



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT



February 13, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 009-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 2, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 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 DATE SPECIFIED ABOVE.**

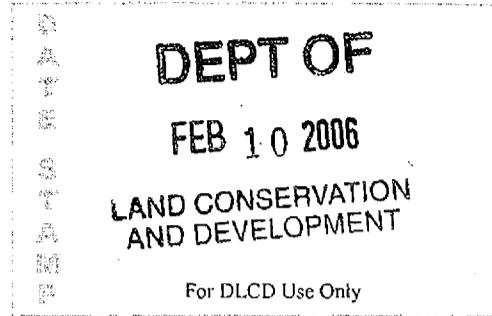
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Transportation Planner
Mark Metzger, City of Springfield

<paa> ya

PROF

2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Springfield Local file number: LRP-2005-00029
 Date of Adoption: 2/6/2006 Date Mailed: 2/10/2006
 Date original Notice of Proposed Amendment was mailed to DLCD: 8/16/2005

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____ |

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

Amendment to Article 40--Mixed-use Zoning Districts, to make implementation of mixed-use development more viable. The amendments affect development standards and insert a "discretionary review track" similar to that recommended in the TGM "Model Code for Mixed-Use and Commercial Development."

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

The "discretionary review track" was fleshed out in more detail in the adopted ordinance than was provided in the materials sent in August. The substance of the ordinance was not changed.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? YES NO

DLCD File No.: 809-05
(14615)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (45) 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

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Springfield

Local Contact: Mark Metzger Phone: (541) 726-3775 Extension: _____
Address: 225 Fifth Street City: Springfield
Zip Code + 4: 97477- Email Address: mrmetzger@ci.springfield.

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 6153 (General)

AN ORDINANCE AMENDING ARTICLE 40 OF THE SPRINGFIELD DEVELOPMENT CODE TO REMOVE POTENTIAL BARRIERS TO IMPLEMENTATION; AND ADOPTING A SEVERABILITY CLAUSE.

The Common Council of the City of Springfield finds that:

1. The Springfield Development Code was adopted in May 1986 and revised in March 1998, to ensure that development within the planning jurisdiction of the City of Springfield is of a proper type, design and location; and
2. The current Springfield Development Code, was amended in June 2002 to include Article 40—Mixed-Use Zoning Districts; and
3. The Springfield City Council in June 2003, directed staff to review Article 40 of the Springfield Development Code with the purpose of amending it to reduce barriers to development; and
4. Article 8 of the Springfield Development Code sets forth procedures for amendments of the Development Code text and those procedures were followed; and
5. The Springfield Planning Commission unanimously recommended the proposed changes to Article 40 of the Springfield Development Code be approved by the Springfield City Council by action taken at a public meeting held on October 4, 2005; and
6. The Springfield City Council conducted a public hearing on October 17, 2005 and having considered the matter in regular session on that date, is now ready to take action based upon the above recommendations and the evidence and testimony already in the record as well as the evidence and testimony presented at the public hearing held in the matter of adopting the amendments to Article 40—Mixed Use Zoning Districts.
7. Evidence exists within the record and findings attached hereto that the proposal meets the requirements of Article 8 of the Springfield Development Code.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. Amendments to Article 40—Mixed-Use Zoning Districts as set forth in Exhibit A attached and incorporated herein, are hereby adopted, added to, and made part of the Springfield Development Code.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

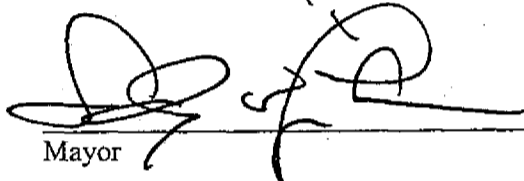
Section 3. Notwithstanding the effective date of ordinances as provided by Section 2.220 of the Springfield Municipal Code 1997, this ordinance shall become effective upon the date that all of the following have occurred: (a) the ordinance has been acknowledged as

provided in ORS 197.625; and (b) at least 30 days have elapsed since the date the ordinance was approved by the City Council.

FURTHER, although not part of this Ordinance, the Springfield City Council adopts the findings set forth in the Staff Report which demonstrate conformance of this amendment to the Metro Plan, applicable State statutes and applicable State-wide Planning Goals and Administrative Rules, and is attached as Exhibit B.

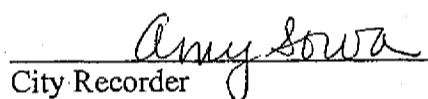
ADOPTED by the Common Council of the City of Springfield this 6th day of February, 2005 by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 6th day of February, 2005.



Mayor

ATTEST:



City Recorder

REVIEWED & APPROVED
AS TO FORM
JOSEPH J LRAHM
DATE: 11/3/05
LCC LEGAL COUNSEL

City of Springfield, Oregon

CERTIFIED TRUE COPY



City Recorder

ARTICLE 40

SPRINGFIELD MIXED-USE ZONING DISTRICTS

40.010 ESTABLISHMENT OF MIXED-USE ZONING DISTRICTS.

40.020 SCHEDULE OF USE CATEGORIES

40.030 LOT SIZE AND DIMENSION STANDARDS

40.040 LOT COVERAGE STANDARDS

40.050 SETBACK STANDARDS

40.060 HEIGHT STANDARDS

40.070 OFF-STREET PARKING STANDARDS

40.080 FENCE STANDARDS

40.090 SPECIAL USE STANDARDS

40.100 GENERAL DEVELOPMENT STANDARDS FOR MIXED-USE DISTRICTS

40.110 SPECIFIC DEVELOPMENT STANDARDS FOR MIXED-USE DISTRICTS

40.120 PHASED DEVELOPMENT

ARTICLE 40

SPRINGFIELD MIXED-USE ZONING DISTRICTS.

40.010 ESTABLISHMENT OF MIXED-USE ZONING DISTRICTS.

In order to fully implement the policies of the Eugene-Springfield Metro Area General Plan (Metro Plan) and/or applicable refinement plans addressing mixed-use development, 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:

- (1) **MUC Mixed-Use Commercial District.** The MUC District implements areas designated for mixed-use by the Metro Plan, on adopted refinement plans, specific area plans, and specific development plan diagrams and along transportation corridors designated for commercial development, where a mix of commercial with residential uses is intended compatible with existing nearby uses. Development within the MUC District shall have a commercial dominance, with residential and public uses also allowed. The primary development objectives of the MUC District are to expand housing opportunities; allow businesses to locate in a variety of settings; provide options for living, working, and shopping environments; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide options for pedestrian-oriented lifestyles. Lots in the MUC District shall generally have frontage on either an arterial or collector street.
- (2) **MUE Mixed-Use Employment District.** The MUE District implements areas designated for mixed-use by the Metro Plan, on adopted refinement plans, specific area plans and specific development plan diagrams where a mix of light-medium industrial or special light industrial uses with commercial or medium-high density residential uses is intended. Development within the MUE District shall have an employment (industrial) emphasis, but may include commercial, public, and multi-family residential uses. The primary development objectives of the MUE District are to expand employment opportunities by allowing businesses to locate in a variety of locations, provide services for employees in close proximity to their work place, to provide options for living, working, and shopping environments; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide options for pedestrian-oriented lifestyles. Lots in the MUE District shall generally have frontage on either an arterial or collector street.
- (3) **MUR Mixed-Use Residential District.** The MUR District implements areas designated for mixed-use by the Metro Plan, on adopted refinement plans, specific area plans and specific development plan diagrams where a mix of medium and high density residential with commercial uses is intended. The MUR District shall only be applied to properties that are contiguous with property designated Community Commercial, Mixed-Use Employment or Mixed-Use Commercial on the Springfield Zoning Map. Development within the MUR District shall have a multi-family residential emphasis, but may include small-scale retail, office and service uses when they are developed as part of a mixed-use development in order to increase housing opportunities in close proximity to designated commercial zones; support the retail, office and service uses of the adjacent commercial zone; and to provide options for pedestrian-oriented lifestyles. Lots in the MUR District shall generally have frontage on either an arterial or collector street.

- (4) **Applicability.** This Article and all of its provisions apply to the MUC, MUE, and MUR Districts shown on the Springfield Zoning Map.

Single family dwelling units in the MUR zone for which building permits were filed prior to the designation of an area for mixed-use development shall be exempt from Section 5.030 of this Code and from the standards of this Article for the purposes of reconstruction if such a dwelling unit is partially or completely destroyed or if the dwelling undergoes renovation. Room additions or other expansions typical of a single-family use shall also be allowed.

- (5) **Conflicts.**

- (a) In cases where the development standards of this Article conflict with standards found in other Articles in this Code, the standards of this Article shall prevail.

Exception: Standards in this Code pertaining to environmental protection, water quality protection and or public health and safety matters shall prevail over the standards in this Article.

- (b) Development standards found in adopted refinement plans, specific area plans and specific development plans shall prevail over those in this Article.

- (c) The intent of this Section is not to create non-conforming uses due to necessary zoning map amendments to Mixed Use. However, if a non-conforming situation is created; existing buildings, structures, and uses may continue, expand, or be modified as permitted in Sections 5.030 and 5.040 of this Code until they are abandoned and are transferable to a future purchaser.

- (6) **Review Procedure and Exemption Process.**

- (a) All mixed-use developments shall be reviewed as a Type II Limited Land Use decision, in accordance with Article 3, as part of the Site Plan Review process specified in Article 31. The Director may also determine that a mixed-use development is subject to a higher level of review (i.e., Type III versus Type II), when it is in the public interest.

- (b) Sections 40.100 and 40.110 detail a series of design standards that seek to achieve attractive, pedestrian oriented development where mixed-use is applied. Developers may choose to meet these standards as prescribed, or they may propose other design ideas which are equal to or superior in meeting the objective of a particular standard(s). When a developer requests an exemption from a stated standard, it is his/her responsibility to propose an alternative that fulfills the intent of the standard to the Director's satisfaction. The Director has the authority to authorize such exceptions and to determine the acceptability of the alternative the developer proposes.

