



SUPPLEMENTAL AGENDA COVER MEMO

Memorandum Date: April 28, 2025
First Reading Date: April 1, 2025
Second Reading/Joint Public Hearing: April 21, 2025
Third Reading/Continued Joint Public Hearing: May 5, 2025
Fourth Reading/Deliberations: June 24, 2025

TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division, Planning Program
PRESENTED BY: Jared Bauder, Senior Planner, Lane County
Andrew Limbird, Senior Planner, City of Springfield
PROJECT NAME: Springfield Development Code Amendments for the Campus Industrial District
AGENDA ITEM TITLE: **ORDINANCE NO. 25-03** / In the Matter of Amending Lane Code 10.600-15 to Co-Adopt Amendments to Springfield Development Code Sections 3.2.400 and 6.1.110 for the Campus Industrial District and Adopting a Savings and Severability Clause and Providing an Effective Date.
(Local File No.: 509-PA25-05073/ City File No.: 811-24-000215-TYP4)

I. MOTION OPTIONS

1. May 5, 2025 (3rd Reading/Continued Joint Public Hearing):

- 1) (RECOMMENDED) MOVE TO APPROVE THE THIRD READING AND TENTATIVELY APPROVE ORDINANCE NO. 25-03 AS PRESENTED AND SET A FOURTH READING AND DELIBERATIONS FOR JUNE 24, 2025;**
- 2) MOVE TO APPROVE THE THIRD READING AND REVISE ORDINANCE 25-03 AS DIRECTED BY THE SPRINGFIELD CITY COUNCIL AND/OR THE BOARD OF COMMISSIONERS AND RETURN FOR A FOURTH READING (DATE CERTAIN: JUNE 24, 2025) AND DELIBERATIONS ON THE REVISED ORDINANCE (SUMMARIZE REVISIONS);**
- 3) MOVE TO SET A FOURTH READING AND CONTINUE THE PUBLIC HEARING (DATE AND TIME CERTAIN), AND DIRECT STAFF TO REVISE ORDINANCE NO. 25-03 AS DIRECTED BY THE BOARD AND/OR CITY COUNCIL (SUMMARIZE REVISIONS);**
- 4) MOVE TO NOT APPROVE ORDINANCE 25-03.**

II. AGENDA ITEM SUMMARY

At the April 21, 2025, Joint Public Hearing, the Board and City Council both made motions to continue the public hearing to May 5, 2025. This allowed additional public testimony to be submitted on the matter and allowed the City Council and Board to have additional opportunity to review the public testimony that was submitted in the afternoon ahead of the public hearing on April 21, 2025.

If the Board and Council decide to close the public hearing, staff requests that Board make a motion to tentatively approve Ordinance 25-03 as presented and set the deliberations meeting for June 24, 2025. The Springfield City Council is tentatively scheduled to hold a deliberations meeting on the Ordinance on June 2, 2025. If the City Council adopts the city Ordinance, the Board is tentatively scheduled for its third reading of the Ordinance on June 24, 2025.

The City of Springfield Briefing Memo summarizing the public testimony received is included as **Attachment 1**.

The written public testimony received on April 21, 2025, has been included as **Attachment 2** and **Attachment 3**.

The applicant's response to public testimony is included as **Attachment 4**.

III. BACKGROUND, DISCUSSION, & APPROVAL CRITERIA

For the full in-depth summary and analysis of the changes being made to the SDC, please refer to the Agenda Cover Memo from the 1st and 2nd Reading meetings, dated March 14, 2025: https://cdns.m5-hosted.civillive.com/UserFiles/Servers/Server_3585797/File/Government/BCC/2025/2025_AGENDA/AS/040125agenda/T.8.A.pdf

The Board is being asked to consider approval of Ordinance 25-03 (**see Attachment 5**) to adopt amendments to the Campus Industrial District section of the City of Springfield's (the City) Development Code. Specifically, a commercial property owner is requesting text amendments to the Springfield Development Code (SDC) to:

- modify the definition of "business park" and to amend provisions of the Campus Industrial district.
- Clarify and expand upon the types of uses allowable in Business Parks within the Campus Industrial District;
- Allow for medical offices and medical clinics in Business Parks within the Campus Industrial District; and
- Allow for offices that serve the public in Business Parks within the Campus Industrial District.

Amendments to the City's Development Code must be reviewed and adopted by the Board of Commissioners (the Board) for the regulation of lands between Springfield City Limits and the Springfield Urban Growth Boundary (UGB), which are urbanizing areas subject to Lane Code Chapter 10. This proposal is in accordance with the urban transition agreement made between Lane County and the City, which requires joint development and adoption of land use regulations within the Springfield urbanizing area.

IV. RECOMMENDED MOTION

May 5, 2025 (3rd Reading/Continued Joint Public Hearing):

- 1) MOVE TO APPROVE THE THIRD READING AND TENTATIVELY APPROVE ORDINANCE NO. 25-03 AS PRESENTED AND SET A FOURTH READING AND DELIBERATIONS FOR JUNE 24, 2025.

IV. TIMING & FOLLOW UP

Following the May 5th, 2025, Continued Joint Public Hearing, the Springfield City Council is scheduled to deliberate and take action on the City Ordinance on June 2, 2025. If the Board moves to approve the Third Reading of the Ordinance and close the public hearing on May 5, 2025, the Board's Fourth Reading and Deliberations/Action meeting is currently tentatively scheduled for June 24, 2025.

V. ATTACHMENTS

1. Springfield Briefing Memo
2. Public Testimony – Gelardi
3. Public Testimony – Hathaway
4. Applicant's Response to Testimony - Phelps
5. Draft Ordinance No. 25-03
 - **Exhibit A:** Draft City Ordinance with Exhibits
 - **Exhibit B:** Proposed Changes to Lane Code 10.600-15 (*BCC & Legislative versions*)
 - **Exhibit C:** Staff Report & Findings of Fact

Lane County

ATTACHMENT 1

Springfield Briefing Memo

MEMORANDUM

City of Springfield

Date:	May 5, 2025	
To:	Springfield Mayor and City Council Lane County Board of Commissioners	COUNCIL AND COMMISSION
From:	Andy Limbird, Senior Planner	BRIEFING
Subject:	Proposed Development Code Amendments for Campus Industrial District	MEMORANDUM

ISSUE:

On April 21, 2025 the Springfield City Council and the Lane County Board of Commissioners opened a joint public hearing for proposed text amendments to the Campus Industrial (CI) District and Definitions sections of the Springfield Development Code (SDC).

COUNCIL GOALS/MANDATE:

Encourage Economic Development and Revitalization through Community Partnerships

BACKGROUND:

A commercial property owner has advanced proposed text amendments to the Campus Industrial District section of the City's Development Code. The applicant's submitted narrative and testimony provided at the joint public hearing opened on April 21, 2025 emphasize a need to diversify the allowable tenancies in Campus Industrial business parks including medical clinics and offices that serve the public.

Both the City Council and Board of Commissioners commented that the staff report packet and related materials contained a lot of information and that it was difficult for elected officials to review hundreds of pages of reports and analyses in just a few days leading up to the joint public hearing meeting. Additionally, the legislative version of the proposed Development Code text amendments was near the end of the assembled exhibits so it was literally buried in pages of application materials, applicant narrative and traffic analysis reports. The joint public hearing was continued to the May 5 regular meeting to allow Councilors, Commissioners, staff, applicant and respondents time to review and digest the information presented at the public hearing meeting.

Respondents providing written and verbal testimony at the joint public hearing oppose the requested textual changes and cite a number of concerns about the proposal, including a potential lack of transportation and utility capacity and emergency services to serve the expanded range of uses in the Campus Industrial District; potential for extended operating hours that fall outside traditional "daytime" business hours; proliferation of medical and medically-related business activities that will change the complexion of the Campus Industrial District; the concern that every building and use will automatically become a "business park"; and the availability of alternative sites in vacant land surrounding the existing PeaceHealth hospital campus.

DISCUSSION:

Staff has re-ordered the materials in the report packet to make the proposed legislative version of the Development Code amendments easier to access and review. Additionally, staff has summarized and responded to the key points made in written and verbal testimony submitted at the public hearing.

Respondents' Issue #1 – Lack of Goal 12 (Transportation Planning Rule) Analysis: At the Planning Commission public hearing in November 2024 and at the April 21, 2025 joint public hearing of the City Council and Lane County Board of Commissioners, both verbal and written testimony submitted to the record questioned the Goal 12 findings pertaining to the state Transportation Planning Rule (TPR). Respondents stated that there was no meaningful review or analysis of Goal 12 and that the scope of the review needed to include the entire CI zoning district.

Staff Response to Issue #1: The applicant has submitted a TPR analysis prepared by an Oregon registered professional traffic engineer that shows the proposed Development Code text amendments will not have a significant affect on local and regional transportation facilities, including key intersections studied in the analysis. Because the respondents have not specified which part(s) of the applicant's TPR analysis is faulty or submitted another TPR analysis prepared by an Oregon professional traffic engineer to refute the applicant's analysis, their contention that the existing transportation network is not sufficient to support the proposed CI District text amendments has no merit. Further to this issue, because the proposed text amendments are specific to "business parks" and are not a global change to the CI District, it is infeasible for the applicant or their Traffic Engineer to: (1) speculate which existing properties (developed or vacant) in the CI District might become a business park in the future, and (2) anticipate the building sizes and tenant composition of the future business park including the mix of primary and secondary uses in order to, (3) reasonably determine the traffic volumes and characteristics generated by the future business park.

Respondents' Issue #2 – Lack of Goal 11 (Public Facilities and Services) Analysis: Written and verbal testimony provided by the respondents questioned whether there was sufficient utility capacity or emergency services response to the CI District if the proposed text amendments are approved.

Staff Response to Issue #2: As discussed in the staff report for the proposed CI District text amendments, the entire North Gateway region of Springfield contains infrastructure that has been planned and constructed in anticipation of full buildout of the Campus Industrial zoning district. However, in May 2025 only a portion of the entire CI zoning district has been constructed and there are still vacant or underdeveloped properties fronting onto fully-developed City streets such as International Way and Maple Island Road. The public utility systems installed for the area were designed and intended to have sufficient capacity for the existing and anticipated future uses in the CI District, including changes of building tenancies that could occur with or without the proposed Development Code amendments. The City has adopted public facilities and services plans that typically incorporate a 20-year planning horizon and these plans are periodically updated to reflect existing capacity and projected utility system demand, completed projects, changes in development patterns and evolving state and federal regulations. As each new residential, commercial and industrial site develops in Springfield it is the responsibility of the developer to provide for the extension of necessary utility connections to the property to ensure it is adequately serviced.

The Campus Industrial District does not typically generate a higher number of calls for police or emergency services when compared to other zoning districts. It is an accepted principle of environmental design that occupied commercial and industrial sites tend to deter crime and criminal activity because there are more "eyes on the street" and elevated vigilance by customers and employees.

However, as seen recently with the former Royal Caribbean call center site, these emergency calls increase significantly if a building or site gets shuttered.

Respondents' Issue #3 – Extended Operating Hours for Business Park Uses, Particularly Medical Clinics: At the joint public hearing meeting on April 21 the respondents expressed concerns about business park uses, especially medical clinics and medical offices, that could have extended operating hours. Respondents recommended limiting operating hours for these types of uses.

Staff Response to Issue #3: The applicant has addressed the concerns about operating characteristics of proposed medical clinics by limiting the services to outpatient care and precluding urgent or emergency care facilities. The City is reluctant to assign business operating hours for clinics in business parks because it should be up to the operator to determine their optimal business hours. By placing operational restrictions on these uses it means the City would be required to monitor and enforce this regulation. Furthermore, no other entities in the Campus Industrial district have constrained operating hours. The applicant testified that it is typical for industrial firms to operate outside typical “work day” hours.

Respondents' Issue #4 – Medical Uses are Proliferating and Changing the Complexion of the CI District: The respondents have expressed concern that the core nature and characteristics of the Campus Industrial District as special light industrial and manufacturing are being compromised and eroded by the incursion of medical and medically-related uses. Respondents point to the campus-like atmosphere of the area and contend that new uses will change the appearance and complexion of the district.

Staff Response to Issue #4: The perception of the respondents that the Campus Industrial District is trending toward medical and medically-related uses may be valid because of the former Sony building being converted to PeaceHealth labs and the former Symantec building now hosting Pacific Source health plans. Both uses are consistent with the Campus Industrial land use district permitted uses, and do not serve the general public. Additionally, a five-acre portion of property owned by PeaceHealth at the outer edge of the Campus Industrial land use district was recently redesignated to Commercial and rezoned to Medical Services district to facilitate construction of a physical rehabilitation hospital. The redesignation was found to be consistent with Policy E.1 of the *Springfield Comprehensive Plan – Economic Element* whereby the applicant redesignated a vacant, undeveloped site with specific characteristics (e.g. size, location and configuration) and for a specific intended employment use. Consistent with Policy E.11 and Implementation Strategy E.11.1 of the *Economic Element*, the employment use is Medical Services which represents a top “target sector” as described in the City’s Economic Opportunities Analysis.

Respondents' Issue #5 – Proposed Amendments will Automatically Convert Buildings and Uses to Business Parks: The respondents stated concerns that the proposed Development Code text amendments will facilitate conversion of any building and use into a “business park”.

Staff Response to Issue #5: An overlooked aspect of the Campus Industrial District is that all primary and secondary uses have to go through a pre-certification process. Unlike all other residential, commercial and industrial districts, Springfield Development Code (SDC) 3.2.435(A) requires that: “CI District uses shall be monitored by implementing a Pre-certification process. The purpose of Pre-certification is to determine whether a proposed use is, in fact, a permitted use within the CI District. Pre-certification applies to all new uses and any change of use in the CI District.” In the accompanying staff report (Attachment 1, Exhibit B), it was found that about 55% of the overall Campus Industrial acreage has been developed and 45% remains vacant or underdeveloped. It was also found that a significant amount of the vacant acreage is encumbered by the McKenzie River floodway so the net acreage is much less than the

gross acreage contained within the zoning boundary. Staff determined that about 15 acres of land can be attributed to existing Business Parks, including the applicant's (Hawes) property and the McKenzie Gateway Business Park. Based on these acreages, even if all remaining vacant and underdeveloped Campus Industrial zoned land was developed with Business Parks, the total amount of existing and hypothetical Business Parks would only be about 32% of the total developable acreage in the Campus Industrial District. This theoretical outcome does not equate with a widespread proliferation of Business Parks identified as a significant concern by the respondents in their testimony. For this reason, the respondents' suggestion that the proposed Development Code text amendments will cause the Campus Industrial District to be populated primarily with medical clinic uses in Business Parks is not supported by the evidence.

Respondents' Issue #6 – Site Medical and Medically-Related Uses in Vacant Land on the PeaceHealth Campus: Respondents have stated on multiple occasions that the use of Campus Industrial properties for medical uses, including medical offices and clinics in business parks as proposed by the applicant, should not be supported. Instead, these activities should locate on the vacant properties surrounding the Sacred Heart Medical Center at Riverbend.

Staff Response to Issue #6: There is nearly 30 acres of vacant or underdeveloped property located west of the Sacred Heart Medical Center at Riverbend. The property is comprised of nine parcels that are located between Riverbend Drive and Martin Luther King, Jr. Parkway, and between MLK Parkway and Game Farm Road. Despite the perceived attractiveness and availability of these vacant sites to medical uses, no sale or development of these properties has occurred since the Women's Care Center at 3100 MLK Parkway was built in 2007. The lack of any recent site development or property transactions strongly suggests that PeaceHealth is not in any hurry to divest itself of these parcels. More importantly, neither the City nor the applicant can compel PeaceHealth to offer up alternative sites to discourage legitimate uses from establishing in the Campus Industrial District. There are development constraints, such as location in the 100-year floodplain, that may make development of new buildings for medical uses more difficult than reuse of existing buildings.

Conclusion: Based on the findings and evidence in the staff report, the applicant's submittal, this supplementary Briefing Memo and testimony entered into the record, the objections of the respondents are found to not have merit and the requested amendments to the Campus Industrial District should be duly considered by the City Council and Lane County Board of Commissioners.

RECOMMENDED ACTION: Conclude the public hearing and conduct deliberations on the proposed amendments to the Campus Industrial District then take action to adopt, modify or not adopt the implementing Ordinance.

Lane County

ATTACHMENT 2

**Public Testimony
GELARDI**



Michael J. Gelardi
541-689-3094
mike@gelardilaw.com

April 21, 2025

VIA EMAIL TO alimbird@springfield-or.gov; Jared.Bauder@lanecountyor.gov

Springfield City Council
c/o Andy Limbird, Planner
225 Fifth Street
Springfield, OR 97477

Lane County Board of Commissioners
c/o Jared Bauder, Planner
3050 N Delta Highway
Eugene, OR 97408

Re: Richardson Sports' hearing statement concerning proposed Campus Industrial Zoning District text amendments (City file no. 811-24-000215-TYP4; County file no. 509-PA25-05073)

Dear City Councilors and County Commissioners,

My law firm represents Richardson Sports in this code amendment process. Richardson's manufacturing plant and company headquarters are located at 500 International Way in the Springfield Campus Industrial (CI) zone. Richardson invested in and developed its facility at this location a decade ago because of Springfield's vision and planning for this neighborhood as a premier regional business park. The City encouraged Richardson's move to help develop the neighborhood. The company currently employs approximately 400 people at this location. Richardson therefore has a strong interest in the local area and in the proposed zoning code changes that are before you.

This letter summarizes Richardson's position regarding the proposed zoning code changes and proposes compromise rules to foster the business environment in the neighborhood and ensure appropriate planning for future local development.

1. The City and County should preserve the CI zone as primarily a private employment and manufacturing area consistent with the City's Comprehensive Plan and the Gateway Refinement Plan

The local CI zone has been the subject of many years of detailed planning actions by the City and the County to facilitate light industrial campus development, from the 1992 Gateway

Refinement Plan to the Industrial Plan designation in the new 2024 Springfield Comprehensive Plan. The City's new Comprehensive Plan states plainly that the "primary objective of [the Campus Industrial] designation is to provide opportunities for diversification of the local economy through siting of light industrial firms in a campus-like setting."¹ Similarly, one of the stated goals of the Industrial Element of the Gateway Refinement Plan is to "[e]nsure the suitability and desirability of the McKenzie-Gateway SLI Site [now the Campus Industrial zone] for its primary intended (Special Light Industrial) use in a way that is consistent with the campus-industrial park concept."²

Nevertheless, as documented in the attached map (Exhibit A), the local neighborhood is trending towards a majority medical use zone.³ This is despite the fact that large areas of other land to the south and east of the CI zone near Riverbend hospital have been planned and zoned for medical uses and much of this land remains undeveloped.⁴ This trend undermines the land use plan for the area and makes the neighborhood less attractive to the employers that the City has long sought for the area.

Given this situation, the proposed CI zone rules go too far in expanding the scope of allowed medical and other public uses in the CI zone. Specifically, the City should not allow clinics as a primary use in the CI zone in order to ensure that the zone remains primarily a light industrial zone as required by the City Comprehensive Plan and the Gateway Refinement Plan of the Metro Plan. Richardson's edits to the proposed code changes shown in Exhibit B address this issue, while still providing ample opportunities for the use of the Hawes property and other land in the zone.

2. The City has not met state planning requirements for public services and traffic associated with expanded medical facilities and public uses in the zone

A. Goal 11 public services planning

The proposed code amendments require Hawes and the City to demonstrate compliance with Oregon's Statewide Planning Goals. Goal 11 concerns public facilities and services

¹ Springfield Comprehensive Plan (2024 compilation) at 8.

² Gateway Refinement Plan at 6 (Interim Printing March 24). The map of Industrial Areas on page 26 confirms that the McKenzie-Gateway SLI site is the Campus Industrial zone along International Way.

³ For example, PacificSource is planning an elder care facility on its CI zone property and City staff recently approved a county health facility on the PacificSource campus. See Exhibit C. In addition, PeaceHealth and Lane County are planning for behavioral health facilities in the zone as described in Exhibit D.

⁴ As shown in Exhibit A, PeaceHealth currently owns roughly 120 undeveloped acres in the general vicinity of the Riverbend hospital. This includes roughly 40 undeveloped acres south of the CI zone and west of the Riverbend hospital that is zoned Mixed Use Commercial (MUC). Clinics and other medical-related uses are permitted uses in the MUC zone. See SDC 3.2.610. PeaceHealth also has approximately 20 undeveloped acres in the Medical Services zone around the Riverbend hospital, as well as roughly 50 undeveloped acres currently zoned R-2 that could be rezoned for medical uses.

planning, including planning for police protection and sanitary facilities.⁵ Richardson is concerned that the City has not planned for the additional police and sanitation service that will be needed in the neighborhood as the result of expanded public medical and retail uses allowed by the proposed rules.

Hawes and City Staff's proposed findings dismiss this concern by stating that the new rules "cannot result in permitted uses that will have an adverse effect on the demand for public facilities and services" in the neighborhood because "[t]he CI District area of Springfield is already planned for a variety of manufacturing, corporate headquarter, business park and research and development uses."⁶ But the City has not planned for public uses such as medical clinics, retail stores and services, and restaurants in the CI zone that would be allowed under the proposed rules. Instead, the City has planned for those uses to locate in other zones including the Community Commercial District, the Mixed Use Commercial District and the Medical Services Zoning District, pursuant to the Springfield Comprehensive Plan and the Gateway Refinement Plan.

