in the Subdivision other than the proposed lots shall be used as common property, unless park streets have previously been dedicated to the City or there are public utilities in the park. All common property shall be addressed in a Homeowner's Association Agreement.
 - 1. Areas that are used for vehicle circulation (streets), driveways that serve more than two lots or common parking areas, shall be shown in a Tract or easement on the Tentative Plan.
 - 2. All other services and utilities that serve more than one lot shall be in a Tract or easement. Where a service or utility serves only one lot, but crosses another, that service or utility shall also be in an easement shown on the Tentative Plan.
 - 3. Existing buildings in the park used for recreational, meetings or other purposes for the park residents shall be in a Tract shown on the Tentative Plan.
- (f) Any public utilities shall be within a public utility easements.
- (g) If public utilities or services are required to serve the Subdivision, the park owner shall sign and execute a waiver of the right to remonstrate against the formation of a local improvement district to provide the public utilities or services."

Section 161: Section 35.060, Subsection (6) is hereby amended and Subsection (12) is hereby amended by the addition of the following subsection:

"35.060 TENTATIVE PLAN - CONDITIONS OF APPROVAL.

To the extent necessary to satisfy the approval criteria of Section 35.050 of this Article, comply with all applicable standards of this Code and to mitigate identified negative impacts to surrounding properties, the Director shall impose conditions of approval. All conditions shall be

satisfied prior to Subdivision Plat approval. Conditions of approval may include, but not limited to:

- (6) Phasing of development to match the availability of public facilities and services, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls when these facilities and services are near capacity, as determined by the Public Works Director or the utility provider.

- (12) In the case of the Subdivision of a manufactured dwelling park or mobile home park, the following conditions of approval shall be completed prior to the recording of the Subdivision Plat;
 - (a) A Homeowners' Association Agreement shall be submitted that discusses the maintenance for all common areas shown in Tracts, unless otherwise specified in the Tentative Plan decision;
 - (b) The recording of any required public or private easements;
 - (c) The signing of a remonstrance waiver and establishment of a local improvement district, if public utilities are required to serve the subdivision; and
 - (d) Any other condition of approval required during the Tentative Plan review process.”

Section 162: Section 35.070 is hereby amended to read as follows:

“35.070 RESERVED FOR FUTURE USE.”

Section 163: Section 35.080 is hereby amended to read as follows:

“35.080 SUBDIVISION PLAT REVIEW.

- (1) Subdivision Plats shall be reviewed under Type I procedure.
- (2) A complete application together with all required materials shall be submitted to the Director prior to the review of the request as specified in Section 3.050, Application Submittal.”

Section 164: Section 35.090 is hereby amended to read as follows:

“35.090 SUBDIVISION PLAT SUBMITTAL REQUIREMENTS.

- (1) The Subdivision Plat pre-submittal meeting shall be held within 2 years of the date of Tentative Plan approval. The mylars and application fee shall be submitted within 180 days of the pre-submittal meeting. If the applicant has not submitted the Subdivision