- (c) When a developer proposes an alternative to a development standard in Sections 40.100 or 40.110 that is not acceptable, the Director shall deny the exemption. The Director shall issue findings which state the intent of the standard and describe how the alternative fails to meet that intent. The developer may appeal the decision of the Director to the Planning Commission as allowed under section 15.020 of this Code.

40.020 SCHEDULE OF USE CATEGORIES

The following uses shall be permitted in the districts as indicated subject to the provisions, additional restrictions and exceptions specified in this Code.

'P' = PERMITTED USE, subject to the standards of this Code; may be processed under Type I, II or III procedures (Please refer to Article 3 of this Code).

"S" = SPECIAL USE, subject to special locational and siting standards to be met prior to being deemed a permitted use; may be processed under Type I, II or III procedures (Please refer to Article 3 of this Code).

"D" = DISCRETIONARY USE, may or may not be permitted, based upon the application of general criteria; may be subject to special locational and siting standards to be met prior to being deemed a permitted use; processed under Type III procedures (Please refer to Articles 3 and 10 of this Code).

- = NOT PERMITTED

SITE PLAN REVIEW SHALL BE REQUIRED for all development proposals within all mixed use Districts unless specifically exempted elsewhere in this Code.

Districts			Categories/Uses
MUC	MUE	MUR	
(1) Accessory Use Structures			
-	P	S	Accessory Structures (16.100(1))
(2) Agricultural And Animal Sales And Services:			
-	P	P	(a) Agricultural cultivation of undeveloped land
P	-	-	(b) Garden supplies
(3) Automotive Repair and Service; Marine And Mobile/Manufactured Home Sales, Service, Storage And Repair:			
P	P	-	(a) Garage, repair
S	P	S	(b) Parking lots and parking structures (Section 40.100 (b)(1-2))
P	P	-	(c) Tires, batteries and accessories
(4) Business And Professional Offices And Personal Services:			
P	P	P	(a) Accountants, bookkeepers and auditors
P	P	P	(b) Advertising/marketing agencies
P	P	P	(c) Architects, landscape architects and designers
P	-	P	(d) Art studios, fine
P	-	P	(e) Art restoration
P	P	P	(f) Attorneys
P	P	-	(g) Audio/video production studio
P	-	P	(h) Authors/composers

Districts			Categories/Uses
MUC	MUE	MUR	
P	P	P	(i) Banks, credit unions and savings and loans
P	P	P	(j) Barber and beauty shops
P	P	-	(k) Blue printing, Photostatting, and photo developing
P	-	-	(l) Business schools
P	P	P	(m) Business, labor, scientific and professional organizations and headquarters
P	P	-	(n) Catering services
P	P	P	(o) Clinics and research/processing laboratories
P	-	P	(p) Collection agencies
P	P	P	(q) Commodity contract brokers and dealers
P	P	P	(r) Computer and information services
P	P	P	(s) Dentists
P	-	P	(t) Detective and protective agencies
P	P	P	(u) Doctors
P	P	P	(v) Drafting, graphic and copy services
P	P	P	(w) Employment agencies and services
P	P	P	(x) Engineers and surveyors
P	P	P	(y) Financial planning, investment services
P	P	P	(aa) Graphic art services
P	P	-	(bb) Gymnastics instruction
P	-	-	(cc) House cleaning services
P	P	P	(dd) Insurance carriers, agents, brokers and services
P	-	P	(ee) Interior decorator and designers
P	P	-	(ff) Laundry, dry cleaners, including self-service, and ironing services
P	P	P	(gg) Loan companies, other than banks
P	P	P	(hh) Locksmiths
P	P	P	(ii) Lumber brokers
P	P	P	(jj) Mailing services/mail order sales
P	P	P	(kk) Management and planning consultants
S	P	-	(ll) Manufactured unit as a temporary construction office, night watchperson's quarters or general office (36.160(1), (3) and (4))
P	P	-	(nn) Motion picture studio/distribution
P	-	P	(oo) Non-profit organizations
P	P	P	(pp) Opticians
P	-	P	(qq) Performing arts instruction
P	P	P	(rr) Photocopying
P	P	P	(ss) Photography studios
P	P	P	(tt) Planners, land use
P	P	-	(uu) Printing/publishing
P	P	P	(vv) Psychologists and counselors
P	-	P	(ww) Real estate sales and management
P	P	P	(xx) Scientific and educational research
P	P	-	(yy) Security systems services
P	P	-	(aaa) Self-defense studio

Districts			Categories/Uses
MUC	MUE	MUR	
P	P	P	(bbb) Shoe repair
P	P	P	(ccc) Stenographers and secretarial services
P	P	P	(ddd) Stockbrokers
P	-	-	(eee) Swimming pool cleaning
P	-	P	(fff) Tailors
P	-	P	(ggg) Tanning salons
P	-	P	(hhh) Title companies
P	P	P	(iii) Telephone answering services
P	P	P	(jjj) Travel agencies
S	P	-	(kkk) TV and radio broadcasting studios (does not include antennae)
P	P	P	(lll) Typing services
P	-	-	(mmm) Window cleaning
(5) Communications Facilities:			
-	D	-	(a) Communications towers, including antennas and relay equipment. Certain Wireless Telecommunications Systems Facilities (Article 32). Refer to Section 32.130 for siting standards and review process in all commercial zoning districts.
-	D	-	
D	D	D	(b) Communications antennas for public agencies and emergency services
(6) Day Care Facilities:			
S	S	P	(a) Day Care Home - 1 to 5 children (18.110 (3)(a))
-	-	P	(b) Day Care Group Home - 6 to 12 children
S*	S*	S*	(c) Day Care Center - 13 or more children (abutting an arterial street) (16.100(4))
S*	S*	S*	(d) Day Care Center - 13 or more children (abutting a collector or local street) (16.100(4))
S*	S*	P	(e) Adult Day Care - facilities up to 12 adults (18.110(3))
S*	S*	S*	(f) Adult Day Care - facilities with more than 13 adults (abutting an arterial street) (16.100(4))
S*	S*	S*	(g) Adult Day Care - facilities with more than 13 adults (abutting a collector or local street) (16.100(4))
(7) Eating And Drinking Establishments:			
P	P	-	(a) Cafeteria (serving employees only)
P	P	-	(b) Cocktail lounges
P	P	P	(c) Delicatessens and sit down restaurants including espresso shops
S	P	-	(d) Drive up restaurants and espresso shops (40.100(1)(a))
S	P	-	(e) Taverns and brew pubs (Section 18.110(5)(b))
(8) Educational Facilities- Public And Private Elementary And Middle Schools:			
-	-	P	(a) 1 to 5 students in a private home (in a 24 hour period)
-	D	D	(b) 6 or more students in a private home (Section 10.030(4))
-	D	D	(c) Private/public elementary and middle Schools (18.110(14))
-	D	-	(d) Secondary schools and colleges
(9) Group Care Facilities:			
-	-	P	(a) Foster homes for up to 5 children

Districts			Categories/Uses
MUC	MUE	MUR	
-	-	S*	(b) Residential care facilities with more than 15 persons include: Group care homes, congregate care facilities, nursing homes and retirement homes (16.100(7))
(10) Halfway Houses (See Special Use Standards for Group Care Facilities):			
-	-	D	(a) Residential Facility - 6 to 15 persons
-	-	D	(b) Residential Home - 5 or fewer persons
-	-	D	(c) Shelter homes for abused and battered persons
(11) Home Occupations:			
S	S	S	(a) Home Occupations (16.100 (6))
(12) Manufacture And/Or Assembly Of :			
-	P	-	(a) Appliances
P	P	-	(b) Apparel and other finished products made from canvas, cloth, fabrics, feathers, felt, leather, textiles, wool, yarn and similar materials
-	P	-	(c) Communication equipment, including radio and television equipment
-	P	-	(d) Costume jewelry, novelties, buttons and misc. notions
-	P	-	(e) Cutlery, hand tools and hardware
-	P	-	(f) Electronic components and accessories
-	P	-	(g) Electronic transmission and distribution equipment
-	P	-	(h) Engineering, laboratory, scientific, and research instruments
-	P	-	(i) Finished wood manufacturing and assembly including cabinets and door frames
-	P	-	(j) Furniture, including restoration
-	P	-	(k) Greeting cards, business forms and other business related printing
-	P	-	(l) Measuring, analyzing, and controlling instruments
-	P	-	(m) Medical, dental, and surgical equipment and supplies
-	P	-	(n) Medicinal chemicals and pharmaceutical products
-	P	-	(o) Metal fabrication and machine shops
-	P	-	(p) Musical instruments
-	P	-	(q) Prosthetic and orthopedic devices
-	P	-	(r) Office computing and accounting equipment
-	P	-	(s) Optical instruments, including lenses
-	P	-	(t) Perfumes and toiletries
-	P	-	(u) Photographic equipment and supplies
-	P	-	(v) Signs and advertising display
-	P	-	(w) Toys, sporting and athletic goods
-	P	-	(x) Watches, clocks, and related components
(13) Other Industrial Uses:			
-	S	-	(a) Industrial Parks (subdivisions)(21.130)
P	P	-	(b) Media productions, including TV and radio broadcasting, motion picture production and newspaper/book/periodical