This situation is similar to the recent case of *Coopman v. City of Eugene*,⁷ where the Oregon Court of Appeals held that Eugene failed to complete required Goal 11 public facilities planning for middle housing regulations that would increase residential density in Eugene. Hawes and the City of Springfield therefore may not avoid the planning requirements of Goal 11 in this proceeding.

B. Goal 12/Transportation Planning Rule

Hawes and the City also have not met state traffic planning requirements for the proposed code amendments because they have not considered how the proposed rules would affect development on other CI zoned land beyond the Hawes property. Hawes only evaluated traffic changes associated with new uses of its own property – neither Hawes nor the City have performed traffic analysis addressing the impact of expanded public uses that would be allowed throughout the CI zone.

Similar to Goal 11, Oregon courts have been clear that local governments must address Goal 12 and the state Transportation Plan Rule at the time of code amendment; they may not defer this analysis to later development permits such as Springfield's Site Plan Review process. This is illustrated by another Eugene case, *Willamette Oaks L.L.C. v. City of Eugene*, where the Court of Appeals held that the city could not wait until a planned unit development process to

⁵ See Goal 11, Planning Guideline A(3) and Eugene-Springfield Metro Public Facilities and Services Plan definition of "Key Urban Facilities and Services."

⁶ Proposed Finding 27 in City's April 21, 2025 staff report.

⁷ *Coopman v. Eugene*, 327 Or App 6, 18-20 (2023).

evaluate traffic impacts associated with a zone change that allowed land to transition to a higher residential density category.⁸

It is important to note here that the proposed rules define “business park” very broadly and apply to all development throughout the CI zone that could be permitted as a “business park” in the future. Any clinic, office or educational facility by itself is a “business park” under the proposed definition.⁹ This means not only that those uses are allowed on all land in the zone, but also that property with any of those uses also qualifies for “secondary uses” such as retail establishments, restaurants and child care centers.¹⁰ Yet Hawes and the City have not evaluated how other property developed under expanded “business park” concepts would impact the local transportation system. This lack of planning is contrary to Goal 12 and the state Transportation Planning Rule at OAR 660-012-0060 (the “TPR”).

3. Conclusion

Richardson respects Hawes’ desire to broaden its tenant base and the City’s efforts to encourage development of the International Way area. But we believe that the proposed rules stray too far from the intent of the CI zone and jeopardize the future of the area for employers like Richardson. We therefore respectfully request that the City Council and Board of County Commissioners adopt our proposed code language, which achieves the goal of providing additional development opportunity in the CI zone in a way that is consistent with state and local planning requirements.

Sincerely,



Michael J. Gelardi

Attachments

EXHIBIT A: Map of medical development in CI zone and local PeaceHealth owned land

EXHIBIT B: Richardson/G Group proposed code language

EXHIBIT C: Documents re PacificSource medical and public health facility plans

EXHIBIT D: Documents re Lane County/PeaceHealth planned behavioral health facilities

⁸ *Willamette Oaks L.L.C. v. City of Eugene*, 232 Or App 29, 32-37 (2009).

⁹ See proposed SDC 3.2.415(J)(1) and proposed “Business Park” definition at 6.1.110.

¹⁰ See proposed SDC 3.2.415(J)(2).

EXHIBIT A

**MAP OF MEDICAL DEVELOPMENT IN CI ZONE
AND LOCAL PEACEHEALTH OWNED LAND**

[See attached]

Medical Development in Campus Industrial Zone And Local PeaceHealth Owned Land

Map & tax lots 17-03-15-00-5400, 17-03-15-30-400

~18-acre site pending acquisition by Lane County/PeaceHealth for behavioral health facilities

Map & tax lot 17-03-15-40-500 (Hawes property)

~7-acre site seeking authorization for clinics on this site and throughout CI zone through code amendments

Map & tax lot 17-03-15-40-1102

~4-acre site of future LifePoint/PeaceHealth rehabilitation facility, recently rezoned Medical Services

Map & tax lots 17-03-15-40-1101, -1103, -1200

~38-acre site of existing PeaceHealth Riverbend Annex (former Sony compact disc plant)

Map & tax lot 17-03-14-00-1001

~11-acre undeveloped PeaceHealth parcel

Map & tax lots 17-03-15-30-600, 17-03-15-40-700

~29-acre PacificSource corporate headquarters seeking city approval for elder care facility; recently approved for Lane County Health and Human Services facility

Map & tax lots 17-03-14-00-1802, -1900, 17-03-23-00-1700, 17-03-23-22-100

~52-acre area zoned R-2

Map & tax lots 17-03-22-00-4102, -4200, -4000, -3500, -3900, -3600, -3401, -3402, -3800

~40 acre Mixed Use Commercial-zoned area here generally undeveloped except for parking lot

Map & tax lots 17-03-22-00-4101, -4102

~43-acre area zoned Medical Services with existing PeaceHealth hospital (~20 acres undeveloped)

Map & tax lot 17-03-22-00-3700

~8-acre undeveloped parcel zoned R-2

Legend

-  Campus Industrial (CI) zoned property
-  PeaceHealth property
-  Proposed PeaceHealth/Lane County behavioral health site
-  CI land in medical use, or approved/seeking medical use (whole or part of property)

EXHIBIT B

**RICHARDSON/G GROUP
PROPOSED CODE LANGUAGE**

[See attached]

**Richardson Sports / G Group Proposed Changes to Applicant Hawes Proposed
Springfield Development Code Amendments
Concerning Business Parks in the Campus Industrial District**

Richardson Sports proposes the following revisions to the CI District code amendments under consideration by the Springfield City Council and Lane County Board of Commissioners. This document uses Applicant Hawes' proposed language (as recommended for approval by the Springfield Planning Commission December 3, 2024) as the base document and shows proposed deleted text in ~~strikethrough~~ and proposed added text in underline.

3.2.415. Industrial Use Categories.

* * *

(J) Business Park.

(1) Business Park primary uses include the following:

- (a) SDC 3.2.415 Industrial Use Categories: (A) Industrial Use, (C) Light Manufacturing, Fabrication, and Repair, (D) Industrial Service, (E) Warehouse and Wholesale Sales, and (G) Corporate or Regional Headquarters;
- (b) Administrative and professional offices, including private and government offices that do not generally serve the public on site; and
- (c) Educational facilities including professional, vocational and business schools, and job training and vocational rehabilitation services; ~~and~~
- ~~(d) Clinics for treatment of patients on an outpatient basis. Clinics in Business Parks must not include emergency or urgent care facilities.~~

(2) Business Park secondary uses include the following:

- (a) Retail Sales and Services (non-automobile dependent/oriented);
- (b) Eating and Drinking Establishments (without drive-through);
- (c) Child Care Center;
- (d) Bicycle Paths and Pedestrian Trails; Parks; and
- (e) Public Utility Facilities; ~~;~~ and
- (f) Clinics that are by-appointment only, are not emergency or urgent care facilities, and operate only within the hours of 6:00 a.m. and 8:00 p.m.

- (3) Business Park secondary uses must not exceed 40 percent of the total gross floor area of the Business Park. A Business Park will not be in violation of this limit due to a [temporary](#) vacancy in the primary use space of the Business Park.
- (4) Business Park [secondary](#) uses may serve the public.
- (5) Business Parks are subject to Site Plan Review as provided in SDC 3.2.455 and SDC 5.17.100, including all new Business Parks, as well as modifications of approved Business Parks that meet the thresholds set forth in SDC 5.~~17.100~~[17.110](#).

EXHIBIT C

**DOCUMENTS RE PACIFICSOURCE MEDICAL
AND PUBLIC HEALTH FACILITY PLANS**

[See attached]

City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477



Development Initiation Meeting (DIM)

Required Project Information		(Applicant: complete this section)	
Prospective Applicant Name:	PacificSource attn: Laurie Kidd	Phone:	541-228-7847
Company:	PacificSource	E-mail:	Laurie.Kidd@pacificsou
Address:	555 International Way, Springfield OR 97477		
Prospective Applicant's Rep.:	Teresa Bishow, AICP	Phone:	541-514-1029
Company:	Bishow Consulting LLC	E-mail:	teresa@bishowconsultin
Address:	P.O. Box 50721, Eugene OR 97405		
Property Owner:	PacificSource Properties, LLC	Phone:	
Company:		E-mail:	
Address:	555 International Way, Springfield OR 97477		
ASSESSOR'S MAP NO:	17-03-15-30	TAX LOT NO(S):	600
Property Address:	Assessor Map 17-03-15-40, Tax Lot 700 / 555 International Way		
Size of Property:	28.55	Acres	☒
		Square Feet	☐
Description of	If you are filling in this form by hand, please attach your proposal description to this application.		
Proposal:	PacificSource plans to offer Program of All-Inclusive Care for the Elderly (PACE) in Lane County		
Existing Use:	PacificSource Headquarters will expand services to include PACE		
# of Lots/Parcels:	2	Avg. Lot/Parcel Size:	14 acres sf
		Density:	NA du/acre
Prospective Applicant:		Date:	2/13/2024
	Signature Laurie Kidd for PacificSource		
	Print		
Required Project Information		(City Intake Staff: complete this section)	
Case No.:		Date:	
		Reviewed by:	
Application Fee: \$		Technical Fee: \$0	
		Postage Fee: \$0	
TOTAL FEES: \$		PROJECT NUMBER:	



Campus Industrial Zoning District Use Pre-Certification

Development Type		<i>(Applicant: complete this section)</i>	
New Construction: ☒	Addition/Expansion: ☐	Change of Use: ☒	
Required Project Information		<i>(Applicant: complete this section)</i>	
Applicant Name: PacificSource / Laurie Kidd		Phone: 541-228-7847	
Company: PacificSource		Fax:	
Address: 555 International Way, Springfield OR 97477			
Applicant's Rep.: Teresa Bishow, AICP		Phone: 541-514-1029	
Company: Bishow Consulting LLC		Fax:	
Address: P.O. Box 50721, Eugene OR 97405			
Property Owner: PacificSource Properties, LLC		Phone:	
Company:		Fax:	
Address: 555 International Way, Springfield OR 97477			
ASSESSOR'S MAP NO:	TAX LOT NO(S):	17-03-15-30 TL 600 17-03-15-40 TL 700	
Property Address: 555 International Way, Springfield OR 97477			
Building Gross Floor Area: 400,000 square feet			
Size of Property: Two lots have combined total of 28.54 Acres ☒ Square Feet ☐			
Additional Information & Signatures: Please fill in the required information and sign and print your name and date in the appropriate box on the following pages.			
Required Property Information		<i>(City Intake Staff: complete this section)</i>	
Date: 6/26/24		Reviewed by: MARK RUST	
Zoning District: CI		Overlay District(s): FP	
Location: City Limits ☒ UGB ☐			
Decision: Approved ☒ Denied ☐ Reason for Denial (if applicable): Use allowed as secondary/accessory to existing Pacific Source use as corporate office/headquarters.			
Director Signature: [Signature]		Date: 6/26/24	

Required Project Information**(Applicant: complete this section)****Proposed Use /
Description of
Proposal:**

NOTE: If the proposed use or expansion is not on the use lists in SDC 3.2-415 and is not a light industrial manufacturing use, explain how the proposed use is similar to a use on these lists. Also, if you are filling in this form by hand, please attach your proposal description to this application.

Please refer to letters submitted on March 1, 2024 and April 3, 2024.

Proposed number of full-time or full-time equivalent employees at occupancy:

Warehousing may only occur as a secondary use. In order to have a secondary use, there must be a primary use. If a warehousing use is proposed, specify the proposed number of full-time equivalent employees for both the primary use and the warehouse use: **Primary Use:** PacificSource Corporate Headquarters **Warehouse Use:** NA

Operational Performance Standards

The following questions are based on the Operational Performance Standards specified in SDC 3.2-425. Please respond to all questions. Any additional permits required must be submitted.

	Y	N
1. Are all proposed manufacturing operations entirely enclosed within a building?	☐	☐
2. Will the proposed use meet all applicable on-site design standards specified in SDC 3.2-445?	☒	☐
3. Is the storage of raw materials and/or finished products entirely within enclosed buildings?	☐	☐
a. Is truck parking within enclosed buildings?	☐	☐
i. If no, will it be in accordance with SDC 4.6-125 and 3.2-445?	☐	☐
4. Does the proposed use primarily serve the public?	☐	☒
5. Does the proposed use regularly involve the movement of heavy equipment on or off the site?	☐	☒
6. Is the proposed use a prohibited use listed in SDC 3.2-415?	☐	☒
7. Will the proposed use produce air pollution?	☐	☒
a. If yes, is a Lane Regional Air Pollution Authority or other permit needed?	☐	☐
8. Will the proposed use involve fire and/or explosive hazards?	☐	☒
a. If yes, has approval been granted from the Fire Marshall?	☐	☐
9. Does the proposed use address glare external to the building? Use will not cause ext. glare	☐	☒
10. Will the proposed use utilize hazardous materials that may impact groundwater quality? If yes, the proposed use must comply with SDC 3.3-200, Drinking Water Protection (DWP) Overlay District.	☐	☒
11. Will the proposed use produce hazardous waste? If yes, only that waste which is permitted in accordance with OAR 340-102-0010 to 0065 or any applicable Federal regulation will be permitted.	☐	☒
12. Will the proposed use produce noise generated by any machinery or equipment? If yes, noise levels in decibels external to the building must be in accordance with OAR 340-035-0035.	☐	☒
13. Will the proposed use produce radiation? If yes, uses that involve radiation shall comply with the regulations in OAR 333-100-0001 through 0080 and any applicable Federal regulations.	☐	☒
14. Will the proposed use produce vibration?	☐	☒
a. If yes, can it be detected at any property line?	☐	☐

Signatures

Applicant:

The undersigned acknowledges that the information in this application is correct and accurate.

Laurie Kidd

Date: 5/15/2024

Signature

Laurie Kidd

Print

Owner:

If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf.

PacificSource Properties

Date: 5/14/2024

Signature

PacificSource Properties

Print



P.O. Box 50721
Eugene, OR 97405
541-514-1029
teresa@bishowconsulting.com

May 15, 2024

Mark Rust, Director
Tom Sievers, Senior Planner
City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477

Sent via email: mrust@springfield-or.gov
tsievers@springfield-or.gov

RE: PacificSource Request for Pre-Certification – Lane County Health & Human Services

Summary of Request

In accordance with SDC 3.2.435, on April 29, 2024, the City approved a Pre-certification request from PacificSource for proposed uses in the CI District at 555 International Way in Springfield. The Director's decision included the following:

"PACE Program as proposed allowed as an Accessory Use. Primary & Secondary uses allowed as listed in request memo dated March 1, 2024."

The March 1, 2024 memo submitted by PacificSource included the following Accessory Uses:

*"PacificSource PACE Program
Administrative professional or business offices including medical clinics"*

This second Pre-certification request seeks the Director's approval that Lane County Health & Human Services would be allowed at 555 International Way.

Development Site Location

The development site is shown on Assessor Map 17-03-15-30, tax lot 600 and 17-03-15-40, tax lot 700. Currently, PacificSource Corporate Headquarters occupies at least

50% of the gross square footage on the development site. Portions of Building B (west building) are leased for Trillium Community Health Plan offices and Wayfair call center.

The PacificSource corporate headquarters is the primary use on the development site and will continue to occupy at least 50 percent of the total building square footage. PacificSource owns and manages the property with control over all leases and tenants in the buildings.

Lane County Health & Human Services

Lane County Health & Human Services is looking for space and expressed an interest in locating in the PacificSource Building B (west building) at 555 International Way.

Lane County Health & Human Services considered for the PacificSource site include LaneCare behavior health care managers that service PacificSource Medicaid members in Lane County and Children & Adolescents programs. LaneCare would be approximately 20 employees. The Children & Adolescent Programs would be approximately 40 employees.

Lane County would lease from PacificSource approximately 10,000 square feet or about 2.5 percent of the total building square footage on the development site. PacificSource would remain the Primary use.

Lane County Health & Human Services currently have offices in multiple Eugene locations. They are looking to consolidate and move to one location in Springfield. The staff do see clients by appointment in the office, but spend about half of their time in the field.

Lane County Health & Human Services currently work closely with PacificSource as one of their Coordinated Care Organizations for PacificSource's Medicaid line of business and assist PacificSource Members with needs.

The two buildings on the development site are designed to provide shared use of parking, pedestrian access to transit stop, service delivery area, cafeteria, outdoor courtyard, and other amenities. The Lane County Health & Human Services offices would be designed to provide security for the tenant's space but also be integrated with PacificSource, the PACE Program, and other tenants.

Please let me know if you need any further information.

Sincerely,

Teresa Bishow

Teresa Bishow, AICP

cc: Laurie Kidd, PacificSource
Mark Raggett, GBD Architects

EXHIBIT D

**DOCUMENTS RE LANE COUNTY/PEACEHEALTH
PLANNED BEHAVIORAL HEALTH FACILITIES**

[See attached]

Behavioral Health Vision for Lane County

Board of County Commissioners Meeting: October 16th

Eve Gray, Alicia Beymer, Dr. Pauline Gichohi, Britni D'Eliso



Our Vision

- ▶ **Expansion of Inpatient Behavioral Health Beds:** PeaceHealth is partnering with Lifepoint to establish a state-of-the-art, multi-story, 96-bed behavioral health hospital through a joint venture. This collaboration aims to significantly enhance access to and capacity for inpatient behavioral health services in Oregon, particularly benefiting Lane County. The new facility will incorporate advanced technologies and therapeutic environments designed to provide comprehensive care to individuals experiencing mental health crises, thus addressing the growing demand for mental health services in the region.
- ▶ **Public-Private Collaboration:** In a groundbreaking initiative, PeaceHealth and Lifepoint are collaborating with Lane County and Connections Health Solutions to create an integrated behavioral health campus. This campus will feature both the Lane Stabilization Center and the newly planned Inpatient Behavioral Health Hospital. As the first public-private partnership of its kind in Lane County and its surrounding areas, this collaborative effort aims to meet the diverse behavioral health needs of the community. The initiative underscores a shared commitment to improving mental health outcomes through innovative solutions and coordinated care, thereby setting a new standard for behavioral health services in the region.

Public-Private Partnership

Three core entities makeup the partnership.



PeaceHealth & Lifepoint Inpatient Behavioral Health Services



Connections Health Solutions



Lane County Health & Human Services

Key Components

1. **Co-location of services:** The inpatient hospital will be located near the crisis stabilization center, allowing for efficient collaboration.
2. **Seamless continuum of care:** This integrated approach minimizes disruptions in treatment, promotes consistency in care plans, and enhances overall patient outcomes by providing continuous support through different levels of care.
3. **Comprehensive, coordinated treatment:** This holistic approach addresses both immediate and long-term mental health needs, fostering better recovery and stability.

Inpatient Behavioral Health Model of Care

The hospital will feature a range of specialized units to address the diverse needs of the community, ensuring that each patient receives tailored care in a supportive environment.

- ▶ **Adolescent Psych Beds:** Dedicated to teenagers experiencing mental health issues, these beds will provide a safe and therapeutic environment where adolescents can receive age-appropriate care. The unit will focus on integrating family involvement, educational support, and individualized treatment plans to promote recovery and resilience among young patients.
- ▶ **High Acuity Beds:** Reserved for patients requiring intensive psychiatric care, these beds will offer a high staff-to-patient ratio and access to advanced medical and therapeutic interventions.
- ▶ **Low Acuity Beds:** Designed for patients with less severe psychiatric conditions, these beds will provide a supportive environment where individuals can receive ongoing treatment and engage in therapeutic activities aimed at maintaining stability and preventing relapse.
- ▶ **Substance Dependency Beds:** This unit will focus on individuals struggling with substance use disorders, offering detoxification services, medication-assisted treatment, and comprehensive addiction therapy. The goal is to support patients in achieving long-term recovery through a combination of medical care, counseling, and peer support.

Crisis Stabilization Model of Care

Connections provides immediate access to life-saving behavioral health care in the safest and least restrictive setting, offering a treatment-focused alternative to emergency rooms and jails.

- ▶ **Adult Behavioral Health Urgent Care:** Walk-in urgent care services require no appointments, allowing individuals to simply walk in and get the care and help they need 24 hours a day, seven days a week. Door-to-psychiatric provider time is within 90-minutes.
- ▶ **Adult Behavioral Health Observation:** The 23-hour observation unit serves as a behavioral health stabilization space – with 20 recliners, instead of beds – to help individuals quickly receive more intensive treatment and care planning so they can safely return to the community. The unit accepts individuals from urgent care and directly from first responders. All discharges to the appropriate level of care occur within 23 hours and 59 minutes.
- ▶ **Adult Crisis Stabilization:** A 16-bed continued stabilization unit provides high-quality care and intensive treatment for individuals who require additional time to safely stabilize. Individuals referred from observation requiring continued stabilization services are typically connected back to the community for care in three to five days, reducing utilization of unnecessary inpatient stays.
- ▶ **Youth Behavioral Health Urgent Care:** With a separate entrance specifically for the youth population, walk-in urgent care services are available to get individuals in to see a provider quickly, 24 hours a day, seven days a week. The center also supports families and caregivers of the individual accessing care.
- ▶ **Youth Crisis Stabilization:** A 12-bed youth stabilization unit specifically designed to meet the unique needs of the youth population, supports individuals needing 23-hour observation and/or continued short-term stabilization, reducing utilization of unnecessary inpatient stays.
- ▶ **Post-acute services:** Connections' post-acute services partner with local resources and providers to help individuals overcome social or clinical barriers as they embark on their recovery journey. Individuals engaged in the program can continue to leverage services as needed.

