



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/15/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 003-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, April 26, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Andy Limbird, City of Springfield
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

☐ In person ☒ electronic ☐ mailed

DEPT OF

APR 08 2013

LAND CONSERVATION
AND DEVELOPMENT

DATE
STAMP

For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Springfield**

Local file number: **TYP313-00001**

Date of Adoption: **4/2/2013**

Date Mailed: **4/3/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: **2/22/2013**

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

A vacant 15-acre parcel zoned Light-Medium Industrial (LMI) was rezoned to Public Land and Open Space (PLO) to facilitate construction of a neighborhood park and future public school.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **LMI**

to: **PLO**

Location: **Vacant parcel that is not municipally addressed: Map 18-02-09-00, TL 102**

Acres Involved: **15.0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 003-13 (19713) [17412]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Emerald People's Utility District, Springfield Utility Board, Lane County, Willamalane Park & Recreation District

Local Contact: **Andy Limbird**

Phone: **(541) 726-3784** Extension:

Address: **225 Fifth Street**

Fax Number: **541-726-3689**

City: **Springfield**

Zip: **97477-**

E-mail Address: **alimbird@springfield-or.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ - 1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ADOPTED ZONING
MAP 18-02-09-00, TAX LOT 102



ZONING MAP LEGEND



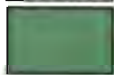
Low Density Residential (LDR)



Light Medium Industrial (LMI)



Urbanizable Fringe Overlay District (UF-10)



Public Land and Open Space (PLO)



Springfield City Limits



BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON

REQUEST OF ZONE CHANGE

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CASE NO. TYP313-00001
FINDINGS, CONCLUSIONS,
AND ORDER

NATURE OF THE APPLICATION

Zone change from Light Medium Industrial to Public Land and Open Space for Assessor's Map 18-02-09-00, Tax Lot 102 (a vacant parcel).

1. On February 19, 2013 the following application for a Zone Change was accepted:
Rezone approximately 15 acres of land from Light Medium Industrial to Public Land and Open Space, Case Number TYP313-00001, John Saraceno, Springfield Public Schools, applicant. The area requested for rezoning is generally depicted in Exhibit B to this Final Order.
2. The application was submitted in accordance with Section 5.4-105 of the Springfield Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 5.2-115 of the Springfield Development Code, has been provided.
3. On April 2, 2013 a public hearing on the zone change request was held. The Development and Public Works Department staff notes including criteria of approval, findings and recommendations, together with the testimony and submittals of the persons testifying at that hearing have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested zone change application is consistent with the criteria of Section 5.22-115 of the Springfield Development Code and with the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan*. This general finding is supported by the specific findings of fact and conclusions in the attached staff report (Exhibit A) and revised zoning diagram (Exhibit B) attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that Case Number TYP313-00001, Zone Change Request, be approved. This ORDER was presented to and approved by the Planning Commission on April 2, 2013.


Planning Commission Chairperson

ATTEST

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 2

**ATTACHMENT 1
Staff Report and Findings
Planning Commission
Zone Change Request (Springfield Public Schools)**

Hearing Date: April 2, 2013

Case Number: TYP313-00001

Applicant: John Saraceno, Springfield Public Schools

Property Owner: Springfield Public Schools

Site: South of Quartz Avenue at South 60th Street (Map 18-02-09-00, Tax Lot 102)

Request

Rezone Tax Lot 102 from Light Medium Industrial (LMI) to Public Land and Open Space (PLO).

Site Information/Background

The application was submitted on February 19, 2013 and the public hearing on the matter of the Zone Change request is scheduled for April 2, 2013. The City conducted a Development Review Committee meeting on the Zone Change request on March 12, 2013.

The property that is subject of the Zone Change request is a vacant 15-acre parcel currently used for livestock grazing. The site is located south of Quartz Avenue at South 60th Street and east of Bob Straub Parkway. The Assessor's description of the affected property is Map 18-02-09-00, Tax Lot 102, and because it is vacant the site does not have an assigned street address. Current zoning for the property is LMI and the *Metro Plan* designation is Low Density Residential (LDR). The applicant is requesting the Zone Change to facilitate initial construction of a neighborhood park and to accommodate a future public school on the site.

In accordance with Section 3.2-705.A of the Springfield Development Code (SDC), the Public Land and Open Space district is used to accommodate government, educational, and park and open space uses. Schools, parks, public open space, and recreational amenities are considered key urban services in accordance with the adopted *Metro Plan*. Because parks and open space are considered compatible with a wide range of land uses, PLO zoning is permitted in all *Metro Plan* zoning designations in accordance with SDC 3.2-705.B. Additionally, because the subject Zone Change request is site-specific and does not propose to modify the adopted *Metro Plan* diagram, it is being processed as a Type III Zoning Map amendment.

Notification and Written Comments

Notification of the April 2, 2013 Planning Commission public hearing was sent to all property owners and residents within 300 feet of the site on March 15, 2013. Notification was also published in the March 19, 2013 edition of *The Register Guard*. No written comments were received.