Districts			Categories/Uses
MUC	MUE	MUR	
			publishing
-	P	-	(c) Regional distribution headquarters, including indoor storage
-	P	-	(d) Research development and testing laboratories and facilities
-	P	-	(e) Accessory structures
-	P	-	(f) Administrative professional or business offices
(14) Public Utility Facilities:			
-	S	-	(a) High impact facilities (20.100(5)(a-b))
S	P	-	(b) Low impact facilities (18.110(4)(b))
(15) Recreational Facilities:			
P	P	-	(a) Arcades
P	P	-	(b) Art studios, performing
-	P	-	(c) Auditoriums
-	P	-	(d) Bingo parlors
-	P	-	(e) Bowling alleys
-	P	-	(f) Dance halls
P	P	P	(g) Exercise studios
P	P	-	(h) Gyms and athletic clubs
P	P	P	(i) Hot tub establishments
P	-	P	(j) Miniature auto race track (e.g., slot car track)
S	-	-	(k) Miniature golf (40.100(d))
S	P	-	(l) Movie theaters, indoor, single screen (40.100(d))
P	P	-	(m) Non Alcoholic Night Club
P	P	-	(n) Off-track betting facility
P	P	P	(o) Parks, private and public
P	P	P	(p) Playground
P	P	P	(q) Play/tot lot
P	P	-	(r) Pool halls
P	P	-	(s) Recreation center
-	P	-	(t) Skating rinks
P	P	P	(u) Tennis, racquetball and handball courts
P	P	-	(v) Theater, legitimate (live stage)
(16) Religious, Social And Civic Institutions:			
P	P	D	(a) Branch educational facilities
P	-	D	(b) Charitable services
D	-	D	(c) Churches, mosques, temples and weekly religious school (18.110(14))
P	-	P	(d) Community and senior centers
P	-	-	(e) Fraternal and civic organizations
P	P	-	(f) Hospitals
P		D	(h) Public offices including but not limited to administrative offices, libraries, museums, courts, and detention facilities.
-	D*	D*	(i) Private/Public Elementary and Middle Schools (18.110(14))

Districts			Categories/Uses
MUC	MUE	MUR	
			(21.040 (2))
(17) Residential Uses In Areas Designated Mixed-Use In The Metro Plan Or Refinement Plans.			
S	P	S	(a) Accessory structures (16.100(1))
P	-	P	(b) Attached single family dwellings including rowhouses (Section 18.110(6).
S	-	S	(c) Cluster Development (Section 16.100(3))
P	P	P	(d) Condominiums
-	-	P	(e) Duplexes (Section 16.100(5))
P	P	P	(f) Multiple family dwellings including triplexes, four-plexes, quads, quints, and apartment complexes over 4 units
(18) Retail Sales:			
P	-	P	(a) Antiques
P	-	P	(b) Apparel
P	-	P	(c) Art galleries and museums
P	-	P	(d) Art supplies
P	P	P	(e) Bakeries
P	-	P	(f) Bicycles
P	-	P	(g) Books
P	-	P	(h) Cameras and photographic supplies
P	-	P	(i) Candies, nuts and confectioneries
P	-	P	(j) China, glassware and metalware
P	-	-	(k) Cigars and cigarettes
P	P	-	(l) Computers, calculators and other office machines
P	P	P	(m) Convenience stores
P	P	P	(n) Dairy products
P	-	-	(o) Department stores
P	-	P	(p) Drapery, curtains and upholstery
P	-	P	(q) Dry Goods and general merchandise
P	-	-	(r) Electrical supplies
P	-	P	(s) Fabrics and accessories
P	-	P	(t) Film drop off and pick up (not a drive-through)
P	-	-	(u) Fish
P	-	P	(v) Floor coverings
P	-	P	(w) Florists
P	-	P	(x) Fruits and vegetables
P	-	-	(y) Furniture
P	-	-	(z) Furriers
P	-	P	(aa) Groceries
P	-	-	(bb) Hardware
P	-	-	(cc) Hobby supplies
P	-	-	(dd) Household appliances
P	-	-	(ee) Jewelry
P	-	-	(ff) Liquor outlets (State)

Districts			Categories/Uses
MUC	MUE	MUR	
P	-	-	(gg) Luggage and leather
P	-	-	(hh) Magazines and newspapers
P	-	-	(ii) Mail order houses
P	-	-	(jj) Meats
P	-	-	(kk) Medical and dental supplies
P	-	-	(ll) Musical instruments and supplies
P	-	-	(mm) Novelties and gifts
P	P	-	(nn) Office equipment
P	-	-	(oo) Paint, glass and wallpaper
P	P	P	(pp) Pharmacies
P	-	-	(qq) Pottery
P	-	-	(rr) Radios, televisions and stereos
P	-	-	(ss) Second hand and pawn shops
P	-	-	(tt) Sewing machines
P	-	P	(uu) Shoes
P	-	-	(vv) Small electrical appliances
P	-	P	(ww) Sporting goods
P	P	P	(xx) Stationary
P	-	-	(yy) Supermarkets
P	-	P	(zz) Toys
(19) Small Scale Repair And Maintenance Services: (40.100(1)(d))			
S	P	P	(a) Business machine repair
S	P	-	(b) Electrical appliance repair
S	P	-	(c) Furniture repair
-	P	-	(d) Janitorial services
S	-	-	(e) Small engine repair
P	P	P	(f) Watch repair
(20) Transient Accommodations:			
P	-	S	(a) Bed and breakfast facilities
-	-	S	(b) Emergency shelter facilities (See MUR Special Use Standards for Group Care Facilities)
P	-	-	(c) Youth hostels
(21) Transportation Facilities:			
-	P	-	(a) Heliports
-	P	-	(b) Helistops
P	P	P	(c) Public transit station, without park & ride lot
(22) Transportation Related, Non-Manufacturing:			
-	P	-	(a) Key/card lock fuel facilities
(23) Warehouse Commercial Retail And Wholesale Sales And Distribution:			
-	P	-	(a) Cold storage lockers
-	P	-	(b) Electrical supplies and contractors
-	P	-	(c) Floor covering sales
-	P	-	(d) Indoor storage, other than mini-warehouses, and outdoor storage areas/yards

Districts			Categories/Uses
MUC	MUE	MUR	
-	P	-	(e) Large electrical appliance sales
-	P	-	(f) Merchandise vending machine operators
-	P	-	(g) Plumbing and heating supplies and contractors
-	P	-	(h) Unfinished furniture
-	-	-	(i) Uses listed under automotive and retail which are wholesale uses
-	P	-	(j) Regional distribution headquarters, including indoor storage
-	-	-	(k) Warehouse/commercial uses engaged primarily in the wholesaling of materials to the construction industry
-	-	-	(l) Wholesale trade, warehousing, distribution and storage (to include mini-storage)
(24) Secondary Uses Serving Or Related To On Site Commercial Or Industrial Uses:			
P	P	-	(a) Manufacture or assembly of goods or products to be sold on premises
-	P	-	(b) Accessory structures
P	P	P	(c) Administrative professional or business offices
P	P	-	(d) Blueprinting, photostatting, and photo developing
-	P	-	(e) Cafeteria (serving employees only)
P	P	P	(f) Daycare facilities (primarily serving employees on site)
-	P	P	(g) Developed recreation area (serving the development area)
-	P	-	(h) Heliports and helistops
P	P	P	(i) Financial institutions
-	P	-	(j) Manufactured home used as a night watch person's quarters (36.190(2))
-	S	-	(k) Outdoor storage of materials directly related to a permitted use. (40.120(2)(c)(1-2))

40.030 LOT SIZE AND DIMENSION STANDARDS

- (1) In the MUC District, the minimum lot size shall be the same as specified for commercial uses in Section 18.030 of this Code.
- (2) In the MUE District, the minimum lot size shall be the same as those specified for Light and Medium Industrial uses in Section 20.030 of this Code.
- (3) In the MUR District, the minimum lot size shall be the same as those specified for residential districts in Section 16.030 of this Code.

40.040 LOT COVERAGE STANDARDS.

- (1) Lot coverage standards in the MUC District shall be limited only by standards (e.g. required parking, landscaping, etc.) specified in Articles 31 and 32 of this Code. Generally, there shall be no maximum lot coverage standard in the MUC District.

- (2) Lot coverage standards in the MUE District shall be limited only by standards (e.g. required parking, landscaping, etc.) specified in Articles 31 and 32 of this Code. Generally, there shall be no maximum lot coverage standard in the MUE District.
- (3) Lot coverage standards in the MUR District shall be the same as the standards specified in Section 16.040 of this Code.

40.050 SETBACK STANDARDS

- (1) The setback standards for the MUC District shall comply with the requirements specified for commercial uses in Section 18.050 of this Code.
Exception: There shall be no minimum building setback requirement in the front, street side yard or through lot rear yard lot lines.
- (2) The setback standards for the MUE District shall comply with the requirements specified for industrial uses in Section 20.050 of this Code.
- (3) The setback standards for the MUR District shall comply with the requirements specified for residential uses in Section 16.050 of this Code.

40.060 HEIGHT STANDARDS

- (1) The maximum height for buildings in the MUC District shall be ~~60~~ 90 feet. ~~Proposals for buildings exceeding 60 feet can be considered under Article 10 Discretionary Use where such proposals can be shown to meet the criteria for approval listed in Section 10.030 (1)-(3).~~
Exception: When a MUC District abuts an LDR, MDR or MUR District, the building height limitations of Subsection 18.060(1)-(3) shall apply.
- (2) The maximum height for buildings in the MUE District shall be ~~45~~ 60 feet.
Exception: When a MUE District abuts an LDR, MDR or MUR District, the building height limitations of Subsection 21.080(1) (a) and (b) and (2) shall apply.
- (3) The maximum height for buildings in the MUR district shall be ~~35~~ 60 feet.
Exception: When a MUR District abuts an LDR or MDR District, the building height limitations of Subsection 16.060(1) (a) and (b) and (2) shall apply.

40.070 OFF-STREET PARKING STANDARDS.

- (1) Parking requirements in Mixed-Use Districts are as follows:
 - (a) Nonresidential requirements:
 1. Surface parking shall meet the minimum parking requirement for the various use categories described in Section 18.070 of this Code for commercial uses and

Section 20.070 of this Code for industrial uses. The Director may reduce the minimum number of parking spaces required, based on a parking generation study, without the need for a Variance. The study shall demonstrate how a proposal to reduce parking is justified by estimated peak use, easy pedestrian access, availability of transit service, and adjacent on-street parking. This reduction shall be limited to 20% of the established standard.

2. The maximum number of parking spaces allowed shall not exceed 120% of the minimum parking requirement for the various use categories described in Section 18.070 of this Code for commercial uses and Section 20.070 of this Code for industrial uses. The Director may increase the allowed number of parking spaces based on a parking generation study, using statistical analysis from the Institute of Transportation Engineering (ITE) Parking Generation Report without the need for a Variance. The study shall demonstrate how a proposal to increase parking is justified by estimated peak use, and how parking demand management techniques to reduce the needed number of spaces would be ineffective for the development.