Next Steps

To achieve this critical partnership, we will need to address barriers to implementation:

- ▶ Emphasize with OHA regulatory staff the need to continue efforts to establish crisis stabilization rules that promote a “no wrong door” model of care and sustainable reimbursement for these services
- ▶ Advocate to OHA that certificate of need approval be expedited where rules allow, and for facility and plan reviews to be processed in a timely manner
- ▶ Continue funding expanding residential treatment and community beds to promote timely throughput for both adults and youth/adolescents
- ▶ Invest in growing the behavioral health workforce

Outside Rendering



Thank You



Lane County
Oregon

[Print This Page](#)

With the help of key community partners, the Stabilization Center is being designed to best meet the needs of individuals experiencing a behavioral health crisis.

What do you need to know about Connections Health Solutions?

- Currently operates the two largest behavioral health crisis facilities in the nation
- Their model emphasizes providing treatment in the least restrictive setting
- Data from their existing programs has demonstrated improved quality and cost savings, including significantly reducing hospital admissions in Medicaid and behavioral health populations
- Company Mission: Providing immediate care to people in crisis and connecting them to long-term support within their community
- The Connections model of care has been adopted by SAMHSA and the National Council for Mental Wellbeing as a national best practice



Stabilization Center Key Performance Indicators	
How will we know the Stabilization Center is meeting needs in our community?	
REFERRALS	
Referral Source	Percentage of total referrals from self, mobile crisis, law enforcement, social service agencies, loved ones, jail release, hospital discharge, EMS, other
Program Admits	Percentage of total referrals admitted to each program (adult 23-hour, adult stabilization, youth stabilization, intake/case management only)
Referrals Triaged	Percentage of total admits triaged to medical care or higher level of behavioral health care
INDIVIDUALS SERVED	
Number Served	Total number of individuals served per program, per day
Care in lieu of Emergency Department	Percentage of total admits who historically frequented local emergency departments, based on hospital and CCO tracking
TIME LAPSED	
Length of stay in 23-hour Unit	Hours spent in the adult 23-hour unit and reason for exit (discharge or transition to stabilization unit)
Law Enforcement Transfer Time	For when Law Enforcement (LE) is involved, monitoring length of time when transferring an individual to the care of the Stabilization Center
INDIVIDUAL SATISFACTION	
Satisfaction of Individuals Served	Percentage of clients that are satisfied or extremely satisfied with care, via survey and online ratings
Number of Completed Individual Satisfaction Surveys	Percentage of total clients served who completed the survey
COST	
Total Cost of Care for each Episode	Total cost of care expressed by the number of individuals served (total episodes, rather than unique clients)
These Key Performance Indicators were developed in alignment with Oregon Health Authority standards and nationally recognized best practice for behavioral health crisis services.	

The Stabilization Center will offer 24/7 access for anyone in Lane County experiencing a behavioral health crisis via:

- **Immediate triage** and intake for care
- **Person-centered** behavioral health services
- **Connections** to specialty and/or long-term support organizations, schools, etc. can refer and provide warm handoff.
- **Discharge with transportation** and warm handoffs
- **A place to connect** with support for long term-healing

Immediate intake available for:

- **Referrals** from health care, behavioral health, and social service providers
- **Mobile crisis drop-offs and referrals**
- **Walk-ins**
- **Law enforcement drop-offs**, as a diversion for arrest, via separate entrance with a turnaround time goal of <5 minutes

Daily capacity to serve 42 individuals at a time

- Approximately 14 adult respite chairs
- Approximately 16 adult short-term stabilization beds
- Approximately 12 youth short-term stabilization beds

Annual Impact: 8200+ unique individuals served

- 6700+ unique adults
- 1500+ unique youth



PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (the “**Agreement**”) is made by and between **CAS Investments Rice Farms, LLC, and STATE INVESTMENTS LLC, Oregon limited liability companies** (jointly the “**Seller**”), and **Lane County, a political subdivision of the State of Oregon** (the “**Buyer**”), effective as of the date the last party signs the Agreement (the “**Acceptance Date**”).

RECITALS:

A. Seller owns the fee simple interest in and to certain real property consisting of: Tax Account number #1709482, Map and Tax Lot Number 17-03-15-00-05400, approximately 12.07 acres, more fully described as Land Partition Plat Number 94-P0499, as platted and recorded in Lane County Oregon Partition Records, in Lane County, Oregon.

B. State Investments LLC owns the fee simple interest in and of certain real property consisting of: Tax Account number #1518669, Map and Tax Lot Number 17-03-15-30-00400, approximately 5.88 acres, more fully described as Land Partition Plat Number 99-P1243, as platted and recorded in Lane County Oregon Partition Records, in Lane County Oregon.

C. All roads, easements, rights of ingress and egress, licenses, and other appurtenant rights owned by Seller and all use permits in Seller’s name, the “**Oregon Property**”, are made a part hereof.

1. RECITALS. The above Recitals are incorporated herein by reference.
2. SALE OF PROPERTY. Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the Oregon Property in accordance with the terms and conditions set forth in this Agreement.
3. PURCHASE PRICE. The purchase price for the Properties is Seven Million, Eight Hundred Nineteen Thousand and Twenty Dollars (\$7,819,020.00) (the “**Purchase Price**”), payable as follows:
 - (a) Within ten (10) business days from the Acceptance Date, the Buyer shall deposit with the Title Company (defined below) the sum of Two Hundred Thousand Dollars and No/100 (\$200,000.00) (the “**Earnest Money**”) in cash. The deposit shall be invested by escrow holder in an interest-bearing account selected by Seller with all interest accruing thereon to be deemed part of the Earnest Money. The Earnest Money and the proceeds thereof when paid by the Buyer as provided herein shall be held by the Title Company under the terms of this Agreement. The Earnest Money shall either be credited to the Purchase Price and paid to the Seller on the Closing Date (defined below), or be refunded to the Buyer, or retained by Seller as liquidated damages as provided in this Agreement. Ticor Title Company, Attn: Alli Swallow, 111 SW Columbia Street, Suite 1000, Portland, Oregon 97201
 - (b) The balance of the Purchase Price shall be payable in cash at Closing.
4. CLOSING DATE. The closing of the purchase and sale of the Property (the “**Closing**”) shall occur within 30 days of the expiration of the Inspection Period (defined below), or such other date by agreement of Buyer and Seller (the “**Closing Date**”), if Closing has not

occurred by that time, this Agreement shall terminate, and any Earnest Money shall be refunded to Buyer.

Upon, or as soon as practical after, the Acceptance Date, Seller and Buyer shall open an escrow with Ticor Title Company, Attn: Alli Swallow, 111 SW Columbia Street, Suite 1000, Portland, Oregon 97201 (503) 242-1210 ("**Title Company**"). On the Closing Date, Buyer shall deposit with Title Company the balance of the Purchase Price in immediately available US funds no later than noon on the day of Closing.

5. **TITLE.** At Closing, title to the Property shall be delivered to Buyer in fee simple by bargain and sale deed free and clear of all liens and encumbrances other than any Permitted Exceptions (hereinafter defined).
6. **TITLE COMMITMENT AND TITLE INSURANCE.**
 - (a) **COMMITMENT.** Within ten (10) business days following the Acceptance Date, the Parties shall cause the Title Company to deliver to Buyer a Commitment for Title Insurance ("**Commitment**") covering the Property, together with a legible copy of each exception shown in the Commitment (collectively the "exception documents").
 - (b) **UNAPPROVED EXCEPTIONS.** Buyer shall have ten (10) business days following the delivery of the Commitment and all exception documents within which to object to any exceptions shown in the Commitment, provided that Buyer is automatically deemed to have objected to any liens, pledges, security interests, mortgages, or other monetary encumbrances, excluding accrued but not yet due real property taxes and assessments, ("**Monetary Encumbrances**") on the Property, which Seller agrees to remove on or before Closing. Except for Monetary Encumbrances which Seller agrees to remove, the Seller shall have ten (10) business days after receipt of Buyer's objections to notify Buyer as to which of the remaining exceptions Seller shall remove on or before the Closing Date, and absent such notice Seller shall be deemed to not agree to remove any such exceptions. If Buyer is notified (or receives no notice) that less than all of the remaining exceptions to which it has objected will not or cannot be removed by the Seller on or before the Closing Date (defined below), the Buyer shall have the right to terminate this Agreement by providing written notice of termination to Seller within five (5) business days, in which event the Earnest Money shall be returned to Buyer and all parties shall thereafter be released and discharged from any further obligation under this Agreement, except for provisions herein that by their terms expressly survive termination or earlier expiration of this Agreement. Other than Monetary Encumbrances, any exceptions to title set forth in the Commitment for which Buyer does not object to in writing (or that the Seller does not agree to remove) shall be considered to be "**Permitted Exceptions**".
 - (c) **TITLE POLICY.** At the Closing Date, the Title Company shall be committed to issue to Buyer an Owners ALTA standard coverage policy of title insurance, showing fee title to the Property vested in Buyer free and clear of all Monetary Encumbrances and subject only to the Permitted Exceptions (the "**Title Policy**"). The Title Policy shall be issued in the amount of \$7,819,020.

7. **COSTS AND EXPENSES.**

(a) At Closing, Seller shall pay:

- All premiums for the ALTA standard coverage afforded by the Title Policy;

- and
- One-half of all escrow fees and costs charged by Title Company.

(b) At Closing, Buyer shall pay:

- All document recording charges;
- All premiums for additional endorsements that Buyer may elect to procure to the Title Policy; and
- One-half of all escrow fees and costs charged by Title Company.

Buyer and Seller shall each pay all legal and professional fees and fees of other consultants incurred by Buyer or Seller, respectively. All other costs and expenses shall be allocated in accordance with the customary practice in Multnomah County in which the Title Company is located.

8. **PRORATIONS.**

General. Buyer and Seller shall prorate all real property, property taxes and special assessments, if any, for the tax year of closing, and utilities, if any, affecting the Property on the Closing Date

9. **DOCUMENTS TO BE DELIVERED PRIOR TO AND AT CLOSING.** At or prior to the Closing Date, the following documents, certificates and agreements relating to the Property (the “**Closing Documents**”), in form and substance satisfactory to Seller and Buyer, shall be executed and/or delivered by the respective parties thereto:

- (a) A Bargain and Sale deed, conveying the Property from Seller to Buyer;
- (b) A non-foreign affidavit of each Seller entity and, if required by local law or the Title Company, of Buyer; and
- (c) Such documents, statements, agreements, and certificates which may be required by Title Company.

10. **RISK OF LOSS; CONDEMNATION.** Risk of loss to the Property shall be borne by Seller until possession is delivered to the Buyer on the Closing Date. In the event condemnation of any portion of the Property occurs prior to Closing Date, Buyer shall have the right to terminate this Agreement and receive a return of the Earnest Money.

11. **SELLER'S REPRESENTATIONS.** Seller represents and warrants to Buyer that as of the date hereof and as of the date of the Closing Date, that:

- (a) To the best of Seller's knowledge, there are no violations of any applicable zoning, environmental protection, use and building codes or other laws, regulations and ordinances, administrative and judicial orders or holdings and covenants running with the land other than as may be disclosed in the Permitted Exceptions;
- (b) Seller has not received any notice of any violation of any laws, regulations and ordinances as described in paragraph (a) above;
- (c) The execution and delivery of this Agreement and all documents to be executed by

Seller pursuant to this Agreement have been (or shall be prior to the Closing Date) duly authorized and enforceable and the persons executing the documents on behalf of Seller have the authority to bind Seller to all the terms and conditions set forth in this Agreement;

- (d) Seller is not a foreign person or entity under the Foreign Investment in Real Property Tax Act of 1980, as amended, and no taxes or withholding required thereunder shall be assessed or applied to Buyer in connection with the transaction contemplated hereby;
- (e) To the best of Seller's knowledge, there is no environmental contamination on the Property that requires reporting to the governing authorities.
- (f) Seller has good, unencumbered and marketable title to the Property, and has the right to transfer, convey, and sell the Property to Buyer, except as disclosed herein; and
- (g) To the best of Seller's knowledge, there is not any pending or threatened litigation or administrative actions against Seller or against the Property, nor notices from any governmental entity alleging a violation of any law, regulation, or code.
- (h) There are no contracts or utilities to which Seller is a party or responsible for payments, pertaining the Property.
- (i) At Closing, Seller will have no personal property located at or used in connection with the Property; all of Seller's interest in the Property and will be conveyed by the deed and assignment as set forth in section 9(a) and 9(b) of this Agreement.
- (j) None of the entities constituting Seller is a "foreign person" as that term is defined in Section 1445(f) of the Internal Revenue Code or any regulations pursuant thereto.
- (k) Seller will maintain property and casualty insurance on the Oregon Property up to and including the date of closing and will continue to operate the Oregon Property substantially in accordance with its past practices until that date.

All representations and warranties contained in this Agreement shall survive Closing for a period of six (6) months.

12. BUYER'S REPRESENTATIONS; CONDITION PRECEDENT TO BUYER'S OBLIGATION.

- (a) **BUYER'S REPRESENTATIONS.** Buyer represents and warrants, subject to the approval by the Lane County Board of County Commissioners, that the execution and delivery of this Agreement and all documents to be executed by Buyer pursuant to this Agreement have been duly authorized and enforceable, and the person executing the documents on behalf of Buyer has the authority to bind Buyer to all the terms and conditions set forth in this Agreement.
- (b) Failure to obtain Lane County Board of County Commissioners approval does not give SELLER the right to Liquidated Damages or any other remedies at law or equity.

13. INSPECTION PERIOD. From the receipt by Buyer of all the Diligence Materials defined below, Buyer shall have 90 days, such period of time is referred to herein as the **"Inspection Period"**, to either approve or disapprove, in Buyer's sole discretion, any aspect of the Property, including but not limited to the environmental condition of the Property. Buyer shall have the right to extend the Inspection Period for an additional 90 days (the **"Extension"**) (for a total of 180 days) at Buyer's option. The Extension will be evidenced by Buyer's notification to Seller in writing at least ten (10) days prior to the expiration of the original Inspection Period.

Buyer will deposit an additional fifty thousand (\$50,000) at the end of the Due Diligence period. Seller agrees to allow Buyer or Buyer's agents to inspect Seller's books and records to verify Seller's compliance with applicable laws concerning the condition of the Property. During the Inspection Period, Buyer, and its contractors or agents, will have the right to enter the Property with 5-days' notice to Seller to perform the necessary due diligence required in connection with its purchase of the Property. Buyer will keep the Property free and clear of any liens arising out of any such entry. Buyer shall be responsible for all costs of any structural, pest or other inspections or any other similar due diligence investigation that Buyer performs. Buyer shall be responsible for any costs which are required due to the results of Buyer's testing to reasonably return the Property to the condition prior to such testing. The obligations of Buyer shall survive the expiration or termination of this Agreement. In the event this Agreement is terminated for any reason, Buyer agrees to provide the Seller with copies of any reports obtained.

On or before five (5) business days after the Acceptance Date, Seller shall deliver to Buyer for Buyer's review copies of all of the following materials ("Diligence Materials") related to the Property in Seller's possession: (i) all existing surveys, (ii) any previously prepared environmental reports and other reports, correspondence, records or other documents concerning inspections of the grounds, including without limitation engineering, and related studies and reports, seismic studies, UST/AST records, service provider agreements, concerning the Property, including any environmental site assessments, and (iii) any insurance contracts maintained by Seller.

If Buyer fails to deliver written notice to Seller of Buyer's waiver or satisfaction with the condition of the Property on or before the expiration of the Inspection Period, the conditions of the sale shall be deemed to be satisfied. If on or before the expiration of the Inspection Period, Buyer delivers written notice to Seller that Buyer is not satisfied with its due diligence, then this Agreement shall terminate, whereupon both parties shall be released from any further obligations hereunder except for liabilities, actual or contingent, which arose prior to the date of termination and for any provision of this Agreement that by their terms survive the expiration or termination of this Agreement and the Earnest Money shall be returned to Buyer within fifteen (15) calendar days of termination.

Buyer and Seller shall each defend, indemnify, save, and hold harmless the other against any and all claims resulting from, arising from, in whole or in part, by any act or omission by its agents, contractors, employees, representatives, or invitees in, on, or at the Property, or from inspection, examination and inquiry, of or on the Property, unless caused by the willful or negligent act, or omission of the indemnifying party. However, the foregoing indemnity shall not be applicable to the mere discovery of an existing condition of the Property. The provisions of this Paragraph shall survive Closing or termination of this Agreement and are subject to the terms and limitations of the Oregon Constitution and the Tort Claims Act in the State of Oregon.

Seller agrees to fully cooperate, upon written request of Buyer, with Buyer's efforts to prepare the subject Property for the desired development. Seller, as title owner of the Property, agrees to co-apply for rezoning the Property to Community Commercial or another zone deemed necessary by Buyer and Seller. Buyer will pay all costs for zoning amendments except Seller's attorney fees. Buyer understands it will not be reimbursed such costs if the Property sale fails to close. Seller will aid Buyer in annexation efforts but will not allow the Property to be annexed prior to closing. Buyer shall not jeopardize in any way the current Farm Deferral status of the Property until after closing.

14. AS IS/RELEASE. Except for Seller's representations set forth in Paragraph 11, Buyer shall acquire the Property "AS IS" with all faults and defects, whether patent or latent, and Buyer shall rely on the results of its own inspection and investigation in Buyer's acquisition of the Property. Except as expressly provided in this Agreement, Seller has not made any representations, express or implied, regarding the Property and Buyer has not relied on any. Buyer acknowledges that any and all information, feasibility or marketing reports, environmental or physical condition reports, or other information of any type that Buyer has received or may receive from Seller or Seller's agents is furnished on the express condition that Buyer shall or would make an independent verification of the accuracy of any and all such information, all such information being furnished without any warranty whatsoever except that such information represents true copies of documents or records in the custody or control of Seller. It shall be a condition of Buyer's obligation to close, that all of the Seller's representations stated in this Agreement are materially true and correct on the Closing Date.

15. REMEDIES.

(a) SELLER'S REMEDY; LIQUIDATED DAMAGES. IF THE BUYER IS IN BREACH AND REFUSES TO CLOSE THE PURCHASE THROUGH NO FAULT OF THE SELLER, SELLER MAY TERMINATE THIS AGREEMENT AND THE TITLE COMPANY SHALL PAY TO THE SELLER THE EARNEST MONEY AND SUCH SHALL BE RETAINED BY THE SELLER AS AGREED LIQUIDATED DAMAGES AS THE SOLE AND EXCLUSIVE REMEDY OF THE SELLER.

(b) BUYER'S REMEDIES. IF THE SELLER FAILS, OR REFUSES TO CLOSE THE PURCHASE THROUGH NO FAULT OF THE BUYER, IN BREACH OF THIS AGREEMENT, BUYER MAY, AS ITS SOLE REMEDIES EITHER (I) TERMINATE THIS AGREEMENT AND THE TITLE COMPANY SHALL RETURN TO BUYER THE EARNEST MONEY; OR (II) PURSUE AN ACTION FOR SPECIFIC PERFORMANCE OF SELLER'S OBLIGATIONS (WITHOUT ANY REQUIREMENT FOR POSTING OF THE ENTIRE PURCHASE PRICE AS A CONDITION TO SUCH ACTION); PROVIDED, HOWEVER, THAT IF SELLER HAS BY ITS INTENTIONAL ACTION MADE THE REMEDY OF SPECIFIC PERFORMANCE IMPOSSIBLE, BUYER MAY PURSUE ALL AVAILABLE REMEDIES FOR BREACH OF CONTRACT BY SELLER.

16. BROKERS. Seller shall pay a broker's fee or commissions of 2.5% to Marcus & Millichap ("Brokers") and in connection with the negotiation, execution, or consummation of this Agreement, per a separate agreement with Broker. Each of Seller and Buyer warrants and represents that it has engaged no broker in connection with this transaction other than Brokers. Each of Seller and Buyer shall indemnify, save harmless, and defend the other from and against claims from parties other than Brokers for compensation in connection with the subject transaction based on conduct of the indemnifying party.

17. SUCCESSORS AND ASSIGNS; ASSIGNMENT. This Agreement shall be binding to the benefit of the heirs, successors, agents, representatives, and assigns of the parties hereto. Buyer may assign this Agreement, and the rights hereunder to another individual or entity prior to Closing (the "**Permitted Assignee**") if the information with respect to the Permitted Assignee and its direct and beneficial owners is furnished to Seller in writing prior to the Closing Date.

18. NOTICES. Any notice required or permitted to be given under this Agreement shall be in writing and shall be given by e-mail with copy by US Mail, by personal delivery, by a nationally recognized commercial courier via next business day delivery, or by deposit in the United States Mail, Certified Mail, Return Receipt Requested, with all postage prepaid, to the address for each party set forth below. The time period in which a response must be made, or action taken, by a party receiving such communication shall commence, as the case may be, on the date of email (provided it is done normal business hours), personal service, the date of attempted or actual next business days delivery shown in the records of the courier, or the date of attempted certified mail delivery if a weekday; if notice is given by any other means, it shall be deemed given on the date of actual receipt and confirmation of receipt. Rejection or other refusal to accept or inability to deliver because of a changed address of which no notice was given shall be deemed to be receipt of such communication. By giving prior notice to all other parties, any party may designate a different address for receiving notices.