Criteria of Approval

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

SDC 5.22-115 CRITERIA

C. Zoning Map amendment criteria of approval:

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

Proposed Findings In Support of Zone Change Approval

Criterion: Zoning Map amendment criteria of approval:

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

Finding: In accordance with *Metro Plan* Policy G.22, Page III-G-11, the City and school district shall examine the need for new public school facilities and sufficient land to site them; use of school facilities for non-school activities; and the impact of building and land use codes on the development of school facilities.

Finding: In accordance with the Parks and Recreation Facilities Element of the *Metro Plan*, a parks and recreation program with sufficient diversity to meet the needs of the residents is key to enhancing the livability of a community. Neighborhood parks are one type of recreation facility that can meet this need by providing play fields, activity courts and play structures for nearby residents.

Finding: *Metro Plan* Policy H.2, Page III-H-4 states: "Local parks and recreation plans and analyses shall be prepared by each jurisdiction and coordinated on a metropolitan level. The park standards adopted by the applicable city and incorporated into the city's development code shall be used in local development processes."

Finding: In accordance with *Metro Plan* Policy H.3, Page III-H-4, acquisition of park land in projected growth areas shall be coordinated with developers to serve the needs of their developments.

Finding: The subject site is identified for neighborhood park development in the updated Willamalane Comprehensive Plan, which is a refinement plan to the *Metro Plan*. Additionally, the site represents a collaboration between the Park District and the School District in providing neighborhood park facilities that can be shared with a future public school.

Finding: Consistent with provisions of the *Metro Plan*, the proposed neighborhood park will be subject to a separate Site Plan Review process prior to any improvements being constructed on the site.

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

Finding: There is no adopted Refinement Plan or Conceptual Development Plan specific to this area of Springfield. Therefore, the *Metro Plan* diagram remains the prevailing land use plan diagram for this site.

Finding: The City recently adopted the Residential Land Use and Housing Element of the *Springfield 2030 Refinement Plan*. In accordance with Policy H.14, existing neighborhood refinement plan policies and new plans shall emphasize the enhancement of residential neighborhood identity through improved walkability and safety and improved convenient access to neighborhood services parks schools and employment opportunities.

Finding: The *Springfield Residential Land and Housing Needs Analysis* prepared by ECONorthwest in 2011 identifies a variety of non-residential land uses that are needed to serve the community, including parks and schools. The ECONorthwest study determined there is a 300-acre deficit of land designated for parks and open space in the city. The requested zone change would reduce this deficit once a public park is constructed on the property.

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

Finding: The property requested for Zone Change has a full range of public utilities and services available, and a developed urban transportation network (South 60th Street and Quartz Avenue) along the property frontage. For the initial neighborhood park development, only public water and electricity service is proposed. Other utilities (including but not limited to sanitary sewer and telecommunications) will be extended to the property when a future school building is constructed on the site.

Finding: Dedication and construction of a public street extension from Quartz Avenue to a connection with Bob Straub Parkway is planned at such time as a school building is built on the property. Future development of the site with a school building will be subject to the Site Plan Review process.

4. Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

a. **Meet the approval criteria specified in Section 5.14-100; and**

b. **Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

Finding: The requested Zone Change is being undertaken as a site-specific change in compliance with provisions of the adopted *Metro Plan* and the City's Development Code. Because the proposed PLO zoning is compatible with the *Metro Plan* land use designation, a *Metro Plan* diagram amendment is not required or warranted. Therefore, this criterion is not applicable.

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

Conditions of Approval

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

5.22-120 CONDITIONS

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

The subject property has been recently annexed and staff is reviewing a concurrent Site Plan Review application for development of a neighborhood park on the site. The Site Plan Review application currently in process and any future site development (such as a school building) will be subject to the provisions of the SDC for the PLO zoning district.

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

Additional Approvals

The subject application is the second step in a series of land use actions necessary for the applicant to proceed with development plans for the site. Upon approval of the Zone Change request, the property will be consistent with provisions of the *Metro Plan* and subject to the PLO District provisions of the Springfield Development Code (ref. SDC 3.2-700). Rezoning the property to PLO will facilitate City review of the Site Plan Review application for neighborhood park development.

**ATTACHMENT 1
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Planning Commission
Zone Change Request (Springfield Public Schools)**

Hearing Date: April 2, 2013

Case Number: TYP313-00001

Applicant: John Saraceno, Springfield Public Schools

Property Owner: Springfield Public Schools

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Criterion: Zoning Map amendment criteria of approval:

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

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The subject application is the second step in a series of land use actions necessary for the applicant to proceed with development plans for the site. Upon approval of the Zone Change request, the property will be consistent with provisions of the *Metro Plan* and subject to the PLO District provisions of the Springfield Development Code (ref. SDC 3.2-700). Rezoning the property to PLO will facilitate City review of the Site Plan Review application for neighborhood park development.

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LAND CONSERVATION
AND DEVELOPMENT

CITY OF SPRINGFIELD
DEVELOPMENT SERVICES DEPARTMENT
225 5th ST
SPRINGFIELD, OR 97477

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540