- (b) Residential requirements: Minimum off-street parking standards for residential uses shall comply with the standards specified in Section 16.070 of this Code.

Exception: The Director may reduce the minimum residential parking standard when it is demonstrated that proposed housing is along a frequent service transit line, or is otherwise provided for by the code.

- (2) Exception Areas. The Downtown Exception Area shall be exempt from the parking space requirements of this Section.

Exception: Any voluntarily installed parking shall conform to the parking design standards specified in Sections 31.170 to 31.190 of this Code.

40.080 FENCE STANDARDS.

- (1) Fences in the MUC District shall be the same as the standards specified in Section 18.100 of this Code.

Exception: No barbed wire, razor wire or electrified fencing shall be permitted.

- (2) Fences within the MUE District shall be the same as the standards specified in Section 20.090 of this Code.

- (3) Fences within the MUR District shall be the same as the standards specified in Section 16.090 of this Code.

Exception: No barbed wire, razor wire or electrified fencing shall be permitted.

40.090 SPECIAL USE STANDARDS

- (1) Special use standards for the MUC District shall be the same as those specified in Section 18.110 of this Code.

Exceptions:

- (a) ~~In MUC Districts, drive-up restaurants and espresso shops shall be designed so that circulation and drive-up windows are not adjacent to sidewalks or between buildings and the street, to the maximum extent practicable. Drive-through uses may conflict with safe and convenient movement of pedestrians and bicycles within MUC districts. A drive-through use, for the purposes of this section is defined as a business activity involving buying or selling goods or provision of services wherer one of the parties conducts the activity from within a motor vehicle. Facilities usually associated with a drive-through usually involve queuing lines, service windows, service islands, and service bays for vehicular use. Drive-through uses are therefore not permitted in MUC districts except such a use is incidental to a primary site use, and when designed in conformance with the following standards:~~
1. The drive-through use shall be limited to service windows which are part of a primary use structure, and no more than two queuing lanes.
 2. Drive-up facilities shall be designed so that circulation and drive-up windows are not adjacent to sidewalks or between buildings and the street, to the maximum extent practicable.
- (b) Parking Lots and Parking Structures, Public and Private.
1. In MUC Districts surface parking lots abutting public streets shall include perimeter landscaping and shade trees as specified in Sections 18.050 and 31.140 (3) of this Code.
 2. Parking structures located within 20 feet of pedestrian facilities including but not limited to public or private streets, pedestrian accessways, greenways, transit stations, shelters, or plazas, shall provide a pedestrian-scale environment on the façade facing the pedestrian facility. One or more of the following techniques may be used:
 - a. Provide retail or office uses on the ground floor of the parking structure facing the pedestrian facility;
 - b. Provide architectural features that enhance the ground floor of a parking structure adjacent to the pedestrian facility, such as building articulation, awnings, canopies, building ornamentation and art; and/or
 - c. Provide pedestrian amenities in the transition area between the parking structure and pedestrian facility, including landscaping, trellises, seating areas, kiosks, water features with a sitting area, plazas, outdoor eating areas, and drinking fountains.

(c) Residential Uses.

1. In areas designated for mixed-use in adopted refinement plans, specific area plans, and specific development plans, multiple family development shall be required to meet development standards as specified in the local refinement plan. MDR and HDR District standards specified in Article 16 of this Code shall be complied with where local refinement plans do not specify development standards, or in areas where no local refinement plan has been prepared. All multiple family developments shall meet the standards specified in Section 16.110 of this Code.
2. Cluster Development. Development standards specified in Section 16.100 (3) of this Code shall apply to cluster developments in the MUC District.

(d) Small scale repair and maintenance services. In MUC Districts these services shall take place entirely indoors, and buildings shall be constructed and utilized to ensure that noise or odor do not disturb the normal operation and tranquility of neighboring residential and business area.

- (2) Special use standards for uses within the MUE District shall be the same as those specified in Section 20.100 of this Code.

Exception: Subsection of 20.100 (3) of this Code shall not apply in the MUE District.

- (3) Special use standards for uses within the MUR District shall be the same as those specified in Section 16.100 of this Code as they apply to MDR and HDR development.

Exceptions:

- (a) Professional offices specified in Section 16.100 (11) (a-f) of this Code shall be exempt from those special use standards, but shall meet the standards for development specified in Subsection 40.120 (3) (c) of this Code.
- (b) The MUR District allows uses that are not allowed in the MDR and HDR Districts. Permitted uses are listed in 40.010 of this Code. Nonresidential uses that are not "professional office" related but have "S" designations in 40.010 of this Code, shall comply with the development standards listed in ~~Subsection 40.120 (3)(e)~~ Subsection 40.110 (3)(c).
- (c) Residential and Day Care Uses shall comply with the special use standards listed in Subsection 16.100(4) of this Code.

40.100 GENERAL DEVELOPMENT STANDARDS FOR MIXED-USE DISTRICTS

- (1) ~~Building Design Standards. Mixed use zoning districts require special attention to building design because of the intermixing of land uses and higher intensity of development that can occur in such areas. New structures and improvements to facades requiring building permits shall provide architectural relief and interest, with emphasis at building entrances and along~~

~~sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided to the maximum extent practicable by complying with the following minimum requirements. The following standards are intended to be specific and quantifiable while allowing for flexibility in design.~~

Mixed use zoning districts require special attention to building design because of the intermixing of land uses and higher intensity of development that can occur in such areas. The standards below implement commonly accepted design principles whose goal is to achieve more attractive, functional and pedestrian oriented design. Not every case and circumstance is anticipated by these standards, nor is it the goal of this section to prescribe every design detail of development. It is expected that the Springfield development community will apply their own design creativity to build on these principles and create attractive, livable, and viable projects.

The standards below provide an objective framework for achieving the desired goal of attractive, pedestrian oriented development. Developers may choose to meet these standards as prescribed, or they may propose other design ideas which are equal to or superior to a particular standard(s) in meeting the design objectives in the subsections below (40.100 (1)-(7)). Where developers request an exemption from a stated standard, it is his/her responsibility to propose an alternative design and to demonstrate to the Director that it is equal to or superior to the stated standard. The Director has the authority to authorize an exception to these standards determine the acceptability of the alternative design the developer proposes.

When a developer proposes an alternative design that is not acceptable to the Director, he/she may appeal the decision to the Planning Commission as allowed under section 15.020 of this Code.

(1) Building Design Standards

Intent: New structures and improvements to facades requiring building permits shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided to the maximum extent practicable by complying with the following minimum requirements. The following standards are intended to be specific and quantifiable while allowing for flexibility in design.

Standards:

- (a) Ground floor windows shall be required for all civic and commercial uses. All elevations of buildings abutting any street shall provide at least 50 percent of their length (e.g. a 100-ft.-wide building facade shall have a total of at least 50 linear ft. of windows) and at least 25 percent of the ground floor wall area as windows and/or doors that allow views into lobbies, merchandise displays, or working areas. On corner lots this provision shall apply to both elevations.

Exception: Elevations of buildings adjacent to alleys or vehicle accessways used primarily for service and delivery access shall be exempt from this requirement.

- (b) ~~Ground floor windows shall be required for all industrial uses. The primary entrance elevation of a building abutting a street shall provide at least 30 percent windows at the pedestrian level. On corner lots, this provision shall apply to both elevations with~~

street frontage. Ground floor windows shall be required as part of the primary entrance elevation for all industrial uses. Windows shall be required for at least 30% of the primary entrance and ground level offices that are part of the entrance elevation. The windows shall be measured in linear fashion (e.g. a 100-ft.-wide building entrance and office facade shall have a total of at least 30 linear ft. of windows and/or doors on the ground floor that allow views into lobbies, merchandise displays, or working areas).

- (c) Along the vertical face of a structure, offsets shall occur at a minimum of every 50 feet by providing at least one of the following:
 - 1. Recesses including but not limited to entrances and floor area with of a minimum depth of 4 feet.
 - 2. Extensions including but not limited to entrances and floor area with a minimum clearance of 4 feet, a minimum depth of 4 feet, and a maximum length of an overhang shall be 25 feet.
 - 3. Offsets or breaks in roof elevation with a minimum of 3 feet or more in height.
- (d) In order to break up vast expanses of single element building elevations, building design shall include a combination of architectural elements and features including but not limited to offsets, windows, entry treatments, wood siding, brick, stucco, textured concrete block, etc.
- (e) In order to provide differentiation between the ground floor and upper stories, building design shall include bays or balconies for upper levels, and awnings, canopies, or other similar treatments for lower levels. Variation in building materials, trim, paint, ornamentation, windows, or other features such as public art, may also be used.
- (f) External modifications proposed for structures listed on the Springfield Historic Inventory shall comply with the applicable standards specified in Article 30. Historic Overlay District.
- (g) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (1) (a)-(f).

(2) Building Orientation and Maximum Setbacks.