To Seller: Chris A. Smith
CAS Properties
715 2nd Ave. #1903
Seattle, WA 98104
And email to cas@casnw.com

State Investments L.L.C.
Attn: Bruce E. Douglas, Manager
PO Box 2099
Salem, Oregon 97308
Email: bdouglas@stateivn.com

With a copy to: Benjamin Kearney
Arnold Gallagher Attorneys
800 Willamette St Ste 800
Eugene, OR 97401
bkearney@arnoldgallagher.com
(541) 484-0188

To Title Company: Ticor Title Company
Attn: Alli Swallow
111 SW Columbia Street, Suite 1000
Portland, OR 97201
Telephone: 503 242-1210
Email: alli.swallow@ticortitle.com

To Buyer: Lane County Office of County Counsel
Attn: Emily Vario
125 E. 8th Avenue
Eugene, OR 97401
Telephone: 541.682.3728
Email: emily.vario@lanecountyor.gov

19. ATTORNEY'S FEES. In any litigation, or other legal proceeding that may arise between the parties hereto, the parties agree that their respective costs and attorney's fees shall be their responsibility.

20. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the state of Oregon.

21. COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall be deemed an original regardless of the date of its execution and delivery. All such counterparts together shall constitute one and the same document.

22. LIKE KIND EXCHANGE. Seller and Buyer agree to cooperate with each other in facilitating any like-kind or tax-free or tax-deferred exchange under section 1031 of the Internal Revenue Code or similar provision involving the Property, if any, provided that the facilitating party shall have no obligation to incur any liability or out-of-pocket expenses in connection therewith and further provided that the parties shall remain liable to perform all the covenants hereunder to be performed by the parties notwithstanding any assignment of the parties' interest in this Agreement to an exchange agent. The parties shall hold each other harmless from any and all claims, demands, orders or other liability (including reasonable attorney's fees) made by any such exchange agent or arising from or relating to any such exchange.

23. WAIVER. The waiver of or failure to enforce any provision of this Agreement shall not be a waiver of any further breach of such provision or of any other provision hereof.

24. MODIFICATIONS. No change or addition to this Agreement or any part hereof shall be valid unless in writing and signed by each of the parties.

25. HEADINGS. The headings in this Agreement are for convenience only and shall not be used to interpret this Agreement.

26. TIME IS OF THE ESSENCE. Seller and Buyer hereby acknowledge and agree that time is strictly of the essence with respect to every term, condition, obligation, and provision.

27. STATUTORY REQUIRED LANGUAGE. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

28. STATUTORY NOTICE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

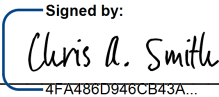
IN WITNESS WHEREOF, Buyer and Seller have executed this Agreement effective on the Acceptance Date.

SELLERS:

BUYER:

STATE INVESTMENTS LLC

Lane County

By:  Signed by:
4FA486D946CB43A...

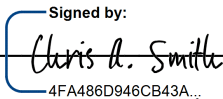
By: _____

Date: 10/31/2024 | 13:21:57 PDT

Steve Mokrohisky, County Administrator

Date: _____

CAS Investments Rice Farms LLC

By:  Signed by:
4FA486D946CB43A...

10/31/2024 | 13:21:57 PDT

Date: _____

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-10-15-02

In the Matter of Delegating Authority to the
County Administrator to Sign a Purchase
Sale Agreement for the Acquisition of Real
Property in Springfield, Oregon.

WHEREAS, the Board of Commissioners finds it is in the best interest of Lane County to purchase real property in Springfield Oregon; and

WHEREAS, the Board of Commissioners finds the real property is a suitable location for the proposed additional Health and Human Services site; and

WHEREAS, Lane Manual Chapter 21 provides the Board of County Commissioners has the final authority for all real property matters; and

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The County Administrator is delegated authority to enter into, or out of, a Purchase Sale Agreement for the acquisition of real property in Springfield, Oregon as the County Administrator deems appropriate.

ADOPTED this 16th day of October, 2024.



Laurie Trieger, Chair
Lane County Board of Commissioners

Lane County

ATTACHMENT 3

**Public Testimony
HATHAWAY**



HATHAWAY LARSON

Koback · Connors · Heth

April 21, 2025

VIA EMAIL

Springfield City Council
c/o Andy Limbird, Planner
225 Fifth Street
Springfield, OR 97477
alimbird@springfield-or.gov

Lane County Board of Commissioners
c/o Jared Bauder, Planner
3050 N Delta Highway
Eugene, OR 97408
Jared.Bauder@lanecountyor.gov

Re: Hawes Financial Group's Proposed Text Amendments to the
City's Campus Industrial Zoning District

Dear City Councilors and County Commissioners,

I legally represent The G Group, LLC ("The G Group"). The G Group owns property and also manages property located in the Campus Industrial ("CI") Zone along International Way in the City of Springfield. This correspondence is also on behalf of the following entities that are affiliated with The G Group: 200 International Way, LLC; McKenzie-Gateway Business Park, LLC; and Northbank Property, LLC.

I am writing to express our concerns regarding the text amendments (File No. 811-24-000215-TYP4) proposed by Hawes Financial Group ("Hawes") that you will consider this evening ("Hawes Proposed

Gregory S. Hathaway
1125 NW Couch Street, Suite 550
Portland, OR 97209
greg@hathawaylarson.com
(503) 303-3103 Direct
(503) 303-3101 Main

Springfield City Council
Lane County Board of Commissioners
April 21, 2025
Page 2

Text Amendments"). Based on our testimony below, we respectfully request that you deny the Hawes Proposed Text Amendments.

To be clear, our testimony is not intended to reflect adversely on Hawes' efforts to amend the City's CI Zone and expand the uses allowed in the Business Park area of the CI Zone. We support and believe that the City should consider revisions to its CI Zone to expand the uses allowed in the Business Park designation; and consider providing more flexibility regarding the development and design standards of the CI Zone.

We believe, however, that the Hawes Proposed Text Amendments go too far and compromise the light industrial nature of the current CI Zoning in the area. Richardson Sports will introduce a Map at tonight's hearing that demonstrates that the local neighborhood is trending towards a major medical use zone inconsistent with the CI Zoning in the area including the property the County and PeaceHealth are currently intending to purchase for a Behavioral Health Facility. See Exhibit A attached to this correspondence.

We support and believe that the City should consider revisions to its CI Zone to expand the uses allowed in the Business Park designation. The G Group believes that the text amendments proposed by Richardson Sports and the G Group achieve such a purpose and also achieves Hawes' intended purpose.

Based on the foregoing, The G Group opposes the Hawes Proposed Text Amendments for the following reasons:

1. The Hawes Proposed Text Amendments are inconsistent with the City's Comprehensive Plan.

The Hawes Proposed Text Amendments are inconsistent with the City's new Comprehensive Plan since the new Comprehensive Plan requires the CI Zone to be primarily Light Industrial. Here, the Hawes Proposed Text Amendments are so broad they will arguably convert the CI Zone into a general commercial or medical zone, which is contrary to the zoning scheme contemplated by the City's Comprehensive Plan.

2. The Hawes Proposed Text Amendments do not comply with Statewide Planning Goals 11 (Public Facilities and Services) and Statewide Planning Goal 12 (State Transportation Planning Rule).

The Hawes Proposed Text Amendments do not comply with Statewide Planning Goal 11 (Public Facilities and Services). Here, the City and County are required to ensure that any proposed text amendment is in compliance with Statewide Planning Goal 11 and the Metro Plan regarding the adequacy of police protection and other public services affected by the Hawes Proposed Text Amendments.

The Hawes Proposed Text Amendments do not evaluate the impacts associated with the permitting of medical clinics available to the public for compliance with Statewide Planning Goal 11 and the Metro Plan. Instead, Hawes is improperly "deferring" compliance with these important Goals until time of development. Under State Law, Hawes is required to demonstrate compliance with these Goals at the time of adoption of any text amendment.

Statewide Goal 10 (Transportation Planning Rule) also needs to be addressed at time of any adopted text amendment. There is no substantial

Springfield City Council
Lane County Board of Commissioners
April 21, 2025
Page 4

evidence in the record that demonstrates the adequacy of the surrounding street system in compliance with the Transportation Planning Rule should the Hawes Proposed Text Amendments be adopted. As with Statewide Goal 11, under State Law, Hawes is required to demonstrate compliance with Statewide Goal 10 at the time of adoption of any text amendment rather than defer compliance until time of development.

Any appeal of the City and County's decision regarding the Hawes Proposed Text Amendments would be considered by the Land Use Board of Appeals ("LUBA"). It is our opinion that LUBA would find that the City and County's adoption of the Hawes Proposed Text Amendments is inconsistent with the City's Comprehensive Plan and violates Statewide Planning Goals 11 and 12.

The G Group respectfully requests your City Council and Board of Commissioners to deny the Hawes Proposed Text Amendments, and adopt instead, the text amendments proposed by Richardson Sports and The G Group.

Thank you for your consideration.

Very truly yours,

HATHAWAY LARSON LLP

/s/ Gregory S. Hathaway

Gregory S. Hathaway

GSH/ep

cc: Brian Craner, The G Group, LLC

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (the “**Agreement**”) is made by and between **CAS Investments Rice Farms, LLC, and STATE INVESTMENTS LLC, Oregon limited liability companies** (jointly the “**Seller**”), and **Lane County, a political subdivision of the State of Oregon** (the “**Buyer**”), effective as of the date the last party signs the Agreement (the “**Acceptance Date**”).

RECITALS:

A. Seller owns the fee simple interest in and to certain real property consisting of: Tax Account number #1709482, Map and Tax Lot Number 17-03-15-00-05400, approximately 12.07 acres, more fully described as Land Partition Plat Number 94-P0499, as platted and recorded in Lane County Oregon Partition Records, in Lane County, Oregon.

B. State Investments LLC owns the fee simple interest in and of certain real property consisting of: Tax Account number #1518669, Map and Tax Lot Number 17-03-15-30-00400, approximately 5.88 acres, more fully described as Land Partition Plat Number 99-P1243, as platted and recorded in Lane County Oregon Partition Records, in Lane County Oregon.

C. All roads, easements, rights of ingress and egress, licenses, and other appurtenant rights owned by Seller and all use permits in Seller’s name, the “**Oregon Property**”, are made a part hereof.

1. RECITALS. The above Recitals are incorporated herein by reference.
2. SALE OF PROPERTY. Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the Oregon Property in accordance with the terms and conditions set forth in this Agreement.
3. PURCHASE PRICE. The purchase price for the Properties is Seven Million, Eight Hundred Nineteen Thousand and Twenty Dollars (\$7,819,020.00) (the “**Purchase Price**”), payable as follows:
 - (a) Within ten (10) business days from the Acceptance Date, the Buyer shall deposit with the Title Company (defined below) the sum of Two Hundred Thousand Dollars and No/100 (\$200,000.00) (the “**Earnest Money**”) in cash. The deposit shall be invested by escrow holder in an interest-bearing account selected by Seller with all interest accruing thereon to be deemed part of the Earnest Money. The Earnest Money and the proceeds thereof when paid by the Buyer as provided herein shall be held by the Title Company under the terms of this Agreement. The Earnest Money shall either be credited to the Purchase Price and paid to the Seller on the Closing Date (defined below), or be refunded to the Buyer, or retained by Seller as liquidated damages as provided in this Agreement. Ticor Title Company, Attn: Alli Swallow, 111 SW Columbia Street, Suite 1000, Portland, Oregon 97201
 - (b) The balance of the Purchase Price shall be payable in cash at Closing.
4. CLOSING DATE. The closing of the purchase and sale of the Property (the “**Closing**”) shall occur within 30 days of the expiration of the Inspection Period (defined below), or such other date by agreement of Buyer and Seller (the “**Closing Date**”), if Closing has not

occurred by that time, this Agreement shall terminate, and any Earnest Money shall be refunded to Buyer.

Upon, or as soon as practical after, the Acceptance Date, Seller and Buyer shall open an escrow with Ticor Title Company, Attn: Alli Swallow, 111 SW Columbia Street, Suite 1000, Portland, Oregon 97201 (503) 242-1210 ("**Title Company**"). On the Closing Date, Buyer shall deposit with Title Company the balance of the Purchase Price in immediately available US funds no later than noon on the day of Closing.

5. **TITLE.** At Closing, title to the Property shall be delivered to Buyer in fee simple by bargain and sale deed free and clear of all liens and encumbrances other than any Permitted Exceptions (hereinafter defined).
6. **TITLE COMMITMENT AND TITLE INSURANCE.**
 - (a) **COMMITMENT.** Within ten (10) business days following the Acceptance Date, the Parties shall cause the Title Company to deliver to Buyer a Commitment for Title Insurance ("**Commitment**") covering the Property, together with a legible copy of each exception shown in the Commitment (collectively the "exception documents").
 - (b) **UNAPPROVED EXCEPTIONS.** Buyer shall have ten (10) business days following the delivery of the Commitment and all exception documents within which to object to any exceptions shown in the Commitment, provided that Buyer is automatically deemed to have objected to any liens, pledges, security interests, mortgages, or other monetary encumbrances, excluding accrued but not yet due real property taxes and assessments, ("**Monetary Encumbrances**") on the Property, which Seller agrees to remove on or before Closing. Except for Monetary Encumbrances which Seller agrees to remove, the Seller shall have ten (10) business days after receipt of Buyer's objections to notify Buyer as to which of the remaining exceptions Seller shall remove on or before the Closing Date, and absent such notice Seller shall be deemed to not agree to remove any such exceptions. If Buyer is notified (or receives no notice) that less than all of the remaining exceptions to which it has objected will not or cannot be removed by the Seller on or before the Closing Date (defined below), the Buyer shall have the right to terminate this Agreement by providing written notice of termination to Seller within five (5) business days, in which event the Earnest Money shall be returned to Buyer and all parties shall thereafter be released and discharged from any further obligation under this Agreement, except for provisions herein that by their terms expressly survive termination or earlier expiration of this Agreement. Other than Monetary Encumbrances, any exceptions to title set forth in the Commitment for which Buyer does not object to in writing (or that the Seller does not agree to remove) shall be considered to be "**Permitted Exceptions**".
 - (c) **TITLE POLICY.** At the Closing Date, the Title Company shall be committed to issue to Buyer an Owners ALTA standard coverage policy of title insurance, showing fee title to the Property vested in Buyer free and clear of all Monetary Encumbrances and subject only to the Permitted Exceptions (the "**Title Policy**"). The Title Policy shall be issued in the amount of \$7,819,020.

7. **COSTS AND EXPENSES.**

(a) At Closing, Seller shall pay:

- All premiums for the ALTA standard coverage afforded by the Title Policy;

- and
- One-half of all escrow fees and costs charged by Title Company.

(b) At Closing, Buyer shall pay:

- All document recording charges;
- All premiums for additional endorsements that Buyer may elect to procure to the Title Policy; and
- One-half of all escrow fees and costs charged by Title Company.

Buyer and Seller shall each pay all legal and professional fees and fees of other consultants incurred by Buyer or Seller, respectively. All other costs and expenses shall be allocated in accordance with the customary practice in Multnomah County in which the Title Company is located.

8. **PRORATIONS.**

General. Buyer and Seller shall prorate all real property, property taxes and special assessments, if any, for the tax year of closing, and utilities, if any, affecting the Property on the Closing Date

9. **DOCUMENTS TO BE DELIVERED PRIOR TO AND AT CLOSING.** At or prior to the Closing Date, the following documents, certificates and agreements relating to the Property (the “**Closing Documents**”), in form and substance satisfactory to Seller and Buyer, shall be executed and/or delivered by the respective parties thereto:

- (a) A Bargain and Sale deed, conveying the Property from Seller to Buyer;
- (b) A non-foreign affidavit of each Seller entity and, if required by local law or the Title Company, of Buyer; and
- (c) Such documents, statements, agreements, and certificates which may be required by Title Company.

10. **RISK OF LOSS; CONDEMNATION.** Risk of loss to the Property shall be borne by Seller until possession is delivered to the Buyer on the Closing Date. In the event condemnation of any portion of the Property occurs prior to Closing Date, Buyer shall have the right to terminate this Agreement and receive a return of the Earnest Money.

11. **SELLER'S REPRESENTATIONS.** Seller represents and warrants to Buyer that as of the date hereof and as of the date of the Closing Date, that:

- (a) To the best of Seller's knowledge, there are no violations of any applicable zoning, environmental protection, use and building codes or other laws, regulations and ordinances, administrative and judicial orders or holdings and covenants running with the land other than as may be disclosed in the Permitted Exceptions;
- (b) Seller has not received any notice of any violation of any laws, regulations and ordinances as described in paragraph (a) above;
- (c) The execution and delivery of this Agreement and all documents to be executed by

Seller pursuant to this Agreement have been (or shall be prior to the Closing Date) duly authorized and enforceable and the persons executing the documents on behalf of Seller have the authority to bind Seller to all the terms and conditions set forth in this Agreement;

- (d) Seller is not a foreign person or entity under the Foreign Investment in Real Property Tax Act of 1980, as amended, and no taxes or withholding required thereunder shall be assessed or applied to Buyer in connection with the transaction contemplated hereby;
- (e) To the best of Seller's knowledge, there is no environmental contamination on the Property that requires reporting to the governing authorities.
- (f) Seller has good, unencumbered and marketable title to the Property, and has the right to transfer, convey, and sell the Property to Buyer, except as disclosed herein; and
- (g) To the best of Seller's knowledge, there is not any pending or threatened litigation or administrative actions against Seller or against the Property, nor notices from any governmental entity alleging a violation of any law, regulation, or code.
- (h) There are no contracts or utilities to which Seller is a party or responsible for payments, pertaining the Property.
- (i) At Closing, Seller will have no personal property located at or used in connection with the Property; all of Seller's interest in the Property and will be conveyed by the deed and assignment as set forth in section 9(a) and 9(b) of this Agreement.
- (j) None of the entities constituting Seller is a "foreign person" as that term is defined in Section 1445(f) of the Internal Revenue Code or any regulations pursuant thereto.
- (k) Seller will maintain property and casualty insurance on the Oregon Property up to and including the date of closing and will continue to operate the Oregon Property substantially in accordance with its past practices until that date.

All representations and warranties contained in this Agreement shall survive Closing for a period of six (6) months.

12. BUYER'S REPRESENTATIONS; CONDITION PRECEDENT TO BUYER'S OBLIGATION.

- (a) **BUYER'S REPRESENTATIONS.** Buyer represents and warrants, subject to the approval by the Lane County Board of County Commissioners, that the execution and delivery of this Agreement and all documents to be executed by Buyer pursuant to this Agreement have been duly authorized and enforceable, and the person executing the documents on behalf of Buyer has the authority to bind Buyer to all the terms and conditions set forth in this Agreement.
- (b) Failure to obtain Lane County Board of County Commissioners approval does not give SELLER the right to Liquidated Damages or any other remedies at law or equity.

13. INSPECTION PERIOD. From the receipt by Buyer of all the Diligence Materials defined below, Buyer shall have 90 days, such period of time is referred to herein as the **"Inspection Period"**, to either approve or disapprove, in Buyer's sole discretion, any aspect of the Property, including but not limited to the environmental condition of the Property. Buyer shall have the right to extend the Inspection Period for an additional 90 days (the **"Extension"**) (for a total of 180 days) at Buyer's option. The Extension will be evidenced by Buyer's notification to Seller in writing at least ten (10) days prior to the expiration of the original Inspection Period.

Buyer will deposit an additional fifty thousand (\$50,000) at the end of the Due Diligence period. Seller agrees to allow Buyer or Buyer's agents to inspect Seller's books and records to verify Seller's compliance with applicable laws concerning the condition of the Property. During the Inspection Period, Buyer, and its contractors or agents, will have the right to enter the Property with 5-days' notice to Seller to perform the necessary due diligence required in connection with its purchase of the Property. Buyer will keep the Property free and clear of any liens arising out of any such entry. Buyer shall be responsible for all costs of any structural, pest or other inspections or any other similar due diligence investigation that Buyer performs. Buyer shall be responsible for any costs which are required due to the results of Buyer's testing to reasonably return the Property to the condition prior to such testing. The obligations of Buyer shall survive the expiration or termination of this Agreement. In the event this Agreement is terminated for any reason, Buyer agrees to provide the Seller with copies of any reports obtained.

On or before five (5) business days after the Acceptance Date, Seller shall deliver to Buyer for Buyer's review copies of all of the following materials ("Diligence Materials") related to the Property in Seller's possession: (i) all existing surveys, (ii) any previously prepared environmental reports and other reports, correspondence, records or other documents concerning inspections of the grounds, including without limitation engineering, and related studies and reports, seismic studies, UST/AST records, service provider agreements, concerning the Property, including any environmental site assessments, and (iii) any insurance contracts maintained by Seller.

If Buyer fails to deliver written notice to Seller of Buyer's waiver or satisfaction with the condition of the Property on or before the expiration of the Inspection Period, the conditions of the sale shall be deemed to be satisfied. If on or before the expiration of the Inspection Period, Buyer delivers written notice to Seller that Buyer is not satisfied with its due diligence, then this Agreement shall terminate, whereupon both parties shall be released from any further obligations hereunder except for liabilities, actual or contingent, which arose prior to the date of termination and for any provision of this Agreement that by their terms survive the expiration or termination of this Agreement and the Earnest Money shall be returned to Buyer within fifteen (15) calendar days of termination.

Buyer and Seller shall each defend, indemnify, save, and hold harmless the other against any and all claims resulting from, arising from, in whole or in part, by any act or omission by its agents, contractors, employees, representatives, or invitees in, on, or at the Property, or from inspection, examination and inquiry, of or on the Property, unless caused by the willful or negligent act, or omission of the indemnifying party. However, the foregoing indemnity shall not be applicable to the mere discovery of an existing condition of the Property. The provisions of this Paragraph shall survive Closing or termination of this Agreement and are subject to the terms and limitations of the Oregon Constitution and the Tort Claims Act in the State of Oregon.