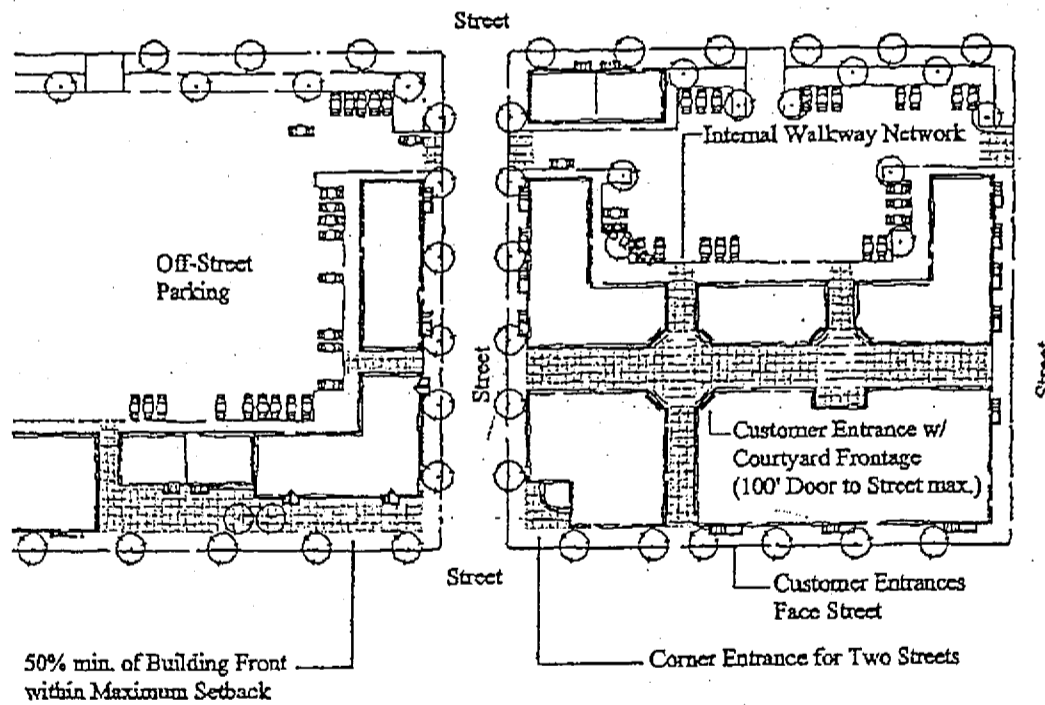
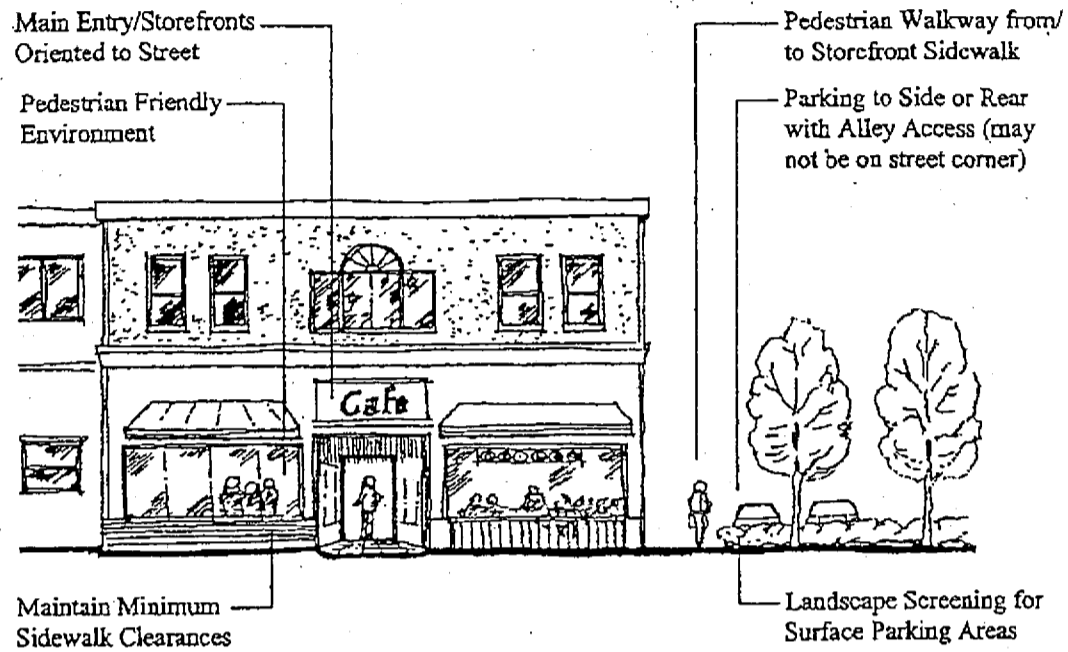
~~To the greatest extent practicable, all new buildings in a mixed-use development shall be oriented toward both exterior and internal streets in a manner that frames and defines both streets and pedestrian areas along those streets. Buildings in mixed-use developments shall not be separated from fronting streets. Parking shall be located behind buildings, internal to development on a site. For existing development sites, outparcel buildings between a large parking lot and the street shall be used to help define the streetscape, and lessen the visual impact of the parking lot from the street.~~

Intent: To the greatest extent practicable, all new buildings in a mixed-use development shall be oriented toward both exterior and internal streets in a manner that accommodates pedestrian comfort, convenience and safety.

- (a) In the Downtown Mixed Use Area, buildings shall be oriented towards fronting streets in a manner that frames and defines both streets and pedestrian areas along those streets. The maximum building setback in the Downtown Mixed Use Area is 10 feet. Buildings in this area shall not be separated from fronting streets by off-street parking, vehicle circulation aisles or drive-thru lanes.

Exceptions: Street setbacks in the Downtown Mixed Use Area may be approved by the Director when:

1. The building design incorporates public seating, plazas, or other usable public space as specified in Subsection (7) of this section;
2. The building design incorporates landscaped stormwater quality facilities within the setback area that also enhance the pedestrian scale, orientation and interest;
3. Necessary to preserve existing healthy mature trees; or
4. Necessary to accommodate handicapped access requirements.



Building orientation, entrance orientation, and pedestrian connections.

- (b) Parking in the Downtown Mixed Use Area shall be located beside or behind buildings, internal to development on a site. For existing development sites, outparcel buildings

between a large parking lot and the street shall be used to help define the streetscape, and lessen the visual impact of the parking lot from the street.

- (c) Public entrances to all new buildings in the Downtown Mixed Use Area shall be visible from the street and oriented so that pedestrians have a direct and convenient route from the street sidewalk to building entrances.
- (d) In MUC districts outside of the Downtown Mixed Use Area, buildings may be set back from fronting public or private streets, but shall be connected to those by a continuous internal sidewalk (and as needed, sidewalk crossings). This internal sidewalk network shall connect customer entrances of buildings on a development site with one another and with fronting public sidewalks or rights-of-way. The internal sidewalks shall be at least 5 feet wide. The internal sidewalk network shall connect transit stops or station to buildings on the development site to form a direct and convenient pedestrian connection with these transit facilities.
- (e) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (2)(a)-(d).

(3) Weather Protection.

Intent: Awnings and canopies are intended to protect pedestrians from the weather and add to the architectural interest of buildings. New commercial or mixed-use residential development shall provide a weather-protected area adjacent to sidewalks and plazas.

Standards:

- (a) Awnings or canopies shall be at least 6 feet wide, and shall follow building offsets to eliminate long expanses of awnings and or canopies.
- (b) Awnings and canopies should not obscure architectural features (e.g. transom area) of the building and should not extend into the second story of the building.
- (c) Awnings and canopies shall be in proportion to the overall building and should match the width of the storefront or window opening.
- (d) Backlit awnings and canopies are not permitted.
- (e) Awnings and canopies shall be suspended from the building and not supported by posts.
- (f) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (3)(a)-(e).

(4) Landscaping and Screening.

Intent: Landscaping is intended to compliment built forms within a development area, softening and providing visual relief and contrast to buildings, sidewalks and parking lots.

Trees, as part of a landscaping plan, should provide shade for pedestrian comfort as well. The installation of landscaping should be accomplished in a manner that assures that planted stock receives adequate irrigation. Screening is intended to compliment a development area by shielding dumpsters, storage areas and other unsightly facilities from public view within the development area.

Standards:

Mixed-use developments shall provide landscaping and screening in accordance with Sections 31.140 and 31.160 of this Code and the following standards:

- (a) Street trees shall be required consistent with Section 32.050 of this Code. Species shall be compatible with the design features specified in Subsection (7) of this section and shall provide continuity with nearby landscaping. The Director may grant a one-for-one reduction in the number of street trees required when a development preserves healthy, mature trees located within 10 feet of the sidewalk. Required street trees shall be placed in planter strips between sidewalks and curbs as specified in Section 32.040 and 32.050 of this Code, or in individual tree pits. If individual tree pits are utilized, each pit shall be a minimum of 64 square feet per tree, with a minimum width of 4.5 feet.
- (b) Screening of parking areas, drives, mechanical equipment and trash receptacles shall be as specified in Section 31.160 of this Code. In addition:
 - 1. No receptacles shall be allowed within the front setback areas abutting residential zoning districts.
 - 2. All ground-mounted utility equipment not installed underground shall be placed to reduce visual impact or screened with walls or landscaping.
 - 3. Notwithstanding the timelines specified in Section 31.140 of this Code, plants shall be sized to attain 50 percent coverage in 2 years and 100 percent coverage in 4 years.
- (c) Irrigation systems shall be required to support landscaping. Drought-resistant plants shall be encouraged. See Sections 31.050 (1) (o) and 31.140 (4) of this Code.
- (d) Parking areas, drives, and mechanical equipment shall be screened as per Section 31.160 of this Code. Dumpsters and other large trash receptacles shall be screened from on and offsite view by placement of a solid fenced or walled enclosure, from 5 to 6 feet in height. No receptacles are allowed within front setback areas abutting Residential zoning districts. All ground-mounted utilities equipment not placed underground shall be placed to reduce visual impact or screened with walls or landscaping. Plants shall be sized to attain 50 percent coverage in 2 years and 100 percent coverage in 4 years.
- (e) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (4) (a)-(d).

(5) Street Connectivity and Internal Circulation.

Intent: To make mixed-use developments part of a connected street system that serves vehicles, pedestrians and bicycles. Public or private streets connect the development to adjacent neighborhoods and zoning districts. When street connections are not practicable, pedestrian connections are made to and through the development in lieu of planned street connections. Pedestrian connections should equal what would be available if they were on a street.

Standards: In mixed-use developments:

- (a) Streets and accessways of any one development or site shall interconnect with those of adjacent developments or sites. Internal street or circulation patterns that isolate a development from all adjacent developments, and only allow access to fronting arterial or collector streets, shall be prohibited.

Exception: The Director may determine that topography and/or existence of natural features of the development site would be better accommodated with an alternative circulation pattern.