Seller agrees to fully cooperate, upon written request of Buyer, with Buyer's efforts to prepare the subject Property for the desired development. Seller, as title owner of the Property, agrees to co-apply for rezoning the Property to Community Commercial or another zone deemed necessary by Buyer and Seller. Buyer will pay all costs for zoning amendments except Seller's attorney fees. Buyer understands it will not be reimbursed such costs if the Property sale fails to close. Seller will aid Buyer in annexation efforts but will not allow the Property to be annexed prior to closing. Buyer shall not jeopardize in any way the current Farm Deferral status of the Property until after closing.

14. AS IS/RELEASE. Except for Seller's representations set forth in Paragraph 11, Buyer shall acquire the Property "AS IS" with all faults and defects, whether patent or latent, and Buyer shall rely on the results of its own inspection and investigation in Buyer's acquisition of the Property. Except as expressly provided in this Agreement, Seller has not made any representations, express or implied, regarding the Property and Buyer has not relied on any. Buyer acknowledges that any and all information, feasibility or marketing reports, environmental or physical condition reports, or other information of any type that Buyer has received or may receive from Seller or Seller's agents is furnished on the express condition that Buyer shall or would make an independent verification of the accuracy of any and all such information, all such information being furnished without any warranty whatsoever except that such information represents true copies of documents or records in the custody or control of Seller. It shall be a condition of Buyer's obligation to close, that all of the Seller's representations stated in this Agreement are materially true and correct on the Closing Date.

15. REMEDIES.

(a) SELLER'S REMEDY; LIQUIDATED DAMAGES. IF THE BUYER IS IN BREACH AND REFUSES TO CLOSE THE PURCHASE THROUGH NO FAULT OF THE SELLER, SELLER MAY TERMINATE THIS AGREEMENT AND THE TITLE COMPANY SHALL PAY TO THE SELLER THE EARNEST MONEY AND SUCH SHALL BE RETAINED BY THE SELLER AS AGREED LIQUIDATED DAMAGES AS THE SOLE AND EXCLUSIVE REMEDY OF THE SELLER.

(b) BUYER'S REMEDIES. IF THE SELLER FAILS, OR REFUSES TO CLOSE THE PURCHASE THROUGH NO FAULT OF THE BUYER, IN BREACH OF THIS AGREEMENT, BUYER MAY, AS ITS SOLE REMEDIES EITHER (I) TERMINATE THIS AGREEMENT AND THE TITLE COMPANY SHALL RETURN TO BUYER THE EARNEST MONEY; OR (II) PURSUE AN ACTION FOR SPECIFIC PERFORMANCE OF SELLER'S OBLIGATIONS (WITHOUT ANY REQUIREMENT FOR POSTING OF THE ENTIRE PURCHASE PRICE AS A CONDITION TO SUCH ACTION); PROVIDED, HOWEVER, THAT IF SELLER HAS BY ITS INTENTIONAL ACTION MADE THE REMEDY OF SPECIFIC PERFORMANCE IMPOSSIBLE, BUYER MAY PURSUE ALL AVAILABLE REMEDIES FOR BREACH OF CONTRACT BY SELLER.

16. BROKERS. Seller shall pay a broker's fee or commissions of 2.5% to Marcus & Millichap ("Brokers") and in connection with the negotiation, execution, or consummation of this Agreement, per a separate agreement with Broker. Each of Seller and Buyer warrants and represents that it has engaged no broker in connection with this transaction other than Brokers. Each of Seller and Buyer shall indemnify, save harmless, and defend the other from and against claims from parties other than Brokers for compensation in connection with the subject transaction based on conduct of the indemnifying party.

17. SUCCESSORS AND ASSIGNS; ASSIGNMENT. This Agreement shall be binding to the benefit of the heirs, successors, agents, representatives, and assigns of the parties hereto. Buyer may assign this Agreement, and the rights hereunder to another individual or entity prior to Closing (the "**Permitted Assignee**") if the information with respect to the Permitted Assignee and its direct and beneficial owners is furnished to Seller in writing prior to the Closing Date.

18. NOTICES. Any notice required or permitted to be given under this Agreement shall be in writing and shall be given by e-mail with copy by US Mail, by personal delivery, by a nationally recognized commercial courier via next business day delivery, or by deposit in the United States Mail, Certified Mail, Return Receipt Requested, with all postage prepaid, to the address for each party set forth below. The time period in which a response must be made, or action taken, by a party receiving such communication shall commence, as the case may be, on the date of email (provided it is done normal business hours), personal service, the date of attempted or actual next business days delivery shown in the records of the courier, or the date of attempted certified mail delivery if a weekday; if notice is given by any other means, it shall be deemed given on the date of actual receipt and confirmation of receipt. Rejection or other refusal to accept or inability to deliver because of a changed address of which no notice was given shall be deemed to be receipt of such communication. By giving prior notice to all other parties, any party may designate a different address for receiving notices.

To Seller: Chris A. Smith
CAS Properties
715 2nd Ave. #1903
Seattle, WA 98104
And email to cas@casnw.com

State Investments L.L.C.
Attn: Bruce E. Douglas, Manager
PO Box 2099
Salem, Oregon 97308
Email: bdouglas@stateivn.com

With a copy to: Benjamin Kearney
Arnold Gallagher Attorneys
800 Willamette St Ste 800
Eugene, OR 97401
bkearney@arnoldgallagher.com
(541) 484-0188

To Title Company: Ticor Title Company
Attn: Alli Swallow
111 SW Columbia Street, Suite 1000
Portland, OR 97201
Telephone: 503 242-1210
Email: alli.swallow@ticortitle.com

To Buyer: Lane County Office of County Counsel
Attn: Emily Vario
125 E. 8th Avenue
Eugene, OR 97401
Telephone: 541.682.3728
Email: emily.vario@lanecountyor.gov

19. ATTORNEY'S FEES. In any litigation, or other legal proceeding that may arise between the parties hereto, the parties agree that their respective costs and attorney's fees shall be their responsibility.

20. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the state of Oregon.

21. COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall be deemed an original regardless of the date of its execution and delivery. All such counterparts together shall constitute one and the same document.

22. LIKE KIND EXCHANGE. Seller and Buyer agree to cooperate with each other in facilitating any like-kind or tax-free or tax-deferred exchange under section 1031 of the Internal Revenue Code or similar provision involving the Property, if any, provided that the facilitating party shall have no obligation to incur any liability or out-of-pocket expenses in connection therewith and further provided that the parties shall remain liable to perform all the covenants hereunder to be performed by the parties notwithstanding any assignment of the parties' interest in this Agreement to an exchange agent. The parties shall hold each other harmless from any and all claims, demands, orders or other liability (including reasonable attorney's fees) made by any such exchange agent or arising from or relating to any such exchange.

23. WAIVER. The waiver of or failure to enforce any provision of this Agreement shall not be a waiver of any further breach of such provision or of any other provision hereof.

24. MODIFICATIONS. No change or addition to this Agreement or any part hereof shall be valid unless in writing and signed by each of the parties.

25. HEADINGS. The headings in this Agreement are for convenience only and shall not be used to interpret this Agreement.

26. TIME IS OF THE ESSENCE. Seller and Buyer hereby acknowledge and agree that time is strictly of the essence with respect to every term, condition, obligation, and provision.

27. STATUTORY REQUIRED LANGUAGE. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

28. STATUTORY NOTICE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, Buyer and Seller have executed this Agreement effective on the Acceptance Date.

SELLERS:

BUYER:

STATE INVESTMENTS LLC

Lane County

Signed by:
By: Chris D. Smith
4FA486D946CB43A...

By: _____

Date: 10/31/2024 | 13:21:57 PDT

Steve Mokrohisky, County Administrator

Date: _____

CAS Investments Rice Farms LLC

Signed by:
By: Chris D. Smith
4FA486D946CB43A...

10/31/2024 | 13:21:57 PDT

Date: _____

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-10-15-02

In the Matter of Delegating Authority to the
County Administrator to Sign a Purchase
Sale Agreement for the Acquisition of Real
Property in Springfield, Oregon.

WHEREAS, the Board of Commissioners finds it is in the best interest of Lane County to purchase real property in Springfield Oregon; and

WHEREAS, the Board of Commissioners finds the real property is a suitable location for the proposed additional Health and Human Services site; and

WHEREAS, Lane Manual Chapter 21 provides the Board of County Commissioners has the final authority for all real property matters; and

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The County Administrator is delegated authority to enter into, or out of, a Purchase Sale Agreement for the acquisition of real property in Springfield, Oregon as the County Administrator deems appropriate.

ADOPTED this 16th day of October, 2024.



Laurie Trieger, Chair
Lane County Board of Commissioners

Lane County

ATTACHMENT 4

**Applicant's Response to Testimony
PHELPS**



Andrée Phelps Law, LLC
375 W. 4th Ave., Suite 204
Eugene, OR 97401

April 24, 2026

Springfield Mayor and City Council
c/o Andy Limbird, Senior Planner
225 Fifth Street
Springfield, OR 97477

Lane County Board of Commissioners
c/o Jared Bauder, Senior Planner
3050 N Delta Highway
Eugene, OR 97408

Via Email: alimbird@springfield-or.gov & Jared.Bauder@lanecountyor.gov

**Re: Applicant's Testimony Regarding Campus Industrial District Code Amendments
(City file no. 811-24-000215-TYP4; County file no. 509-PA25-05073)**

Dear Mayor, City Councilors, and County Commissioners:

Thank you for considering the Code Amendments that aim to strengthen economic vitality by focusing on Business Park uses, yet still retain the industrial character of the Campus Industrial District ("CI District"). Following are the Applicant's brief response to comments and questions raised at the April 21, 2025 joint public hearing.

I. Concerns about Clinic Operating Hours is Met by Prohibiting Intensive Medical Uses and Inpatient Care. Relegating Clinics to a Secondary Use is not Feasible.

Prior to the close of the Springfield Planning Commission's public hearing, the Applicant consulted with neighboring business owners and submitted a revised proposal to address concerns related to the erroneous perception that the Code Amendments would allow a hospital or behavioral health center providing emergency and inpatient care. The Applicant's revised proposal clarifies that Offices and Clinics in Business Parks are limited to those types of uses that are described in SDC 3.2.315(C) including doctor, dentist, chiropractor, optometrist, and laboratory facilities. In addition, we have further narrowed the type of Clinics in Business Parks to the treatment of patients on an outpatient basis (providing health care services and treatments that do not require an overnight stay) *and* expressly prohibiting emergency and urgent care facilities.

Andrée Phelps • Attorney at Law
Andrée Phelps Law, LLC
541.221.1431
andree@andreephelslaw.com

Clinics cannot be relegated to a secondary use because it is not feasible in practice. Clinics are similar to other permitted administrative and office uses, and they are dissimilar to other allowed secondary uses, such as restaurants, dry cleaner, and beauty salon. See FN 5. Per Code, a Business Park is currently allowed to co-locate multiple primary uses; however, a secondary use is required to be integrated with the primary use, it cannot stand alone, and it is not permitted in the absence of a primary use. As a result, a secondary use must vacate if the primary use leaves. This allowance of mixed primary uses with supporting secondary uses promotes diversity in large campus-like developments and promotes economic robustness in the area. Therefore, Clinics must remain as a primary use in order for the amendments to be effective and feasible.

II. Conforms with the Comprehensive Plan

Prior to the 2022 Springfield Development Code (“SDC”) updates, the CI District included a detailed list of permitted uses in Business Parks.¹ The legislative history indicates the Council intended that the 2022 SDC updates related to the commercial and industrial districts be “policy neutral” and that the updates would modernize the Code by accommodating the City’s Target Industries within the commercial and industrial districts. Target industries include medical services, professional and technical services, corporate headquarters, and educational services.

Prior to the 2022 Development Code updates, Business Parks were the most expansive use allowing all uses permitted in the CI zone, plus it allowed additional unique uses, such as educational facilities. However, Business Park uses were not specifically addressed in the 2022 SDC updates and some uses, such as educational facilities were apparently inadvertently removed when use tables were combined.

The Code Amendments clarify “Business Park” as a broad use category under SDC 3.2.415(J).² The proposed “Business Park” broad use category expands the allowed primary and secondary uses, limits scale of secondary uses, allows Business Park uses to serve the public, and limits Clinics to outpatient services and prohibits emergency and urgent care.

The Code Amendments conform with Plan Policies previously cited in the Application³ and City and County staff reports.

¹ Ordinance 6443 was adopted on May 16, 2022.

² Examples of other broad use categories include: “Corporate and Regional Headquarters,” “Industrial Use,” “Industrial Services,” “Light Manufacturing, Fabrication, and Repair,” and “Warehouse and Wholesale Sales.”

³ Prior cited Springfield Comprehensive Plan Policies include Policy E.3, Policy E.4, Policy E.6, Policy E.7, Policy E.11, Policy E.16, Policy E.28 and Policy E.40.

III. Does Not Alter Campus Industrial “Character”

The Code Amendments do not change any industrial uses, or limit industrial uses, or alter any development standards promoting an aesthetic, campus-like environment. Business Parks will continue to be approved by the City and will be required to comply with existing CI zone development standards, operational performance standards, and design standards.⁴ The Code Amendments will not allow retail uses to be the primary use of the Business Park.⁵ In addition, auto-oriented uses, marijuana businesses, and non-employment uses such as storage facilities, remain as prohibited uses.

IV. Does Not Convert Area to General Commercial or Medical Services Districts

Unlike the Commercial Districts, the Code Amendments will not allow Business Parks to include large retail services, hotels, or auto-dependent or auto-oriented uses. Unlike the Medical Services District, the Code Amendments will not allow Business Parks to include hospitals, clinics treating patients overnight, emergency or urgent care facilities, or assisted living facilities. Although there is a fear that including clinics in the CI District will result in a medical services zone, we propose that that is unfounded and that Clinics are compatible with industrial uses, evidenced by the VA Clinic located on Chad Drive in Eugene on land zoned E-1 Campus Employment in the vicinity of light-industrial uses.

The letters of opposition also cite to concerns related to an increase of re-zoning of parcels within the CI District. This push for re-zoning is evidence of the great need and pressure for medical services to be clustered in this area. We feel that these Code Amendments actually serve to protect the existing uses in the CI District. As almost 45% of the acreage is vacant or underdeveloped, combined with the proximity to RiverBend Hospital, it is no wonder that the area is attractive to future medical or commercial development. Allowing for limited increase in uses, that are only permitted in City-approved Business Parks, can result in an improvement of the viability of existing businesses as well as future development, while simultaneously acting as preventing conversion of the area to a commercial or medical zone.

V. Consistency with State Planning Goals 11 and 12

The Application is consistent with Goal 11- Public Facilities and Services. The Code Amendments will not affect the City or other service providers’ ability to provide public facilities

⁴ Respectively, SDC 3.2.425 Development Standards and SDC 3.2.428 Development Standards-Specific, SDC 3.2.430 CI District - Operational Performance Standards, SDC 3.2.450 CI District - Design Standards.

⁵ The current SDC allows retail and personal services in the CI District as secondary uses, such as restaurants, coffee shops, fitness clubs, beauty shops, dry cleaners, and industrial equipment and supply stores.

and services. The CI District area is already planned and zoned for a variety of manufacturing uses, industrial, corporate headquarters/offices, Business Parks, research and development, and commercial services, such as restaurants and day care facilities. The area is also underdeveloped. The Code Amendments do not significantly change intensity of uses allowed in Business Parks.

The Application is consistent with Goal 12 – Transportation. The Transportation Planning Rule (TPR) requires an evaluation of whether the Code Amendments will have a “significant affect” on the transportation system. The Code Amendments will not change the functional classification of an existing or planned transportation facility and no changes are proposed to adopted land use designations or the zoning map. The Applicant conducted a TPR analysis that compared the existing CI District to the Code Amendments under “reasonable most traffic-generating use” conditions and concluded that there is no significant adverse affect on traffic.

Since approval of the Hawes Business Park in 2008, there have been no other property owners requesting approval of a Business Park. City Staff have found that it is not reasonable to assume that all land within the CI District will be converted to Business Parks. The area will continue to be attractive for manufacturing, corporate headquarters, and other non-Business Park uses. In addition, anticipating the area being fully developed, there has been substantial investment in the CI District for transportation improvements and transit service such as frequent EMX service.

VI. Conclusion

The Code Amendments will increase the uses permitted in Business Parks while retaining existing development standards. The Code Amendments will help meet a key economic goal to support the City’s Target Industries such as the health care cluster, yet they will still protect the light industrial and office space uses. Since the existing Business Parks are located within a block of frequent transit service and are on a major bike route, the Code Amendments also support City policies encouraging multi-modal transportation corridors. The Code Amendments will implement the City goal to diversify the local economy and will respond to changing economic conditions. All in all, the Code Amendments will benefit the local economy.

The Code Amendments meet the approval criteria and approval is recommended by Springfield Planning Commission, and City and County staff. We likewise urge approval by City Council and County Commission.

Thank you,



Andrée N. Phelps, OSBar #171331
Representing the Applicant

**Lane County
ATTACHMENT 5**

Draft Ordinance 25-03

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 25-03

In the Matter of Amending Lane Code 10.600-15 to Co-Adopt Amendments to Springfield Development Code Campus Industrial District Sections 3.2.400 and 6.1.110 and Adopting a Savings and Severability Clause and Providing an Effective Date. (Local File No. 509-PA25-05073/ City File No. 811-24-000215-TYP4)

WHEREAS, on November 24, 1986, the Lane County Board of Commissioners enacted Ordinance No. 16-86 to adopt the City of Springfield land use regulations for urbanizable lands within the Springfield Urban Growth Boundary in accordance with an urban transition agreement with the City of Springfield; and

WHEREAS, that urban transition agreement provides for joint development and adoption of land use regulations applicable to the urbanizing area within the Springfield Urban Growth Boundary; and

WHEREAS, amendments to Lane Code Chapter 10.600-15 are necessary for the City of Springfield to implement concurrent amendments to the Springfield Development Code within the urbanizing area within the Springfield Urban Growth Boundary; and

WHEREAS, the City of Springfield Planning Commission reviewed the proposal in a public hearing on November 5, 2024; and

WHEREAS, the City of Springfield Planning Commission deliberated on December 3, 2024, where they provided an Order and recommendation for approval to the Springfield City Council and the Lane County Board of Commissioners; and

WHEREAS, the Springfield City Council and the Board of County Commissioners conducted a joint public hearing on April 21, 2025; and

WHEREAS, the Springfield City Council and the Board of County Commissioners continued the joint public hearing to May 5, 2025; and

WHEREAS, the Springfield City Council deliberated on June 2, 2025, and adopted Ordinance ____; and

WHEREAS, the Board of County Commissioners deliberated on June 24, 2025, and is now ready to take action.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDAINS** as follows:

1. The provision of the Springfield Development Code, as adopted by Lane County Ordinance No. 16-86 and amended by Lane County Ordinance Nos. 5-89, 18-90, 9-91, 13-91, 14-92, 5-93, 13-94, 3-97, 7-99, 10-00, 13-04, 2-05, 2-06, 16-07, 4-09, 7-11, 3-12, 13-05, 13-07, 14-13, 14-15, 16-05, 18-06, 19-05, 21-08, 22-03, 23-08, 23-07, 24-04, and 25-03 are hereby further amended to include amendments as depicted in **Exhibit A** (City Ordinance No. ____) incorporated by this reference. These amendments are adopted and incorporated herein by this reference for application to the urbanizable lands within the Springfield Urban Growth Boundary and are not codified into Lane Code.
2. Chapter 10 of Lane Code is hereby amended by removing and inserting the following sections:

REMOVE THESE SECTIONS

10.600-15

INSERT THESE SECTIONS

10.600-15

Said section is attached hereto as **Exhibit B** and incorporated herein by this reference. The purpose of this substitution and addition is to amend Lane Code Chapter 10 to include reference to this Board of County

Commissioner's action adopting amendments to the City of Springfield land use regulations to be applied by the City of Springfield on urbanizable lands within the Springfield Urban Growth Boundary.

3. The Findings of Fact attached as **Exhibit C** and incorporated by this reference are adopted in support of the above amendments.

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

Nothing herein is intended to, nor acts to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.

Ordinances, Lane Code sections, and regulations amended by this Ordinance remain in force to authorize a punishment, penalty or forfeiture incurred, or a suit, prosecution, or proceeding pending when the amendment takes effect, for an offense or violation committed under the amended Ordinance, code section, or regulation prior to the effective date of this Ordinance.

Effective date of Ordinance. The effective date of this Ordinance is as provided in the Chapter IX of the Springfield Charter and Section 2.110 of the Springfield Municipal Code, 30 days from the date of passage by the Council and approval by the Mayor; or upon the date that an ordinance is enacted by the Lane County Board of County Commissioners approving the same amendments as provided in Sections 1 through 3 of this Ordinance; or upon acknowledgment under ORS 197.625; whichever occurs last.

ENACTED this ____ day of _____, 2025

David Loveall, Chair
Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
Date _____

LANE COUNTY OFFICE OF LEGAL COUNSEL

Lane County
ATTACHMENT 5 - Exhibit A

Draft City Ordinance with Exhibits

CITY OF SPRINGFIELD, OREGON
ORDINANCE NO. _____ (GENERAL)

**AN ORDINANCE AMENDING SECTIONS 3.2.400 AND 6.1.110 OF THE SPRINGFIELD
DEVELOPMENT CODE; ADOPTING A SAVINGS AND SEVERABILITY CLAUSE AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, Springfield City Council adopted the *Springfield Development Code* (SDC) on May 5, 1986, and has subsequently adopted amendments thereto by ordinance;

WHEREAS, SDC 5.6.100 sets forth procedures for amendments to the *Springfield Development Code*;

WHEREAS, SDC 5.6.105(B) sets for procedures for citizens to initiate amendments to the Development Code text;

WHEREAS, on September 9, 2024 the City accepted a citizen-initiated application to amend Sections 3.2.400 and 6.1.110 of the *Springfield Development Code*;

WHEREAS, a legislative summary of the amendments to Sections 3.2.400 and 6.1.110 of the *Springfield Development Code* are attached hereto as **Exhibit A**;

WHEREAS, on November 5, 2024 the Springfield Planning Commission opened a properly noticed public hearing on the proposed *Springfield Development Code* amendments;

WHEREAS, on December 3, 2024 the Springfield Planning Commission approved a recommendation of approval to the City Council and the Lane County Board of Commissioners for the proposed *Springfield Development Code* amendments;

WHEREAS, on _____, 2025 the City Council and Lane County Board of Commissioners held a properly noticed joint public hearing and are now ready to take action on the proposed amendments based on the Planning Commission recommendations and the evidence and testimony already in the record and presented at the public hearing; and

WHEREAS, substantial evidence exists within the record and the Staff Report and Findings attached as **Exhibit B**, which is adopted in support of this Ordinance, that the proposal meets the relevant approval criteria,

NOW, THEREFORE THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The Springfield Development Code is amended as provided in **Exhibit A**, which is attached hereto and incorporated herein by reference.

Section 2. The findings set forth in **Exhibit B** are adopted as findings in support of this Ordinance.

Section 3. Savings Clause. Except as specifically amended herein, the Springfield Development Code will continue in full force and effect. The prior Code and land use regulations repealed or amended by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this ordinance.

Section 4. Severability Clause. 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 portion hereof.

Section 5. Effective Date. The effective date of this Ordinance is as provided in the Chapter IX of the Springfield Charter and Section 2.110 of the Springfield Municipal Code, 30 days from the date of passage by the Council and approval by the Mayor, or upon acknowledgement of this Ordinance under ORS 197.625, whichever occurs last.

ADOPTED by the City Council of the City of Springfield this ____ day of _____, 2025
by a vote of ____ for and ____ against.

APPROVED by the Mayor of the City of Springfield this ____ day of _____, 2025.

Mayor

ATTEST:

City Recorder

Exhibit A
**Planning Commission Recommendation for Springfield Development Code Amendments
Concerning Business Parks in the Campus Industrial District**

The following amendments to the Springfield Development Code (SDC) are intended to clarify and expand uses permitted in “Business Parks” in the Campus Industrial District (CI). The Code amendments are shown in legislative format (deleted text in ~~strike through red~~ and new text with underline red).

**3.2.400
INDUSTRIAL DISTRICTS**

3.2.405. Purpose and Applicability.

- (A) Purpose. The purpose of the industrial districts is to:
- (1) Broaden, improve, and diversify the Springfield economy while maintaining or enhancing environmental quality and Springfield’s natural heritage.
 - (2) Provide certainty, predictability, and flexibility in the development of industrial development.
 - (3) Make development decisions predictable and cost effective.
- (B) Applicability. This section applies to development in the Campus Industrial (CI), Light Medium Industrial (LMI), Heavy Industrial (HI), and the Special Heavy Industrial (SHI) Districts. These districts are identified on the City’s official Zoning Map. Properties designated within each district that contain additional standards must comply with the provisions of the applicable district, except as may be modified by this section. The districts serve different uses as described below.

District	Location and Characteristics
Campus Industrial (CI)	This district is intended to provide opportunities for diversification of the local economy by offering prime sites in a campus environment for large-scale light manufacturing firms and research and development complexes emphasizing modern technology and employing skilled workers in family wage jobs. The term “campus” includes innovative building designs, enhanced landscapes, large open spaces, and substantial pedestrian amenities.
Light-Medium Industrial (LMI)	This district is intended to provide opportunities for the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is generally less than heavy industrial, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage. This designation also can accommodate supporting offices and campus industrial uses.
Heavy Industrial (HI)	This district is intended to provide opportunities for the processing of large volumes of raw materials into refined materials and/or that have significant external impacts. Heavy industrial transportation needs often include rail and truck. Less intensive industrial uses that are permitted in the LMI District are also permitted in this district.
Special Heavy Industrial (SHI)	This district is intended to provide opportunities to accommodate industrial developments that need large parcels, particularly those with rail access.

Although the primary purpose of this district is to provide sites for heavy industries other industry is allowed.

3.2.410. Use Category Determination.

(A) For the purpose of SDC 3.2.400, uses and activities are classified into use categories on the basis of common functional, product, or physical characteristics, as described below.

- (1) **Determination of Use Category.** Uses are assigned to the category whose description most closely describes the nature of the primary use. Developments may have more than 1 primary use. Developments may also have 1 or more accessory uses.

When a use's category is not clearly identifiable, the Director, through an administrative action, determines the applicable use category. The Director will consider the following factors to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:

- (a) The description of the activity in relationship to the characteristics of each use category;
 - (b) The relative amount of site or floor space and equipment devoted to the activity;
 - (c) Relative amounts of sales from each activity;
 - (d) The customer type for each activity;
 - (e) The relative number of employees in each activity;
 - (f) Hours of operation;
 - (g) Building and site arrangement;
 - (h) Vehicles used with the activities;
 - (i) The relative number of vehicle trips generated by the activities;
 - (j) The signage for the proposed use(s) and activities;
 - (k) How the use advertises itself; and
 - (l) Whether the activities function independently of other activities on the site.
- (2) **Multiple Uses.** When all of the primary uses of a development fall within 1 use category, then the development is assigned to that use category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.
 - (3) **Determination of Similar Use Category.** Subject to prior submittal and approval of an application pursuant to Type 2 procedures, uses and development similar to those found in

Table 3.2.420 may be allowed if found by the Director to be “clearly similar” to the uses and development allowed by Table 3.2.420. The applicant has the burden to provide sufficient information to allow the Director to make findings on the following criteria.

The Director must make findings that the proposed use is “clearly similar” based on the following criteria:

- (a) The use and development are consistent with the purpose of this section.
- (b) When compared with the uses and development permitted by Table 3.2.420, the use and development are similar to 1 or more of these uses and development based on an analysis of the:
 - (i) Goods or services traded from the site;
 - (ii) Bulk, size, and operating characteristics of the proposed use and development; and
 - (iii) Parking demand, customer types, and traffic generation.
- (c) The use and development comply with the other applicable provisions of this section.

Uses that are not “clearly similar” because they do not meet the standards above, may be allowed as a new use, according to the procedures and standards in SDC 5.11.100, Interpretations.

3.2.415. Industrial Use Categories.

- (A) Industrial Use. Employment activities, including, but not limited to, the use of land primarily for the manufacture, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment, and research and development, that generate income from the production, processing, handling or distribution of goods and services, including goods and services in the traded sector as defined by ORS 285A.010.
- (B) Heavy Manufacturing and Production.
 - (1) “Heavy manufacturing and production” refers to the manufacturing from raw materials, processing from raw materials, or assembly of goods. Natural, human-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi- finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.
 - (2) Examples of heavy manufacturing and production uses include, but are not limited to: lumber mills, pulp and paper mills, and other wood products manufacturing; manufacturing and processing of metals or metal products including enameling and galvanizing; biotechnology; manufacturing or processing of chemical, rubber, leather, clay, bone, plastic, stone, concrete, glass materials, or related products; manufacturing or production of food and beverage or related products; manufacturing of textiles or apparel; woodworking, including cabinet makers; the production of energy; and paper products or other similar materials manufacturing

or processing.

(3) Exceptions.

- (a) Manufacturing of goods to be sold primarily on site and to the general public is classified as retail sales and service as found in SDC 3.2.300.
- (b) Manufacture and production of goods from composting organic material is classified as waste-related uses.

(C) Light Manufacturing, Fabrication, and Repair.

- (1) “Light manufacturing, fabrication, and repair” refers to the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, human-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.
- (2) Examples of light manufacturing, fabrication, and repair uses include, but are not limited to: manufacturing, fabrication, or repair of appliances, electronic equipment, furniture, signs, and similar goods; fabrication of metal or metal products; manufacturing, assembly, or repair of machinery, equipment, instruments, biotechnology; manufacturing of apparel or other finished goods made from canvas, cloth, fabrics, feathers, felt, leather, textiles, wool, yarn, or similar materials; finished woodworking and assembly, including cabinet makers; preparation of food and related products including catering establishments; breweries, distilleries, and wineries; media production facilities; and manufacturing of prefabricated or modular structures including manufactured homes and related components.

(D) Industrial Service.

- (1) “Industrial service” refers to the repair or servicing of business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off site. Few customers, especially the general public, come to the site.
- (2) Examples of industrial service uses include, but are not limited to: welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; storage of building materials; heavy truck servicing and repair; tire retreading or recapping; contractors including building, heating, plumbing, electrical, or similar; health, safety, first aid, and EMS service; printing, publishing and lithography; recycling operations; janitorial and building maintenance services including exterminators; fuel oil distributors; solid fuel yards; research, development, and testing laboratories or facilities; technology development and support centers; industrial laundry, dry- cleaning, and carpet cleaning plants; and photofinishing laboratories.
- (3) Exceptions.

- (a) Contractors and others who perform industrial services off site are included in the office category, if equipment and materials are not stored at the site, and fabrication or similar work is not carried on at the site.
- (b) Hotels, restaurants, and other services that are part of a truck stop are considered accessory to the truck stop.

(E) Warehouse and Wholesale Sales.

- (1) Warehouse and wholesale sales includes the wholesale storage or movement of goods by a company for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. "Warehouse" refers to the storage of finished and unfinished products and materials within an entirely enclosed building. This use may include facilities for regional wholesale distribution, if permitted by the applicable land use district. "Wholesale sales" refers to the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.
- (2) Examples of warehouse and wholesale sales uses include, but are not limited to: regional distribution headquarters including storage, wholesale warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; wholesale distribution centers; truck/freight terminals; bus barns; parcel delivery services; major post offices; grain terminals; and the stockpiling of sand, gravel, or other aggregate materials. Additionally, wholesale sales includes sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, building hardware, and office supplies.
- (3) Exceptions.
 - (a) Uses that involve the transfer or storage of solid or liquid wastes are classified as waste-related uses.
 - (b) Uses that engage primarily in sales to the general public are classified as retail sales and service as found in SDC 3.2.300.
 - (c) Uses that engage in sales on a membership basis are classified as retail sales.

(F) Waste-Related.

- (1) "Waste-related" includes uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the biological decomposition of organic material. Waste-related uses also include uses that receive hazardous wastes from others and are subject to the regulations of OAR 340-100, Hazardous Waste Management.

- (2) Examples of waste- related uses include, but are not limited to: sanitary landfills, limited use landfills, waste composting, energy recovery plants, sewer treatment plants, portable sanitary collection equipment storage and pumping, processing of waste, and hazardous-waste-collection sites.
- (3) Exceptions.
 - (a) Disposal of clean fill, consisting of soil, rock, concrete, brick, building block, tile, or asphalt paving, which does not contain contaminants that could adversely impact public health and which does not contain putrescible waste, construction and demolition waste, or industrial solid waste, is not a waste related use.
 - (b) Sewer pipes that serve a development are considered a basic utility.
 - (b) Recycling operations are not considered a waste-related use. They are classified as an industrial service use.

(G) **Corporate or Regional Headquarters.**

- (1)** “Corporate or regional headquarters” means a building or portion of a building in which people are employed in the management or direction of a business consisting of ~~{H}~~ **one** or more companies, or divisions or groups of companies. ~~{This use must be directly associated with and subordinate to a permitted use or a use allowed with a Discretionary Use Permit on the same site.}~~
- (2)** Corporate or regional headquarters may be permitted **in one of the following ways:** (i) as part of a large-scale light-manufacturing use ~~{or}~~, (ii) located within **an approved {b}Business {p}Park{}**, (iii) **directly associated with a permitted use or a discretionary use on the same site, or (iv) {Corporate or regional headquarters also may be a} as a stand-alone use.** ~~{The acreage comprising standalone corporate or regional headquarters site must be applied to the 40 percent gross acreage standard for business parks.}~~
- (3)** Corporate or regional headquarters must have at least 20 or more employees at the time of occupancy.

(H) **Secondary Use.**

- (1) “Secondary use” means a use that is integrated with the primary use, is not stand alone, and is not permitted in the absence of a primary use.
- (2) Examples of secondary uses include, but are not limited to: eating and drinking establishments; personal services such as hair stylists, beauty, fitness, spa, shoe repair, dry cleaning, and tailors; child care facilities primarily serving employees; building maintenance services; industrial and professional equipment and supply stores; financial institutions including ATMs.
- (3) Retail, wholesale and service uses, either alone or in combination, cannot exceed 20 percent of the gross floor area of a building. These uses exclude any drive-through facility and must not primarily serve the general public. Except for ATMs, each use is limited to 2,500 square feet of gross floor area.

- (4) Child care facilities may exceed the 2,500 square foot standard in order to comply with size requirements.

(5) Exception.

(a) SDC 3.2.415(H) does not apply to Business Parks. Business Park standards for secondary uses are found in SDC 3.2.415(J).

(I) Accessory Use.

- (1) “Accessory use” means a use that is subordinate to the primary use.
- (2) Examples include, but are not limited to: accessory structures; administrative professional or business offices; copying and photo developing; cafeteria serving employees; developed recreation area or pedestrian amenities serving the development area; storage yards or warehouses; parking lots and parking structures; truck fleet parking; repair and maintenance areas; docks; rail spur or rail lead line; heliports and helistops; and 1 dwelling unit per site.

(J) Business Park.

(1) Business Park primary uses include the following:

- (a) SDC 3.2.415 Industrial Use Categories: (A) Industrial Use, (C) Light Manufacturing, Fabrication, and Repair, (D) Industrial Service, (E) Warehouse and Wholesale Sales, and (G) Corporate or Regional Headquarters;**
- (b) Administrative and professional offices, including government offices;**
- (c) Educational facilities including professional, vocational and business schools, and job training and vocational rehabilitation services; and**
- (d) Clinics for treatment of patients on an outpatient basis. Clinics in Business Parks must not include emergency or urgent care facilities.**

(2) Business Park secondary uses include the following:

- (a) Retail Sales and Services (non-automobile dependent/oriented);**
- (b) Eating and Drinking Establishments (without drive-through);**
- (c) Child Care Center;**
- (d) Bicycle Paths and Pedestrian Trails; Parks; and**
- (e) Public Utility Facilities.**

- (3) Business Park secondary uses must not exceed 40 percent of the total gross floor area of the Business Park. A Business Park will not be in violation of this limit due to a vacancy in the primary use space of the Business Park.**
- (4) Business Park uses may serve the public.**
- (5) Business Parks are subject to Site Plan Review as provided in SDC 3.2.455 and SDC 5.17.100, including all new Business Parks, as well as modifications of approved Business Parks that meet the threshold set forth in SDC 5.17.100.**

3.2.420. Permitted Uses.

- (A) The land uses listed in Table 3.2.420 are permitted in each of the applicable districts, subject to the provisions of this section.

Table 3.2.420 Permitted Uses Industrial District					
Land Use	**CI	LMI	HI	*SHI	Applicable code standards
Industrial					
Heavy Manufacturing and Production	N	D	P	P	
Light Manufacturing, Fabrication, and Repair	D	P	P	P	
Industrial Service	P	P	P	P	
*Warehouse and Wholesale Sales	P	P	P	P	SDC 3.2.428
Waste-Related	N	N	D	D	
Explosives or Fireworks, Manufacturing, Warehouse or Distribution	N	D	D	N	
Corporate Office/ Headquarters	P	P	P	P	
Outdoor Storage Directly Related to an Approved Use	N	P	P	P	
Automobile Wrecking, or Towing Service Operations	N	N	D	N	
Industrial Park	N	P	P	P	

**Table 3.2.420 Permitted Uses
Industrial District**

Land Use	**CI	LMI	HI	*SHI	Applicable code standards
Business Park	P	N	N	N	<u>SDC 3.2.415(J)</u>
Slaughterhouse	N	N	D	N	
Other					
*Secondary Use (as defined)	P	D	D	D	SDC 3.2.415
*Accessory Use (as defined)	P	P	P	P	SDC 3.2.415
*Marijuana Production Facility	N	N	P	P	SDC 4.7.177
*Marijuana Processing Facility	N	P	P	N	SDC 4.7.177
*Marijuana Wholesale Facility	N	P	P	N	SDC 4.7.177
*Marijuana Retail Outlet or Sales, as Primary or Secondary Use	N	N	N	N	SDC 4.7.177
*Recreational Facilities	N	P	P	P	SDC 4.7.205
Child Care Centers	P	P	N	N	
Bicycle Paths and Pedestrian Trails	P	P	P	P	
Linear Parks	P	P	P	P	
Agricultural Cultivation of Vacant Land	P	P	P	P	
Income-Qualified Housing	P*	P*	N	N	SDC 4.7.405
Public and Institutional					
Educational Facilities	N	D	N	N	SDC 4.7.195
*High Impact Public Utility Facilities	D	P	P	P	SDC 4.7.160
Low Impact Public Utility Facilities	P	P	P	P	
*Wireless Telecommunications System (WTS) Facilities	N	See SDC 4.3.145	See SDC 4.3.145	See SDC 4.3.145	

P = Permitted Use; D = Discretionary Use permit required; N = Not Allowed

* Permitted subject to cited code standards; in the SHI District, the standard is found in SDC 3.2.425(A)(1).

** Uses in the CI District must meet the operational performance standards specified in SDC 3.2.430.

3.2.425. Development Standards.

In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section apply to all development in industrial districts. In cases of conflicts, standards specifically applicable in the industrial district apply. In cases of conflicts in this section between the general standards and the area-specific standards, the area-specific standards apply.

(A) Lot Area, Dimensions, and Coverage. The following Table 3.3.425 sets forth the industrial district lot area, lot dimension, and coverage standards.

Table 3.2.425(A) Industrial District Lot Area, Dimension and Coverage Standards				
Development Standard	CI	LMI	HI	SHI
Minimum lot/parcel size	10,000 square feet	10,000 square feet	10,000 square feet	10,000 square feet see (A)(1) below
Minimum frontage, see (A)(2) below	75 feet	75 feet	75 feet	75 feet
Panhandle lot/parcel minimum frontage, both single and double panhandles	N/A	40 feet	40 feet	40 feet
Maximum lot/parcel coverage	Limited only by requirements of other sections of this code.			

(1) Until annexed to the City, the minimum lot/parcel size in the SHI District must be 40 acres and the minimum development area must be 10 acres.

(2) The frontage standard does not apply when the following are met:

(a) The lots/parcels have been approved as part of a Master Plan, Site Plan, Subdivision or Partition; and

(b) Access has been guaranteed via a private street or driveway by an irrevocable joint use/access agreement as specified in SDC 4.2.120(A).

(B) Setbacks. Setbacks provide separation between industrial and non- industrial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation. All developments must meet applicable fire and building code standards, which may require greater setbacks than those listed in this section (e.g., for combustible materials, etc.).

Required setbacks are measured from the special street setback in SDC 4.2.105(N), where applicable.

The following setback standards apply to all structures, except as otherwise provided by this section.

(1) Front Yard Building Setback.

(a) Campus Industrial District.

- (i) The minimum front yard building setback is 20 feet if abutting a local street.
- (ii) The minimum front yard building setback is 30 feet if abutting a collector or arterial street.

(b) Light Medium Industrial District. The minimum front yard building setback is 10 feet.

(c) Heavy Industrial District. The minimum front yard building setback is 10 feet.

(d) Special Heavy Industrial District. The minimum front yard building setback is 10 feet.

(2) Parking, Driveway, or Outdoor Storage Setback.

(a) Campus Industrial District. The minimum yard setback for parking, or driveway is 5 feet from any property line. In the CI district no outdoor storage is allowed.

(b) Light Medium Industrial District. The minimum yard setback for parking, driveway, or outdoor storage is 5 feet from any property line.

(c) Heavy Industrial District. The minimum yard setback for parking, driveway, or outdoor storage is 5 feet from any property line.

(d) Special Heavy Industrial District. The minimum yard setback for parking, driveway, or outdoor storage is 5 feet from any property line.

(3) Other Setbacks.

(a) Building Setback From a R-1, R-2, or R-3 Residential District.

- (i) Campus Industrial District. The minimum setback for a building from a residential district boundary is 50 feet.
- (ii) Light Medium Industrial District. The minimum setback for a building from a residential district boundary is 10 feet.
- (iii) Heavy Industrial District. The minimum setback for a building from a residential district boundary is 10 feet.
- (iv) Special Heavy Industrial District. The minimum setback for a building from a residential district boundary is 10 feet.