- (b) Streets and accessways shall align and connect to each other to create a direct and convenient pattern of circulation that is consistent with the City's existing street and block pattern in the area. The maximum block perimeter shall be 1,400 feet.
- (c) A mixed use development's street network (both public and private on-site streets) shall connect directly to neighborhood streets in the surrounding area, providing multiple paths for pedestrian, bicycle, and vehicular movement to and through the development area. In this way, trips made from the surrounding residential neighborhood to the mixed use development will be possible without requiring travel along a major thoroughfare or arterial.
- (d) Outparcel buildings should be connected to and served from the internal streets of the primary development area of which they are a part.
- (e) Pedestrian paths and sidewalks shall connect all building entrances with each other and with public rights-of-way in a manner that is direct and convenient for the pedestrian.
- (f) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (5) (a)-(e).

(6) Neighborhood Compatibility.

Intent: To achieve a compatible transition between mixed-use and other zones of differing height, bulk and scale requirements. Consideration should be given to the scale and design of surrounding buildings to promote compatibility and complement or enhance the character of existing single-family neighborhoods. Development in mixed-use districts shall be appropriate and related to the setting and established character of the surrounding area or neighborhood.

Minimum standards adjacent to Low Density Residential Districts:

- (a) Architectural compatibility between new development and adjacent LDR development, including but not limited to similar roof forms, windows, trim, and materials, shall be required to the maximum extent practicable.
- (b) Lighting shall be arranged and constructed not to produce direct glare on adjacent LDR development as specified in Subsection 31.160 (3) of this Code.
- (c) Site obscuring landscaping shall be required including but not limited to the retention of existing vegetation; installation of a 6-foot minimum height, site-obscuring fence with shade trees planted a maximum of 30 feet on center (2-inch caliper at planting); and/or other landscaping to provide visual buffering.
- (d) Mechanical equipment shall be screened from view from adjacent LDR properties and the street as specified in Subsection (4)(b) of this Section. Mechanical equipment shall be buffered so that noise does not typically exceed 50 decibels as measured at the LDR property line. The City may require a noise study certified by a licensed acoustical engineer.
- (e) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (6) (a)-(d).

(7) Pedestrian Amenities

Intent: To provide appropriate pedestrian amenities in mixed-use developments. Pedestrian amenities such as benches, ornamental paving, public art, etc. should be provided and durably designed and integrated into an overall design scheme or pattern.

Standards:

- (a) All new structures and substantial improvements to existing buildings shall provide pedestrian amenities, as specified in this Subsection. The number of pedestrian amenities provided shall comply with the following sliding scale.

Size of Structure or Substantial Improvement	Number of Amenities
<5,000 sq. ft.	1
5,000 – 10,000 sq. ft.	2
10,000 – 50,000 sq. ft.	3
>50,000 sq. ft.	4

- (b) Acceptable pedestrian amenities include:

1. Sidewalks incorporating ornamental paving treatments, including but not limited to concrete masonry unit pavers, brick, or stone, which are 50% wider than required by this Code.
 2. A public outdoor seating plaza adjacent to or visible and accessible from the street (minimum useable area of 300 square feet).
 3. Sidewalk planters between sidewalk and building including stormwater swales.
 4. Street tree density more extensive than required by this Article.
 5. Streetscape scale container planters.
 6. Installation of 3" caliper size or larger to fulfill the street tree requirement.
 7. Public art including but not limited to sculptures, fountains, clocks, or murals with a value equal to or greater than one (1) percent of construction value of the structure.
 8. Pocket parks with a minimum usable area of 300 square feet.
- (c) Guidelines for the siting, construction and character of pedestrian amenities:
1. Amenities shall be visible and accessible to the general public from a fully improved street. Access to pocket parks, plazas, and sidewalks shall be provided via a public right-of-way or a public access easement.
 2. The size or capacity of pedestrian amenities shall be roughly proportional to their expected use, including use by employees, customers, residents, and other visitors. The Director may alter minimum area standards for pocket parks and plazas based on this guideline.
 3. Amenities shall be consistent with the character and scale of surrounding developments. For example, similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials shall be suitable for outdoor use, easily maintained, and have at least a 10-year expected service life.
 4. Bus stops, as a pedestrian amenity, shall conform to standards of the Lane Transit District.
- (b) The proposal contains an equally good or superior way to achieve the intent of Section 40.100 (7) (a)-(c).

40.110 SPECIFIC DEVELOPMENT STANDARDS FOR MIXED-USE DISTRICTS

(1) MUC Development Standards.

(a) Preservation of the Commercial Land Supply

1. 100 percent of a new mixed use building footprint may be developed for commercial uses.
2. A minimum of 60 percent of the ground floor area within a new building in the MUC District shall be dedicated to commercial uses to ensure that commercial land is preserved for primarily commercial purposes. Up to 100 percent of any building may be developed for residential uses so long as 60 percent of the total ground floor area within the development area is devoted to commercial uses.

Exception: This provision shall not apply when commercial uses are proposed for an existing residential building within a commercial district that was within a commercial district prior to the adoption of the MUC District.

~~Exception: 100 percent of all residential uses shall be on the second story or above in the area designated Downtown Mixed Use in the Springfield Downtown Refinement Plan.~~

3. The commercial uses on an MUC site shall be developed prior to or concurrently with other proposed uses. Concurrency may be established by approval of a master plan that provides for a mix of uses that includes commercial and other proposed uses.
- 4.

Exception: This provision shall not apply to residential and/or limited manufacturing uses that are in existence as of the adoption of the MUC District.

- (b) ~~Maximum Footprint for Retail Uses. The maximum building footprint for a single commercial use shall be 50,000 square feet.~~ Maximum Footprint for Retail Uses. The maximum building footprint for a grocery store shall be 70,000 square feet. The maximum building footprint for other single tenant wholesale or retail uses shall be 50,000 square feet. The maximum footprint for all other uses shall be based upon lot coverage and building setbacks.

- (c) Minimum Floor Area Ratio. A minimum floor area ratio (FAR) of .40 shall be required for all new development or redevelopment in the MUC ~~District~~ portion of the Downtown Mixed Use Area. A FAR of .30 is required for new development on lots greater than 1 acre in the MUC district outside of the Downtown Mixed Use Area. FAR is defined for this purpose as the amount of gross floor area of all buildings and structures on the building lot divided by the total lot area.

(2) MUE Development Standards

(a) Preservation of the Industrial Land Supply

1. A minimum of 60 percent of the gross floor area within a MUE District shall be dedicated to industrial uses to ensure that industrial land is preserved for primarily industrial purposes.

Exception: Pre-existing structures and uses shall be covered under the provisions of Article 5 of this Code that addresses continuing non-conforming uses.

2. "Businesses and Professional Offices and Personal Services" listed in Section 40.020(4) of this Article shall not have a ground floor area of more than 5,000 square feet for any one use.
3. The industrial uses on an MUE site shall be developed prior to or concurrently with any other commercial or residential uses. Concurrency may be established by approval of a master plan that provides for a mix of uses that includes industrial and other proposed uses.
- 4.

Exception: Commercial and/or residential uses that are in existence as of the adoption of this MUE District.

(b) Minimum Floor Area Ratio. A minimum floor area ratio of .25 is required for all new development or redevelopment in the MUE District.

(c) On-Site Design Standards specified in Section 21.120 of this Code shall apply to development in the MUE District with the following exception:

1. Outdoor storage is allowed, but storage areas shall not be permitted in front or street-side yards.
2. Outdoor storage shall be screened from the view of adjacent properties and from public rights-of-way as specified in Section 31.160(2) of this Code. Painted structural screens shall match the building color scheme of the development area.
3. The minimum landscaped open space and the maximum impermeable surface standards specified in Section 21.120 (2) of this Code shall be reduced to 25 percent and 75 percent respectively.

(3) MUR Development Standards

(a) Preservation of the Residential Land Supply

1. A minimum of 80 percent of the gross floor area within a MUR district shall be dedicated to multi-unit residential uses to ensure that medium and high density land is preserved for primarily residential purposes.

Exception: Pre-existing structures and uses shall be covered under the provisions of Article 5 of this Code that addresses continuing non-conforming uses.

2. The residential uses on an MUR site shall be developed prior to or concurrently with any other commercial or industrial uses. Concurrency may be established by approval of a master plan that provides for a mix of uses that includes multi-unit residential and other proposed uses.

Exception: Commercial and/or industrial uses that are in existence as of the adoption of this MUR District.

(b) Minimum/Maximum Residential Densities.

1. Minimum residential densities for strictly residential development within an MUR district shall be 20 units per gross acre.
2. Minimum residential densities for developments that include mixed uses within an MUR Zone shall be 12 units per gross acre.

Exception: If less than 20 units per gross acre are provided, the development shall include a minimum of 10 percent of the total gross floor area in nonresidential uses.

3. There shall be no maximum residential densities established for the MUR District. Building heights shall regulate maximum densities.

(c) Nonresidential Uses.

1. Nonresidential uses in the MUR District shall not exceed 5,000 sq. ft. of ground floor area for each separate use and shall be limited to a maximum of 20 percent of the total gross floor area in the development area.
2. Nonresidential uses developed as part of a mixed use building that includes housing shall be developed to maintain a minimum density of 12 dwelling units per acre. When a development site is composed of two or more phases, each phase shall also meet this standard.

Exception: Civic uses shall not be a permitted use in the MUR District.

(d) All development in the MUR District complies with the standards specified in Section 16.110 Multi-Unit Design Standards.

Exception: Section 16.110 (e) 1 of this Code exempts multi-unit developments in mixed-use buildings from the minimum open space standards.

40.120 PHASED DEVELOPMENT.

- (1) If development is planned to occur in phases, a phased development plan shall be submitted concurrently with the Site Plan application specified in Section 31.020 of this Code and shall include the following information:
 - (a) The North arrow and property boundaries and dimensions.
 - (b) Existing buildings and dimensions with distances from property lines and other buildings.
 - (c) The location of future right-of-way dedications based on TransPlan, the adopted Local Street Network Plan and the block length and size standards specified in Section 40.100(5) of this Article.
 - (d) A re-division plan at the minimum density required by this subsection, for any lot that is large enough to further divide or a plot plan showing building footprints for MUC minimum densities.
 - (e) The location of natural resources, regulated wetlands, natural drainage/stormwater management areas and wooded areas showing how future development will address preservation, protection or removal.
 - (f) Adopted public facilities plans.
 - (g) The intended use, residential, commercial, and/or industrial and size in square feet of each building.
 - (h) The ratio of the square footage of each intended use, residential, commercial, and/or industrial to the total square footage of the buildings in each phase of the development.
- (2) Site plan review shall include the monitoring of the ratio of uses to ensure that the proposed development maintains the ratio of:
 - (a) Commercial and non-commercial uses as specified in Subsection 40.120(1)(a) of this Article; or
 - (b) Industrial and non-industrial uses as specified in Subsection 40.120(2)(a) of this Article; or
 - (c) Residential and non-residential as specified in Subsection 40.120(3)(a) of this Article.