- (b) Building Setback From a CI District.
 - (i) Campus Industrial District. NA.
 - (ii) Light Medium Industrial District. The minimum setback for a building from a CI district boundary is 10 feet.
 - (iii) Heavy Industrial District. The minimum setback for a building from a CI district boundary is 10 feet.
 - (iv) Special Heavy Industrial District. The minimum setback for a building from a CI district boundary is 10 feet.
 - (c) Building Setback Within the CI District From Other Districts. The minimum setback for a building within the CI district from another nonresidential district boundary is 10 feet.
 - (d) Building separation From Other Buildings Within the CI District. The minimum building separation between buildings in the CI district is 20 feet.
- (4) Setback Exceptions and Special Circumstances.
- (a) Where a public utility easement (PUE) is larger than the required setback standard, no building or above grade structure, except a fence, can be built upon or over that easement.
 - (b) CI District Setback Exceptions. Required building setbacks and separations may be reduced through the Site Plan Approval process without a variance when:
 - (i) The building design incorporates landscaped stormwater quality facilities within the setback area that also enhances pedestrian amenities and the campus environment;
 - (ii) Necessary to protect natural assets identified in the Gateway Refinement Plan or elsewhere in this code;
 - (iii) Necessary to preserve existing healthy mature trees;
 - (iv) Necessary to accommodate handicapped access requirements; or
 - (v) Legally created lots/ parcels do not meet the minimum lot/parcel size.

Table 3.2.425(B) summarizes the above setback standards.

Table 3.2.425(B) Setback Standards				
Development Standard	CI	LMI	HI	SHI
Front setback for building	20/30 feet	10 feet	10 feet	10 feet

Table 3.2.425(B) Setback Standards

Development Standard	CI	LMI	HI	SHI
Setback for parking, driveway, or outdoor storage	5 feet	5 feet	5 feet	5 feet
Building setback from residential district	50 feet	10 feet	10 feet	10 feet
Building setback from CI district	N/A	10 feet	10 feet	10 feet
Building setback within CI district from other district	20 feet	N/A	N/A	N/A
Building setback from other buildings within CI district	20 feet	N/A	N/A	N/A

(C) Height.

- (1) The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale.
 - (a) Buildings and structures in the Campus Industrial District are limited to the maximum height of 45 feet.
 - (b) Buildings and structures in the Light Medium Industrial, Heavy Industrial, and Special Heavy Industrial Districts have no maximum height, except when abutting a residential district. When abutting a residential district, the following height standards apply:
 - (i) The height of a structure must not exceed the height permitted in the adjacent residential land use district for a distance of 50 feet. For the adjacent R-1 zone the applicable height limit would be 35 feet and R-2 zone the applicable height limit would be 50 feet.
- (2) Incidental equipment, as defined in SDC 6.1.110 may exceed the height standard.

Table 3.2.425(C) summarizes the above height standards.

Table 3.2.425(C) Height Standards

Development Standard	CI	LMI	HI	SHI
Maximum Height	45 feet	No maximum height, except when abutting residential districts (see below)		

Table 3.2.425(C) Height Standards

Development Standard	CI	LMI	HI	SHI
Industrial District abuts an R-1 or R-2 District	N/A	The height of a structure must not exceed the height permitted in the adjacent residential land use district for a distance of 50 feet from the property line.		

3.2.428. Development Standards – Specific.

- (A) **Manufactured Dwelling as a Permanent Office Use.** A manufactured dwelling, provided it meets City and state construction and safety standards for the proposed use, may be used as a permanent office building in the Light-Medium Industrial and Heavy Industrial Districts, provided the following conditions are met prior to occupancy:
- (1) A permanent foundation is provided for the manufactured dwelling.
 - (2) Siding must be compatible with adjacent structures; the roof must have a minimum 16 percent pitch.
 - (3) Foundation covers, skirting, landscaping and backfill are required.
 - (4) Compliance with these regulations is a condition of continued use of the manufactured dwelling on the property.
- (B) **Warehouse Commercial Retail and Wholesale.**
- (1) Buildings must be located in the front of lots/parcels, where possible, to minimize the visibility of outdoor storage yards or areas.
 - (2) Any outdoor storage yard or area must be surrounded by a sight-obscuring fence.

Exception: Sales of heavy equipment and trucks does not require fencing.
 - (3) In the Downtown Exception Area, the storage and display of rental equipment must be confined within a building.
 - (4) For mini-storage facilities, an on-site manager's living quarters must be permitted when the living quarters are constructed as part of and attached to a new or existing mini-storage facility.
 - (5) **Light- Medium Industrial and Warehousing.** For warehouse- commercial use, at least 50 percent of the structure must be used for storage of materials and 50 percent or less may be used for combined retail and office floor space.

3.2.430. CI District— Operational Performance Standards.

The operational performance standards listed below apply to all uses permitted within the CI District. For permitted light industrial manufacturing uses, compliance with these operational performance standards shall be the determining factor. In all other cases, the use lists in SDC 3.2.420 are the determining factor.

- (A) All manufacturing operations shall be entirely enclosed within a building.

EXCEPTION: The Director may allow an outdoor utility yard to store tanks containing gases and/or fluids that are essential to the operation of the permitted use that cannot otherwise be contained in an enclosed building for fire and life safety reasons, as determined by the Fire Marshal. The utility yard shall be screened from public view by a masonry or decorative concrete wall at least 8 feet in height that is an extension of the building, complements the façade of the building and meets the setback requirements specified in SDC 3.2.425.

- (B) All applicable on-site design standards specified in SDC 3.2.450 shall be met.

- (C) The storage of raw materials and/or finished products shall occur entirely within enclosed buildings. The parking of trucks necessary for the operation of the facility shall also occur within enclosed buildings, unless permitted as specified in SDC 4.6.125 and SDC 3.2.450(C).

- (D) Office and commercial uses shall not primarily serve the public.

EXCEPTION: Office and commercial uses in a Business Park must comply with SDC 3.2.415(J).

- (E) The movement of heavy equipment on or off the site shall not be permitted.

EXCEPTION: Truck deliveries and shipments are permitted;

- (F) Proposed uses not listed as permitted uses in SDC ~~[3.4.420]~~ **3.2.420** are not ~~to be~~ permitted.

EXCEPTION: Business Park uses must comply with SDC 3.2.415(J).

- (G) Proposed uses shall also comply with the additional operational performance standards listed below. The intent is not to specifically deny a use, but ensure compliance with applicable local, State, and Federal regulations. Compliance with these operational performance standards are the continuing obligation of the property owner. Failure to comply with these operational performance standards shall be a violation of this Code and/or Chapter 5 of the Springfield Municipal Code, 1997.

- (1) Air pollution. Air pollution includes, but is not limited to, emission of smoke, dust, fumes, vapors, odors, and gases. Air pollution shall not be discernable at the property line by a human observer relying on a person's senses without the aid of a device. The applicant shall obtain and maintain all applicable licenses and permits from the appropriate local, State, and Federal agencies.

EXCEPTION: Water vapor or other benign plumes from processes or pollution control equipment shall not be considered air pollution.

- (2) Fire and explosive hazards. All activities involving the use, storage and/ or disposal of flammable or explosive Fire Code as most recently adopted by the City.

- (3) Glare.
 - (a) Glare resulting from exterior lighting, excluding low -intensity pedestrian- level lighting, shall be controlled by deflecting light away from abutting uses and from public rights-of-way as specified in SDC 4.5.100.
 - (b) Glare resulting from an industrial operation including welding or laser cutting shall not be visible from the outside of the building.
- (4) Groundwater Protection. Proposed development utilizing hazardous materials that may impact groundwater quality shall be as specified in SDC 3.3.200.
- (5) Hazardous Waste. Proposed development shall not utilize or produce hazardous waste unless permitted as specified in Oregon Administrative Rule (OAR) 340-102-0010 through 340-102-0065 or any applicable Federal regulation.
- (6) Noise. These standards apply to noise generated by any machinery or equipment on the development site. The maximum permitted noise levels in decibels across lot/parcel lines and district boundaries shall be as specified in OAR 340-035-0035, Noise Control Standards for Industry and Commerce.

EXCEPTION: Excluded from these noise standards are background traffic on State highways and public streets and occasional sounds generated by temporary construction activities, truck deliveries, warning devices, or other similar temporary situations.

- (7) Radiation. There are various sources of radiation, including, but not limited to ionizing radiation, electromagnetic radiation, and radiation from sonic, ultrasonic, or infrasonic waves. Uses that involve radiation shall comply with the regulations in OAR 333-100-0001 through 333-100-0080 and any applicable Federal regulation.
- (8) Vibration. No use, other than a temporary construction operation, shall be operated in a manner that causes ground vibration that can be measured at the property line. Ground-transmitted vibration shall be measured with a seismograph or a complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in 3 mutually perpendicular directions.

(H) Warehousing is permitted only as a secondary use in the following circumstances:

- (1) For the storage and regional wholesale distribution of products manufactured in the CI District;
- (2) For products used in testing, design, technical training or experimental product research and development in the CI District; and/or
- (3) In conjunction with permitted office-commercial uses in the CI District.
- (4) The secondary use status of warehousing is typically determined by a square footage standard which is less than 50 percent of the gross floor area of the primary use. In the CI District, the number of employees at the time of occupancy may also be used to determine secondary use standards status. In this case, the primary use must have 20 or more employees and the

warehousing use must have fewer employees than the primary use. If the employee standard is met, the warehousing use may have more square footage than the primary use.

3.2.435. CI District— Monitoring Uses.

- (A) CI District uses shall be monitored by implementing a Pre-certification process. The purpose of Pre-certification is to determine whether a proposed use is, in fact, a permitted use within the CI District. Pre-certification applies to all new uses and any change of use in the CI District.
- (B) The Director shall review the proposed use prior to the submittal of a development application or in some cases, a building permit. The Director shall consider both the permitted uses and the operational performance standards specified in SDC 3.2.415 and SDC 3.2.425. If the Director does not approve the Pre-certification, the applicant may submit a request in writing to the Director to make a determination that the proposed use is similar to a permitted use. If the Director cannot make a determination that the proposed use is similar to a permitted use, the applicant may apply for an Interpretation as specified in SDC 5.11.100. After Pre-certification by the Director, the form will be kept on file in the Development and Public Works Department to be used for continued compliance with SDC 3.2.420.

3.2.440. CI District—Status of Existing Uses.

Unless existing uses are on the prohibited use list specified in SDC 3.2.420 after July 6, 2004, existing uses have status as specified below. The intent is that the existing uses do not become non-conforming uses.

- (A) Corporate headquarters that are located outside of a business park including, PacificSource, Symantec, and Holt International are permitted primary uses. If these uses own or have options on adjacent property for future expansion, they may expand without the need to be located within a business park.
- (B) Large-scale light industrial manufacturing buildings may be reused for permitted office/commercial uses as long as these uses do not exceed 50 percent of the gross floor area of the building. In addition, warehousing may occur as specified in SDC 3.2.420.

EXCEPTION: For SONY, reuse may include any permitted use in the CI District. If no large- or medium- scale light industrial manufacturing use is proposed, conversion to a business park is permitted. The SONY site may also use the excess facility capacity as a private utility to serve other properties in the vicinity.

- (C) Stand-alone day care centers that primarily serve CI District businesses are a permitted secondary use.
- (D) Permitted stand alone office/commercial uses outside of business parks are a permitted primary use.
- (E) Significant Goal 5 historic resources, including the Brabham farm, the Koppe farm, and the Rice farm, may continue as a residential use or as any permitted commercial use. Any external modifications to these structures shall be as specified in SDC 3.3.900.

3.2.445. CI District—Conceptual Development Plans and Master Plans.

A Conceptual Development Plan is required for all new CI Districts over 50 acres in size approved after July 6, 2004, unless a Site Plan or Master Plan is proposed for the entire CI District. A Master Plan may be submitted when phased developments exceeding 3 years in duration are proposed. A Master Plan shall comply with any applicable approved Conceptual Development Plan or upon approval of a Master Plan or Site Plan for the entire CI District, the Master Plan or Site Plan may supplant and take precedence over an approved Conceptual Development Plan. Master Plan approval for a CI District site shall be as specified in SDC 5.13.100.

3.2.450. CI District—Design Standards.

(A) Building Exteriors. In order to break up vast expansions of single element building elevations applicable to both length and height, building design shall include a combination of architectural elements and features, including, but not limited to: offsets, windows, entrances, and roof treatments.

- (1) Offsets. Offsets shall occur at a minimum of every 100 feet of lineal building wall by providing recesses or extensions with a minimum depth of 4 feet.

EXCEPTION: Variations in building wall materials, including, but not limited to: wood siding, brick, stucco, textured concrete block, tile, glass, stone, or other suitable materials may be used instead of offsets.

The Director, in consultation with the Building Official, may approve other suitable materials without the need for a Variance. Smooth-faced concrete panels or prefabricated steel panels may also be used as accents, but shall not dominate the building exterior. Exterior colors for buildings and fences shall be subdued or earth tones.

- (2) Windows. Ground floor windows are required for all office and commercial uses, including those office and commercial uses that are contained within light industrial manufacturing uses. Ground floor windows for the remainder of a light industrial building are optional. All elevations of office and commercial buildings abutting any street shall provide at least 50 percent of their length (e.g., a 100-footwide building façade shall have a total of at least 50 linear feet 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 work areas. On corner lots/parcels this provision applies to both elevations. Where upper story windows are proposed, either awnings, canopies, or other similar treatments shall be required for ground floor windows or variations in window materials, trim, paint or ornamentation may be used.

EXCEPTIONS:

- (a) A mural, that does not include any advertising, may be used to meet 50 percent of the ground floor window standard specified in subsection (A)(2), above. Murals are regulated under Section 8.234 of the Springfield Municipal Code, 1997.
- (b) Building elevations adjacent to alleys or vehicle accessways used primarily for servicing and deliveries are exempt from this standard.

- (3) Entrances. To the greatest extent practicable, all new buildings in the CI District shall be oriented toward both exterior and internal streets.
 - (a) The primary entrance to all buildings in the CI District shall be visible from the street; and
 - (b) A weather-protected area, including, but not limited to: awnings or canopies, at least 6 feet wide, shall be provided at all public entrances.

(4) Roof Treatments. The following roof treatments are required.

- (a) Sloped roofs and multiple roof elements shall be the primary methods for roof treatment. Variations within one architectural style; visible roof lines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground and architectural methods used to conceal flat roof tops may also be used. Mansard style roofs shall not be permitted. If building wall offsets are used, offsets or breaks in roof elevation with a minimum of 3 feet or more in height may be used for every 100 feet of lineal building wall.
- (b) The architectural design of the building roof shall also incorporate features which screen all heating, ventilation and air conditioning units from adjacent R-1 and R-2 properties and the street. Mechanical equipment shall also be buffered so that noise emissions do not exceed the standards specified in SDC 3.2.425(G)(6). The City may require a noise study certified by a licensed acoustical engineer for compliance verification.

(B) Landscaping. The following landscaping standards are in addition to standards specified in SDC 4.4.105:

- (1) A minimum of 35 percent of each development area shall be landscaped open space.
- (2) Plants shall be sized to attain 90 percent coverage of required landscape areas excluding tree canopies), within 3 years of installation. Plantings of native species and plant communities shall achieve 90 percent coverage within 5 years of installation.
- (3) At least 10 percent of the interior of a parking lot having 20 or more parking spaces shall be landscaped. This standard is in addition to any landscaping setbacks required in SDC 3.2.420.
- (4) Natural assets identified in the Gateway Refinement Plan, any other applicable refinement plan or elsewhere in this code shall be included in the site design and protected. Where protection of these natural assets prevents the development of the site consistent with this code, the functional equivalent of the natural assets may be substituted as may be allowed by the City.
- (5) Vegetation within a structural stormwater control that complies with SDC 4.3.110 may be counted toward the minimum landscaping requirements of this section.

(C) Screening. Screening shall be as specified in SDC 4.4.110. In addition, truck parking for vehicles necessary for the operation of the facility shall be screened by a masonry or concrete wall that is an extension of the building and complements the façade of the building.

The wall shall have a minimum height of 8 feet. The wall shall totally conceal trucks from public view and shall meet the setback requirement specified in SDC 3.2.420.

EXCEPTION: The Director may consider proposed truck parking that is enclosed by buildings and complies with SDC 4.6.125.

(D) Pedestrian Walkways and River Access.

- (1) Walkways From a Sidewalk to Building Entrances. A continuous pedestrian walkway shall be provided from the primary frontage sidewalk for pedestrians to access building entrances.
- (2) Walkways From Parking Lots to Building Entrances. Internal pedestrian walkways shall be developed for persons who need access to the buildings from the parking lots. The walkways shall be located within the parking lots and designed to provide access from the parking lots to the entrances of the buildings. The walkways shall be distinguished from the parking and driving areas by use of any of the following material: special pavers, brick, raised elevation, scored concrete or other materials as approved by the Director.
- (3) In the Gateway CI District, access to the McKenzie River, both for pedestrians and bicycles, shall be addressed in the site design, where specified in the applicable refinement plan or ~~{TransPlan}~~ the Springfield Transportation System Plan.

(E) Transit Stations and Stops. When required, transit stations and stops shall conform to the standards of the Lane Transit District.

3.2.455. Business/ Industrial Parks.

- (A) Development plans submitted as part of a Business/Industrial Park Site Plan Review application shall be prepared by a design team comprised of a project architect, engineer, and landscape architect, 1 of whom shall serve as the project coordinator. The design team shall certify that building, elevation, site, and landscape plans submitted in connection with the Site Plan Review application comply with the on-site design standards specified in SDC 3.2.450 and any other applicable CI District provisions.
- (B) Subdivisions in the LMI District shall conform to Industrial Park standards.
- (1) Development plans submitted as part of an Industrial Park Site Plan Review application shall be prepared by a design team comprised of a project architect, engineer, and landscape architect, 1 of whom shall serve as coordinator. The design team shall certify that building, site, and landscape plans submitted in connection with the Site Plan Review and Building Permit applications comply with applicable SDC provisions and conditions of approval.
 - (2) Buildings and uses within an Industrial Park shall be approved as specified in the criteria specified below:
 - (a) The proposed development is of general design character, (including, but not limited to: anticipated building design, type, location, setback, bulk, height, signage, and distribution of landscaped area, parking, streets and access) which will not create problems for the appropriate development of neighboring properties.

- (b) The proposed development will create an attractive, safe, efficient, and stable internal environment.
- (C) Proposed buildings, streets and other uses will be designed and sited to ensure preservation of significant on- site vegetation, topographic features, and other unique or worthwhile natural features, and to prevent soil erosion or flood hazard.

6.1.100 DEFINITIONS

6.1.110. Meaning of Specific Words and Terms.

Business Park. A development on ~~{1}~~ one or more lots/parcels under common ownership ~~{with 2 or more separate buildings to accommodate light industrial uses, including, but not limited to, office research and development, manufacturing, assembly, warehousing and distribution, large administrative headquarters, and other professional and administrative uses. Light industrial uses permitted within the business park}~~ with uses that qualify under SDC 3.2.415(J) and that have no significant potential for major pollution, adverse visual impacts, or nuisance or hazard factors; and are planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular and pedestrian circulation, off-street parking, utility needs, building design and orientation and open space, landscaping, noise control, outdoor storage and other site improvements as may be required by this code.

Exhibit B

Staff Report and Findings Springfield City Council and Lane County Board of Commissioners Type 4 Amendment to the Springfield Development Code Text

Meeting Date: February 5, 2025

File Number: 811-24-000215-TYP4

Applicant: Hawes Investments, LLC

Request

The City of Springfield has received an application for a text amendment to the Springfield Development Code (SDC). Recent years have seen a spate of Development Code text amendments primarily in response to changes in state law and housing mandates, Council initiatives, and an evolving regulatory environment. Although it is unusual to receive this type of request from the public, in accordance with SDC 5.6.105(B) proposals for amending the Development Code text may be initiated by a citizen (or in this case, a property owner). In accordance with SDC 5.1.605 and 5.6.110, text amendments to the Development Code are processed as a Type 4 legislative plan amendment requiring public hearings before the Springfield Planning Commission and City Council. The proposed text amendments apply to the entire Campus Industrial district, which includes both incorporated and unincorporated properties, and therefore requires co-adoption with Lane County in accordance with SDC 5.6.115(B).

The proposed Development Code text amendments specifically affect the Campus Industrial (CI) District. The proposed amendments are intended to clarify and expand upon the allowable uses in Business Parks within the CI District by allowing for medical offices and other offices that serve the public and clarify the operational performance standards for Business Parks within the CI District. In response to staff's suggestions, the applicant is proposing to make "surgical" text amendments to the Development Code to address evolving economic conditions while still addressing potential future implications of these changes.

The application was submitted and deemed complete on September 9, 2024 and the Springfield Planning Commission public hearing on the proposed Development Code text amendments was opened on November 5, 2024. The Planning Commission continued the public hearing to the regular meeting on November 19, 2024 at which time the public hearing was closed and the matter tabled until the December 3, 2024 regular meeting. The applicant revised and resubmitted the proposed Development Code amendments on November 19 following the public hearing meeting on November 5; this version is included in the Summary of Public and Applicant Testimony (Attachment 2). Staff has prepared a final legislative version of the requested Development Code text amendments based substantially on the applicant's November 19 submittal and in response to public testimony and feedback from the Planning Commission (Attachment 1 Exhibit A). The revisions incorporated into the final recommendation include removing the 40% maximum acreage attributed to Business Parks; clarifying that Business Park primary uses require a transparent public process (i.e. Site Plan Review) for review and approval; that medical clinics and offices serving the public can be approved as primary uses in approved Business Parks; and that medical clinics cannot provide urgent or emergency care.

Background

The applicant owns property at 400 International Way, which was approved and developed as a business park in 2008. Originally constructed as a corporate headquarters office, the existing three-story building comprises approximately 82,700 ft² of leasable space. Economic conditions have changed significantly since the Covid pandemic which has resulted in reduced demand for corporate office space. However, there

are still public agencies and specialized professions that are seeking high quality office space, especially in conjunction with nearby health care facilities.