(Ord. 6015 06/03/2002): Article 40 Adopted

City Of Springfield
 Development Services Department
 October 4, 2005

Staff Report

Applicant: City of Springfield	Journal No. LRP2005-00029
Request: To make text amendments to Article 40 of the Springfield Development Code for the purpose of making implementation of mixed use and nodal development more viable.	ProcedureType: Type IV-- Legislative

I. Executive Summary

The City of Springfield added two new Articles into the Springfield Development Code in June 2002 for the purpose of establishing mixed use zoning districts and nodal development overlay districts. Article 40—Mixed Use Zoning Districts and Article 41—Nodal Development Overlay District provide a policy framework for allowing the compatible mixing of commercial, residential and employment activities. To make mixed-use and nodal development areas attractive and livable, special design standards apply to the appearance and layout of buildings that are not required in other zoning districts. Mixed-use and nodal development areas also have standards related to minimum development density and certain restricted uses that stem from TransPlan, Eugene-Springfield’s transportation system plan.

In the wake of Eugene’s experience with implementing nodes in the Spring of 2003, the Springfield Council expressed its own concerns and directed staff to review Article 40 of the Development Code to determine if it contained policies that might inadvertently be a stumbling block to desired development in nodes.

In late October 2003, Eugene and Springfield staff jointly convened a panel of architects and developers with project experience in the area to evaluate Springfield’s policies for implementing nodal development. This group met three times and contributed to the proposed amendments in this packet. In addition, Springfield staff reviewed recommendations made by ECO Northwest, a consulting firm charged with making recommendations to the City about how to successfully implement nodal development from both the community and the developer’s perspective. The recommendations of the architects, developers, and ECO Northwest form the basis the changes that have been recommended.

Amendments 1-7 below modify development standards and allowed uses. These changes seem relatively minor, but can have an important impact to the viability of potential development. Amendment 8 is an important change that inserts a new policy that allows for flexibility and

innovation in meeting the intent of certain mixed-use standards. These changes are summarized below.

1. Relax the density requirements (expressed as "floor area ratio" or FAR) for mixed-use development outside of the Downtown. The current requirement is an FAR of .40. This proposal reduces the density to .30 outside of the Downtown Refinement Plan District area. The reduced density ratio is comparable to the existing .29 FAR at the Mohawk Center development.

2. Increase the maximum building footprint for grocery stores in mixed-use districts from 50,000 to 70,000 square feet.

2. Allow ground level residential development in the Downtown Mixed Use area.

3. Increase allowed building heights in mixed use zones. The following changes are proposed:

- Mixed Use Commercial (MUC) zone will increase from 60 to 90 feet.
- Mixed Use Employment (MUE) zone will increase from 45 to 90 feet.
- Mixed Use Residential (MUR) will increase from 35 to 60.
- Height restrictions governing building height at the transition between mixed-use and low density residential neighborhoods will remain at 35 feet.

4. Amend certain design requirements.

- Allow drive-through uses which are designed in such a way as not to interfere with pedestrian access to buildings.
- Allow mixed use development outside of the Downtown Mixed Use District to be set back from the street where dedicated pedestrian access is provided within the development and to the nearest transit stop.
- Buildings in the Downtown shall be built to the street front. Parking will be located beside or behind new buildings.

5. Amend the list of allowed uses in mixed-use districts.

- Add auto repair and tire sales to the allowed uses in the MUC district.
- Add hospitals and branch educational facilities to the allowed uses in the MUE district.
- Clarify that "Public Offices" includes administrative offices, libraries, museums, courts, and detention facilities.

6. Add language that avoids the creation of non-conforming uses with the adoption of nodal development areas.

7. Add language that allows more flexibility in locating mixed-use districts where allowed by the Metro Plan and in areas along transportation corridors designated for commercial development where mixed use would be compatible with existing nearby uses.

8. Add a discretionary review track for mixed-use projects to allow staff more flexibility to work with developers to resolve conflicts when a design achieves the intent of the Development Code but fails in one or more details.

II. Procedural Requirements

Procedural requirements for amending Article 40 of the Springfield Development Code (SDC) are described in Article 8 and Article 14.

Article 8 indicates that the Planning Director, Planning Commission, City Council or a resident of the City can initiate amendments to the SDC. Such amendments are reviewed under a "Type IV" procedure and require public hearings before the Planning Commission and the City Council. Type IV procedures are detailed in Article 3.100 of the SDC. The proposed revisions to Article 40 were initiated by the Planning Director.

Article 14.030 (2) requires that legislative land use decisions be advertised in a newspaper of general circulation, providing information about the legislative action and the time, place and location of the hearing.

Findings:

1. The Planning Director has initiated these amendments to Article 40—Mixed Use Zoning District. The amendments are not site specific and fall under the definition of a legislative action.
2. A "DLCD Notice Proposed Amendment" was mailed to the Department of Land Conservation and Development on December 1, 2003, alerting the agency to the City's intent to amend Article 40. An updated notice was sent on August 16, 2005. The notice was mailed more than 45 days in advance of the first evidentiary hearing as required by ORS 197.610.
3. Notice of the public hearing concerning this matter was published on September 23, 2005 in the Springfield News, advertising both the hearing before the Springfield Planning Commission on October 3 and the City Council on October 17, 2005. The content of the notice followed the direction given in Section 14.030 (2) of the SDC for legislative actions.

Conclusion:

Procedural requirements described in Article 8 and Article 14 of the SDC have been followed. Notice requirements established by DLCD for amending the Development Code have also been followed.

IV. Decision Criteria and Findings

Article 8 describes the criteria to be used in approving an amendment to the SDC. It states that in reaching a decision, the Planning Commission and the City Council must adopt findings which demonstrate conformance with "1) the Metro Plan; 2) applicable State statutes; and to 3) applicable State-wide Planning Goals and Administrative Rules."

Criterion #1 "Conformance with the Metro Plan"

Findings

4. The Eugene-Springfield Metropolitan Area General Plan is the basic guiding land use policy document for the City of Springfield. The "Purpose" section of the Metro Plan describes it as a framework plan. It is intended that more detailed refinement plans, programs, and policies should supplement the Metro Plan (E. Relationship to Other Plans and Policies, page 1-5, Metro Plan).
5. The Eugene-Springfield Transportation System Plan, *TransPlan*, was adopted in 2001. Under state law, *TransPlan* is a functional plan of the Metro Plan.
6. *TransPlan* made findings and established policies that support and promote mixed-use development and nodal development.
7. Springfield's various neighborhood refinement plans are adopted supplements to the Metro Plan, and are authoritative in stating the land use policies that will guide development in the City.
8. The Springfield Downtown Refinement Plan, East Main Refinement Plan, Gateway Refinement Plan, Mohawk Specific Development Plan and the Glenwood Refinement Plan, each show mixed-use on their land use maps and discuss mixed use development in their plan texts. Included in Appendix A of this report are excerpts from these plans that refer to mixed-use development. These excerpts are not exhaustive, but they illustrate the intended application of mixed-use development in various areas of Springfield.
9. Exhortation to adopt implementing legislation for mixed use development is found in the Gateway, Mohawk and Glenwood refinement plans. This demonstrates that in principle, an amendment to the SDC adding a Mixed Use Commercial District is consistent with the Metro Plan.
10. In June 2002, the Springfield City Council adopted an ordinance that added Article 40—Mixed Use Zoning Districts and Article 41—Nodal Development Overlay District to the Springfield Development Code for the purpose of implementing the land use policy elements of *TransPlan*. In adopting Article 40, findings were made that the Article was

consistent with the Metro Plan. The addition of Article 40 to the Springfield Development Code was acknowledged by the Land Conservation and Development Commission.

11. The proposed amendments to Article 40 are consistent with Land Use Policies #2-#4 as detailed in TransPlan for nodal development. The proposed amendments moderate some development standards used to implement nodal development, but they continue to be consistent with transit supportive land use patterns described in Land Use Policies #3, and they support multi-modal improvements in new development as called for in Land Use Policy #4. Most important, the proposed amendments provide support for nodal development by applying viable design guidelines that fit the Springfield market and help mitigate the perceived risks of such development as called for in Land Use Policy #2.

Conclusion

The findings shown above demonstrate that the doctrine of mixed use development and nodal development is in substantial conformance to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and its related functional and refinement plans.

Criterion #2 "Conformance with Applicable State Statutes"

Finding

12. A text search of the Oregon Revised Statutes yielded no references to mixed-use or nodal development that prevent or limit their use as a land use policy.
13. The Oregon Legislature has supplemented Statewide Planning Goal 10—Housing, by defining certain types of housing as needed housing and by requiring specific measures be taken to assure that adequate land is available for such housing. ORS 197.303 defines needed housing, and currently provides that needed housing includes:
 - a. Locally Identified Housing Types (ORS 197.303 (1))
 - b. Ownership and Rental Housing (ORS 197.303(1)(a))
 - c. Government Assisted Housing (ORS 197.303(1)(b))
 - d. Mobile Home or Manufactured Dwelling Parks (ORS 197.303(1)(c))
 - e. Manufactured Homes on Dwelling Lots (ORS 197.303(1)(d))
14. The proposed amendments to Article 40 continue to support expanded housing opportunities and accommodate a variety of housing types. The proposed amendments to Article 40 allows for more flexibility in locating needed housing by increasing the geographic area within which mixed-use development can occur. Development standards found in Article 40 allows for and in some instances, requires increased development density. The proposed amendments to Article 40 do not reduce residential densities. Each of the needed housing types listed in ORS 197.303 are accommodated in the Mixed-Use and Nodal Development ordinances, with the exception of mobile home parks.

Conclusion

The Oregon Revised Statutes appear to be silent on the issue of mixed-use development. For lack of a prohibition against it, mixed-use development and nodal development are presumed to be allowable development forms. The impetus found ORS 197.303 for "needed housing" is supported by Article 40.

It is the conclusion of staff that the proposed amendments to Article 40—Mixed Use Zoning Districts comply with this criterion.

Criterion #3 "Applicable State-wide Planning Goals and Administrative Rules"

Findings

Compliance with Administrative Rules

15. The Oregon Administrative Rules (OAR) 660-012 is replete with references to mixed-use. In each case, mixed use is referred to as a development having transportation benefits including trip reduction.
16. OAR 660-012-040 (1) (d) supports giving priority development of transportation facilities serving mixed-use development.
17. OAR 660-012-0045 describes land use policies that local governments with a population greater than 25,000 are to implement to support transit use. The proposed amendments to Article 40 are consistent with the applicable transit oriented design standards found in this section.
18. OAR 660-012-060 (5) directs planners to assume that mixed-use development will reduce trips generated by 10% from the estimates shown in the ITE Trip Generation Manual.
19. OAR 123-065-1650 (8) (b) specifies mixed-use development as an effective strategy for use within enterprise zones.

Compliance with Statewide Planning Goals

20. *Goal 1 – Citizen Involvement.* Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process."

The proposed amendments to Article 40 were the subject of legislative public hearings advertised in the Springfield News on September 23, 2005. The Planning Commission is conducting a public hearing on October 4, 2005. The City Council is scheduled to hold a public hearing on October 17, 2005.

21. *Goal 2 – Land Use Planning.* Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted.

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan that guides land use planning in Springfield. Various adopted refinement plans and specific area plans provide more detailed direction for planning under the umbrella of the Metro Plan. The SDC implements the policies and direction of the Metro Plan. The proposed amendments to Article 40 will modify existing standards for development that implement adopted policies found in the Metro Plan and TransPlan as cited in Findings 4-10 above.

22. *Goal 3 – Agricultural Land.* Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning.

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any agricultural zoning districts. These amendments do not apply outside the urban growth boundary and, because of limitations on commercial and industrial development without full urban services, generally do not apply outside the city limits. All land in the City's urban transition area carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged.

23. *Goal 4 – Forest Land.* This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any forest zoning districts. These amendments do not apply outside the urban growth boundary and, because of limitations on commercial and industrial development without full urban services, generally do not apply outside the city limits. All land in the City's urban transition area carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged.

24. *Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources.* Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated.

Article 40 does not repeal, replace or void existing Metro Plan policy or Development Code regulations with respect to any identified natural resources. No changes to supporting ordinances or policy documents adopted to comply with Goal 5 are affected by these amendments. Section 40.110 (1)(f) specifically subjugates building design standards for mixed-use development to the standards set in Article 30 for the Historic district.

25. *Goal 6 – Air, Water and Land Resources Quality.* This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Article 40 specifies development standards for mixed-use and nodal development. These standards are subject to other development standards found in Articles 17, 31 and 32 which require site design elements that protect environmental resources as per state and federal requirements. The higher density, transit supportive development engendered by Article 40 will likely result in less dependence on the automobiles for transportation and more compact urban development. The proposed amendments do not alter the environmental protections provided by the SDC.

26. *Goal 7 – Areas Subject to Natural Disasters and Hazards.* Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

All sites within Springfield that are subject to these hazards (floodplain, erosion, landslides, earthquakes, weak foundation soils) are inventoried through a variety of sources. The proposed amendments to Article 40 do not remove or exempt compliance with other Code standards that may apply to development.

27. *Goal 8 – Recreational Needs.* This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them.

Willamalane Park and Recreation District is the entity responsible for park planning, development and maintenance in the urban transition area as well as the city limits. Article 40 encourages inclusion of open space as part of a more pedestrian-friendly development design. The proposed amendments to Article 40 do not alter policies encouraging the incorporation of open space in development design.

28. *Goal 9 – Economic Development.* Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Article 40 preserves the inventory of commercial and industrial lands while allowing compatible uses to be added to list of allowed uses. Mixed-use and nodal development supports more development density. The added flexibility of an expanded list of development uses combined with the added development density found in the proposed amendment to Article 40, are supportive of economic development. The proposed amendments to the design standards for mixed use are designed to increase the viability of development within commercial and industrially dominated nodal areas.

29. *Goal 10 – Housing.* This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing.

Mixed-use and nodal development provide flexibility in meeting future housing needs. Article 40 allows housing to be located in near (or above) commercial and employment uses. Such mixed-use housing will be primarily multi-unit residential. One of the proposed amendments increases the maximum building height for multi-unit dwellings in mixed-use areas. The amendment is designed to make increase the viability of multi-family development in mixed-use zones while preserving the livability of such developments.

30. *Goal 11 – Public Facilities and Services.* Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection.

The Eugene-Springfield Metropolitan Public Services and Facilities Plan (PFSP) is a refinement plan of the Metro Plan that guides the provision of public infrastructure, including water, sewer, storm water management, and electricity. The PFSP specifically evaluated the impact of nodal development and increased development densities on the potential node sites being considered in the Springfield area.

The PFSP is supportive of mixed-use and nodal development. Findings in the PFSP conclude that most potential nodal development sites can be provided with key urban service using existing infrastructure capacity (Finding #10, PFSP, page 11). Based on this conclusion, Policy #G7 in the PFSP states, "Service providers shall coordinate the provision of facilities and services to areas targeted by the cities for higher densities, infill, mixed uses, and nodal development" (PFSP, pg. 12). The proposed amendments do not alter Article 40 in such a way as to preclude the coordination of services in nodal areas.

31. *Goal 12 – Transportation.* The goal aims to provide "a safe, convenient and economic transportation system."

Section 660-012-0060 of the Transportation Planning Rules requires evaluation of a comprehensive plan or land use regulation amendment to determine if an amendment to the SDC significantly affects a transportation facility. The proposed SDC amendment does not: change the functional classification of an existing or planned transportation facility; change standards implementing a functional classification system; allow types of levels of use which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or reduce the level of service of a facility below the minimum acceptable level identified in the Metropolitan Area Transportation Plan (TransPlan).

Goal 12 encourages development that avoids principal reliance on one mode of transportation. Mixed use development is intended to bring people closer to where they shop and work and create, and to support pedestrian-friendly neighborhoods where walking, bicycling and transit use are attractive transportation choices.

Mixed-use and nodal development are generally recognized as development forms that can reduce reliance on the automobile. Article 40 provides for a compatible mix of residential, commercial, and employment uses, that will allow the people to live close to where they shop and work. The proposed amendments are designed to encourage mixed-use and nodal development in the Springfield market area. These changes modify but do not subvert the development standards that are intended to reduce dependence on the automobile for travel.

32. *Goal 13 – Energy Conservation.* Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Article 40 promotes higher density development that is transit supportive. This form of development allows persons to live closer to where they live and work, thus encouraging more energy efficient modes of transportation such as transit, bicycling, or walking. The proposed amendments to Article 40 do not reduce the transit supportive effect of the Article.

33. *Goal 14 – Urbanization.* This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs:

The Eugene-Springfield Metropolitan Residential Lands and Housing Study, Policy Recommendations Report (1999) found "there is sufficient buildable residential land within the existing urban growth boundary to meet the future need of the projected population. The study pointed out, however, a shortage of land zoned for medium and high density residential development in Springfield.

The Springfield Commercial Lands Study (February 2000) indicated that there is a general shortage of commercial land for future development. The Metro Area Industrial Lands Study (1992) indicated there is surplus of heavy industrial lands. Subsequent market analysis performed for the Jasper-Natron Specific Area Plan, indicated that there was actually a shortage of Campus Industrial zoned land in the metropolitan area.

Article 40 is written so as to protect the supply of commercial and industrial lands while increasing the flexibility with which medium and high density residential development can be located. This is accomplished by establishing and protecting a dominant mixed use types. Article 40—Mixed-Use Zoning Districts, describes three types of mixed-use development: Mixed-Use Commercial, Mixed-Use Residential, and Mixed-Use Employment (Industrial). In each mixed use district, the dominant use (commercial, residential or employment) is protected while allowing other compatible uses to be integrated with the dominant uses. The proposed amendments do not change this aspect of Article 40.

Goal 14 also encourages compact forms of development within urban growth boundaries. Mixed use accomplishes higher density development and the economies that accompany efficient and orderly urban growth. Article 40 facilitates more intense development within the Urban Growth Boundary. Article 40 actually requires minimum development

densities that are higher than those found in zoning designations that don't employ mixed-use.

34. *Goal 15 – Willamette River Greenway.* Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

The proposed amendments to Article 40 do not change the obligation to comply with the City's existing standards for development with respect to the Willamette River Greenway. The Greenway provisions allow development of permitted uses in the underlying zone, provided that all other Greenway requirements are satisfied. The City's adopted, acknowledged Greenway ordinance will not be changed.

35. *Goals 16 through 19 – Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.* There are no coastal, ocean, estuarine, or beach and dune resources within the City's jurisdiction. These goals do not apply in Springfield.

Conclusion

The Oregon Administrative Rules clearly view mixed-use development as a means of achieving transportation planning goals and is specifically encouraged in state enterprise zones. The proposed amendments to Article 40, based on the findings included above, are consistent with Oregon's Statewide Planning Goals. Mixed-use development implements the intent and direction set by Statewide Planning Goals 11, 12 and 14. The amendments support mixed-use and nodal development while increasing the viability of such development within the Springfield market.

It is the conclusion of staff that the proposed amendments to Article 40—Mixed Use Zoning Districts comply with this criterion.

V. Conclusion and Recommendation of Staff

Based on the findings of staff with respect to the criteria defined in Article 8 for approving amendments to the SDC, staff find the proposed amendments to Article 40—Mixed-Use Zoning Districts to be consistent with these criteria and recommend approval of the amendment.