The applicant proposes to amend the Development Code provisions for offices within business parks, which allows for a wider diversity of tenancies within the existing building. It also clarifies the types of offices that are allowable within the CI District. Because the proposed amendments would affect all existing and future business parks within the CI District it is not considered a site-specific amendment.

Notification and Written Comments

In accordance with the Oregon Administrative Rules (OARs) 660-018-0020, prior to adopting a change to an acknowledged comprehensive plan or land use regulation, local governments are required to notify the state Department of Land Conservation and Development (DLCD) at least 35 days prior to the first evidentiary hearing. A Notice of Proposed Amendment was transmitted to the DLCD on September 26, 2024, which is 40 days prior to the initial public hearing on the matter.

In accordance with SDC 5.1.615, Type 4 land use decisions that amend a comprehensive plan or land use regulations require notice in a newspaper of general circulation. Because the proposed Development Code text amendments are not site-specific a notice posted on site was not required.

Consistent with the requirements of SDC 5.1.615, notification of the November 5, 2024 Planning Commission public hearing was published in *The Chronicle* newspaper on October 24, 2024. Staff also posted notices of the November 5, 2024 Planning Commission public hearing at the following locations: on the Public Notices board in the lobby of Springfield City Hall; on the Development & Public Works office digital display; and on the City's webpage. The posted notices meet the requirements of SDC 5.1.615. A second round of notifications will be issued for the joint public hearing before the City Council and Lane County Board of Commissioners to be scheduled in Spring 2025.

Written testimony was received from G Group LLC and Richardson Sports on November 5, 2024 and summarized in verbal presentations by representatives of Richardson Sports at the public hearing meeting. The applicant submitted testimony and a revised proposal on November 15 in response to the November 5 public hearing testimony and following a private meeting between representatives of the applicant and the respondents (G Group LLC and Richardson Sports). In response to the applicant's revised proposal, additional written testimony was received on November 18, 2024 from Hathaway Larson on behalf of G Group LLC and from Michael Gelardi Law on behalf of Richardson Sports. Ardel Wicks and Michael Gelardi representing Richardson Sports also provided verbal testimony at the November 19 Planning Commission meeting. In their November 18 written testimony, both respondents submitted proposed additional textual changes to the revised Development Code amendments provided by the applicant on November 15.

The testimony provided by G Group LLC and Richardson Sports are similar in nature based on the concerns expressed with the proposed Development Code text amendments. The respondents allege procedural errors with the public hearing process including a lack of notification to adjacent property owners and other potentially affected properties within the Campus Industrial district; incompatibility with the City's Comprehensive Plan; a lack of Goal 11 and 12 analysis; text amendments that are "overly broad and ambiguous"; and why alternative options such as rezoning of the site weren't explored. During the public hearing, the applicant, respondents and Planning Commissioners also questioned how much land was zoned for Campus Industrial and how much of the land base remained as potential development or redevelopment sites. Staff responded to the alternative rezoning option at the public hearing meeting on November 19 and an overview of the Campus Industrial land base is provided below. The issues raised and associated responses are outlined herein.

Public Hearing Process: Respondents allege that the proposed Development Code text amendments require a joint hearing before the Lane County and City Planning Commissions because the amendments are a regulatory change that potentially affects properties both inside and outside the City limits. Respondents argue that provisions of the *Metro Plan* require this joint hearing process with Lane County. It is important to note that this proposed Development Code text amendment is not an amendment to an adopted comprehensive plan or refinement plan and therefore citations from the *Metro Plan* are not applicable to this process. For changes to a land use regulation (such as the Development Code) that applies to land outside the City limits a joint public hearing with the Lane County Planning Commission *could* be held if the County so desires. Article IV, Section 3 of the *Urban Transition Agreement* with Lane County (1986) specifies that Lane County shall “transfer to the Springfield Planning Commission the legislative land use authority for the urbanizable portion of the Springfield Urban Growth Boundry (sic) currently exercised by the Lane County Planning Commission.” The City of Springfield has adopted language in SDC 5.1.625(A) stating that “a Type 4 legislative change to land use regulations that apply entirely or partially outside city limits must be reviewed by the Planning Commission, and Lane County Planning Commission at Lane County’s discretion, prior to action being taken jointly by the City Council and Lane County Board of Commissioners” [emphasis added]. On September 23, 2024 the City of Springfield initiated a request to Lane County for a joint Planning Commission public hearing. The request was politely declined, with the County citing provisions of Article IV, Section 3 of the Urban Transition Agreement. For the aforementioned reasons, the City will not revisit the issue and the recommendation of the Springfield Planning Commission will be brought to the City Council and Lane County Board of Commissioners for joint adoption at a future public hearing. The respondents’ argument that the proposal must be first brought to the joint Lane County and City of Springfield Planning Commissions for a public hearing is therefore found to not apply in this context.

Compatibility with Comprehensive Plan: The staff report contains an overview of the proposal’s consistency with the adopted Springfield Comprehensive Plan. Respondents allege that the proposed text amendments are “so broad they arguably could convert the CI zone into a general commercial or medical zone.” Staff finds that this is an exaggeration of the proposed text amendments because the proposed amendments are surgical in nature and apply exclusively to business parks and activities that are ***already allowed as secondary uses within the district*** [emphasis added]. The proposed changes allow for any existing, secondary uses to also serve the public in addition to internal customers (e.g. employees). Secondary uses are limited by overall floor area and cannot exist without an approved primary use. Therefore, because a primary use must first exist – in an approved Business Park environment – before any secondary use(s) can be considered, the CI district will not devolve into a general commercial or medical district that is comprised only of secondary uses as forecast by the respondents. Finally, there are no provisions of the City’s adopted Comprehensive Plan that preclude textual changes to the Development Code or amendments that clarify and expand the range of allowable uses in a zoning district. The respondents’ argument that the proposal is incompatible with the Springfield Comprehensive Plan is found to have no merit.

Goal 11 and 12 Analysis: The applicant has prepared a Goal 12 analysis that is contained in the application materials and summarized in subsection A.3 of this report. Respondents stated that they didn’t have time to fully review the materials, so the Planning Commission continued the public hearing to November 19 to provide two more weeks for respondents to fully evaluate the application and supporting documents. The Goal 12 analysis is specific to the applicant’s property and does not encompass other developed or undeveloped sites in the Campus Industrial district because future uses on these properties and the associated traffic impacts are highly variable and purely speculative at this point. The City’s Transportation Planning Engineer has reviewed the findings and conclusions of the report and agrees with the content. Staff finds that it is not warranted to revisit the Goal 12 analysis.

Regarding Goal 11 compatibility (which is the provision of adequate public facilities and services), the primary point of analysis is at the time of initial property annexation. Sites that are outside the current City limits but within the Urban Growth Boundary must demonstrate that urban utilities and services can be provided in an orderly and efficient fashion. The City and utility providers anticipate a 20-year development horizon for the Campus Industrial district in sizing facilities and infrastructure to serve this area of Springfield. Once urban development is initiated on a property, the developer must demonstrate through land use and building permitting, the physical construction of improvements, and installation of connections to urban utilities and services that these Goal 11 requirements have been met. Changes to building tenancies and allowable secondary uses do not typically change the serviceability of these properties to be adequately provided with the full suite of urban services and utilities, including police and emergency response. Major changes to on-site uses or wholesale site redevelopment requires review by the City and service providers to ensure the existing facilities are adequate to meet the needs of the new use. Because the proposed text amendments do not appreciably change the types or impacts of allowable uses in Business Parks from what is currently allowed, and urban services and utilities already serve the Campus Industrial district, there is no extensive Goal 11 analysis required for this proposal. The respondents' argument that the proposal requires additional Goal 11 and 12 analysis is found to have no merit.

Site-Specific Rezoning Option: The respondents stated that the proposed text amendments could “turn the [Campus Industrial] zone into a general commercial or medical zone.” Additionally, the respondents questioned why the applicant didn't propose to redesignate and rezone the property to commercial or medical zoning. The applicant did, in fact, submit applications to redesignate and rezone the site to Community Commercial pursuant to Cases 811-24-000162-TYP4 and 811-24-000163-TYP3. Redesignating and rezoning the site to a medical services use would significantly narrow the range of allowable uses and tenancies and serve to eliminate all non-medical uses from the existing Business Park such as corporate headquarters and professional offices. This is not desired by the applicant because they do not wish to convert the Business Park exclusively to medical uses. Redesignating and rezoning the site to Community Commercial would have the immediate effect of creating a “general commercial” site embedded within the Campus Industrial district – an outcome already identified as concerning by the respondents in their testimony. Community Commercial zoning allows for a wide range of non-compatible and automobile-centric uses including drive-through restaurants and coffee kiosks; vehicle service centers, sales lots and fueling stations; mini-storage facilities; retail stores; and big box stores. Low-intensity commercial uses are typically not “target industries” or major employers offering family wage jobs. As stated by the applicant in their rebuttal testimony (Attachment 2), Community Commercial zoning has much different and reduced building and landscaping setbacks, fewer facilities to enhance the pedestrian experience and fewer restrictions on fencing, signage and parking. Redesignation and rezoning of the site to a Community Commercial district is also contrary to the provisions of the City's adopted Comprehensive Plan and would require new Goal 11 and 12 analyses because the types, varieties and intensities of potential uses in the Community Commercial district are considerably different than those in the Campus Industrial district. Moreover, rezoning the property to Community Commercial is contrary to Policy E.1 of the *Springfield Comprehensive Plan - Economic Element* and may require a new or amended Economic Opportunities Analysis that accounts for changes to the size and availability of Campus Industrial employment sites to meet the City's needs over the planning horizon. Because of these conflicting impacts, the City does not support redesignating and rezoning the subject property to a commercial district. Therefore, the suggestion by the respondents to pursue rezoning the site to a commercial zone is not supported by the City's adopted Comprehensive Plan or staff.

Availability of Campus Industrial District Zoned Land: In the applicant's initial submittal and during the Planning Commission public hearing process there was discussion about re-enacting a 40% acreage limit on business parks within the Campus Industrial District. This language had been included in earlier versions of

the City’s Development Code but was removed when comprehensive Development Code amendments were adopted in 2022 with Ordinance 6443. The applicant proposed to reinstate the 40% acreage limit as a measure to limit the proliferation of Business Parks thereby ensuring sites would be available for other primary uses, including target industries. However, based on testimony from the respondents, the applicant removed the 40% acreage limitation language (originally drafted as SDC 3.2.410(J)(5)) in the latest iteration of the proposed Development Code text amendments. The issue regarding acreage limitations and maintaining a tabulation of sites attributed to Business Parks did illuminate a statistic that neither staff nor the applicant could quickly answer: about how much developable land remains within the Campus Industrial District? To address this question, following the November 19 public hearing meeting City staff examined the entire assembly of properties with CI zoning in Springfield. The properties were then loosely categorized based on whether they were fully or mostly developed; partially developed or developed with existing, non-conforming uses; or vacant. Using these general parameters, staff determined the following:

Status of Campus Industrial Property	Acreage
Developed Campus Industrial Sites	~153.22 acres
Partially Developed/Underdeveloped or Contain Existing Non-Conforming Uses (e.g. Residential Dwellings) in Campus Industrial District	~6.84 acres
Vacant Campus Industrial Sites	~116.21 acres
<i>Total Campus Industrial Zoned Land</i>	<i>~276.27 acres</i>

Based on the simplistic acreage calculations above, about 55% of the overall Campus Industrial acreage has been developed and 45% remains vacant or underdeveloped. There are some other basic assumptions made here: the acreage calculations assume that no “developed” sites will become more intensively developed (such as converting existing buildings, parking lots or landscaped areas to new buildings), and that all partially developed or non-conforming sites will eventually annex and convert to Campus Industrial uses. It is also important to note that a significant amount of the vacant acreage is encumbered by the McKenzie River floodway (approximately 74 acres), so the net acreage (about 42.21 acres) is much less than the 116.21 gross acres contained within the zoning boundary. Assuming that no development can occur within the mapped floodway, about 75.8% of the Campus Industrial zoned property has been developed and about 24.2% of the remaining, non-floodway property is vacant or underdeveloped.

About 15.05 acres of land can be attributed to existing Business Parks, including the applicant’s property (7.05 acres) and the McKenzie Gateway Business Park (8.0 acres, including a vacant ~2.83-acre portion). Based on these calculations, even if all remaining vacant and underdeveloped Campus Industrial zoned land was developed with Business Parks, the total acreage of existing and hypothetical Business Parks would be approximately 64.1 acres or 31.7% of the total developable acreage in the Campus Industrial District. This theoretical outcome (however unlikely in reality) does not approach the 40% acreage limitation originally proposed by the applicant nor would it equate with a widespread proliferation of Business Parks identified as a significant concern by the respondents in their testimony. For this reason, the respondents’ suggestion that the proposed Development Code text amendments will cause the Campus Industrial District to be populated primarily with medical clinic uses (necessarily in Business Parks) is not supported by the evidence.

Criteria of Approval

SDC 5.6.115 contains the criteria of approval for the decision maker to utilize during review of *Springfield Development Code* amendments. The Criteria of approval are:

5.6.115 Criteria.

- (A) *In reaching a decision on the adoption or amendment of refinement plans and this code's text, the City Council shall adopt findings that demonstrate conformance to the following:*
- (1) *The Metro Plan and Springfield Comprehensive Plan;*
 - (2) *Applicable State statutes; and*
 - (3) *Applicable State-wide Planning Goals and Administrative Rules.*
- (B) *Applications specified in SDC 5.6.105 may require co-adoption by the Lane County Board of Commissioners.*
- (1) Conformance to the Metro Plan and Springfield Comprehensive Plan**

Applicant's Findings: *"The Code amendments do not conflict with the Metro Plan; the Code amendments conform to the Springfield 2030 Comprehensive Plan including the policies listed below:*

Policy E.3 Work with property owners and their representatives to ensure that prime development and redevelopment sites throughout Springfield and its Urban Growth Boundary that are designated for employment use are preserved for future employment needs and are not subdivided or used for nonemployment uses.

Responding to changes in economic conditions, the Code amendments will promote development and employment uses in Business Parks. The Code amendments will facilitate stable, economically viable occupancy of Business Parks, and preserve future employment needs. The Code amendments will not result in the subdivision of a lot or a shift to non-employment uses.

Policy E.6 Facilitate short term and long term redevelopment activity and increased efficiency of land use through the urban renewal program, updates to refinement plans and the development review process.

The Code amendments will facilitate efficient land use by clarifying and expanding the permitted uses in Business Parks. The Code amendments will also modernize and add flexibility as was intended with the 2022 SDC updates by allowing medical clinics and other uses that may primarily serve the public. The Code amendments will help to identify and attract potential tenants thereby stimulating better use of existing buildings and strengthening the economic vitality of Business Parks.

Policy E.7 Where possible, concentrate development on sites with existing infrastructure or on sites where infrastructure can be provided relatively easily and at a comparatively low cost.

The Code amendments encourage the economic vitality of Business Parks located inside the City limits on sites developed with existing infrastructure for public facilities and services. The Code amendments are not site specific and do not require a change in infrastructure.

Policy E.16 Consider the economic opportunities provided by transportation corridors and seek to maximize economic uses in corridors that provide the most optimal locations and best exposure for existing and future commercial and industrial uses.

The Code amendments will clarify and expand uses permitted in Business Parks. The Gateway Campus Industrial area is served by multiple transportation corridors. Approval of the Code amendments will enable optimal use of the existing Business Parks and stimulate an increase in the number of employees on-site. The allowance of more commercial uses, and those serving the public, will increase the level of activity in Business Parks with an expected increase in ridership on the EmX and use of bike routes.

Policy E.28 Increase the potential for employment in the regional industry clusters, including: Health Care, Communication Equipment, Information Technology (Software), Metals (Wholesalers), Local Food and Beverage Production and Distribution, Specialty Agriculture, Wood & Forest Products, and Transportation Equipment.

The Code amendments will facilitate new businesses in regional industry clusters including Health Care and Information Technology. The Code amendments will allow medical clinics in proximity to other health care industries. The Code amendments will modernize and allow flexibility as was intended in the 2022 SDC updates.

Policy E.40 Provide the services, infrastructure, and land needed to attract the identified industry clusters, especially where they can increase economic connectivity among businesses.

The Code amendments will stimulate economic connectivity among businesses in Business Parks. The Code amendments will allow uses in identified industry clusters that serve the public. The Code amendments will not have any adverse impacts on services, infrastructure, or land available for the identified industry clusters.

Gateway Refinement Plan

The Code amendments address Business Parks in the Campus Industrial District. All land in the City of Springfield zoned CI is in the boundary of the Gateway Refinement Plan and shown on the land use diagram as part of the McKenzie-Gateway Special Light Industrial site.

Below are Findings applicable to Gateway Refinement Plan policies:

8.0 Provide for an efficient and flexible transportation system for the McKenzie-Gateway SLI Site.

Since the Gateway Refinement Plan was adopted in November 1992, public and private investments have funded significant capital improvements to the transportation system serving the McKenzie-Gateway SLI Site.

The Code amendments will not have an adverse impact on the transportation system. The Code amendments will allow a different range of uses in Business Parks that will increase potential transit ridership on the EmX and use of bike routes.

10.0 Mitigate impacts of incremental (SLI) development on existing on-site (non-SLI) uses occupying the McKenzie-Gateway SLI Site.

Policy 10.0 recognizes that full development of the McKenzie-Gateway SLI Site will likely occur incrementally. Due to national and local economic trends, especially the decreased demand for large corporate office space, the existing zoning constraints create barriers to recruit and attract tenants. The zoning constraints jeopardize the financial viability of Business Parks and could have negative impacts on sustaining the attractive, campus-like settings. The impetus for the Code amendments is primarily to clarify and expand permitted uses in Business Parks and to respond to the decreased occupancy rates and the inherent limits of the CI zoning. Refer also to Part II above [Note: see Exhibit C] regarding changes in economic conditions and the impetus for the Code amendments. The Code amendments do not propose any specific development. Any future development will be required to comply with SDC standards including requirements for landscaping, building setbacks, parking, etc. through the site plan review process.

11.0 Ensure that development plans adequately consider the site's natural landscape features and amenities, and provide for the development needs of future developers.

The Code amendments will not change any development standards, such as landscape requirements for parking areas and stormwater management.

13.0 Ensure adequate storm drainage management planning emphasizing the minimization of negative impacts on water quality and quantity resulting from McKenzie-Gateway SLI Site development.

The Code amendments do not contain any proposed development. Any future development will require compliance with City, state and federal water quality standards and storm drainage. The Hawes Business Park was approved with conditions addressing stormwater and water quality.”

Finding 1: The proposal is consistent with objectives of the adopted *Land Use Element* of the *Springfield Comprehensive Plan* where the Campus Industrial plan designation is described as follows: “The primary objective of this designation is to provide opportunities for diversification of the local economy through siting of light industrial firms in a campus-like setting. The activities (e.g, manufacturing, storage of materials) of such firms must be obscured from public view and have external impacts less than or equal to office uses, such as noise, pollution, and vibration. Large-scale light industrial uses, including regional distribution centers and research and development complexes, are the primary focus of this designation. Provision should also be made for small and medium scale industrial uses within the context of industrial and business parks which will maintain the campus-like setting with minimal environmental impacts. Complementary uses such as corporate office headquarters and supporting commercial establishments serving primary uses may also be sited on a limited basis.” This plan designation is implemented through the Campus Industrial zoning district and the associated regulations found in SDC 3.2.400.

Finding 2: The proposal is consistent with policies and implementation strategies of the adopted *Economic Element* of the *Springfield Comprehensive Plan*. Policy E.4 states: “Expand industrial site opportunities by evaluating and rezoning commercial, residential, and industrial land for the best economic return for the community through the process of City refinement planning, review of owner-initiated land use proposals, expanding the urban growth boundary, and other means.” The proposed Development Code text amendments are being initiated by an industrial property owner in response to changes in economic conditions.

Finding 3: Implementation Strategy 4.1 of the *Economic Element* states: “Conduct a comprehensive review of Springfield’s industrial and commercial land use plan designations and zoning districts (SDC 3.2-305 and 3.2-405) and schedule of use categories (SDC 3.2-310 and 3.2-410) to identify potential updates that may be better aligned with the land, real estate and development requirements of modern industry and commerce to ensure that Springfield has sites and conditions favorable for industry and commerce to operate efficiently.” The proposed Development Code text amendments aim to accomplish exactly what is described in this Implementation Strategy by updating the scheduled of use categories in the Campus Industrial zoning district. As described in the applicant’s narrative, the updates are in response to a changing real estate and office tenancy climate in Campus Industrial business parks.

Finding 4: Implementation Strategy 4.2 of the *Economic Element* states: “Update the Development Code to create more zoning flexibility for developing industrial or business parks to support clustering of related or complementary businesses.” The proposed Development Code text amendments would increase zoning flexibility for uses and activities that are currently allowed in Campus Industrial business parks by allowing the uses to also serve the public. The proposed amendments also contribute to clustering the related and complementary businesses exclusively in approved Business Parks in the CI District. Allowing for greater flexibility in allowable uses and their operational characteristics will help to maintain viability of existing and future Campus Industrial Business Parks.

Finding 5: The proposed Development Code text amendments allow for any existing, secondary uses to also serve the public in addition to internal customers (e.g. employees). Secondary uses are limited by overall floor area and cannot exist without an approved primary use. Therefore, because a primary use must first exist – in an approved Business Park environment – before any secondary use(s) can be considered, the CI district will not devolve into a general commercial or medical district that is comprised only of secondary uses. Additionally, there are no provisions of the City’s adopted Comprehensive Plan that preclude textual changes to the Development Code including amendments that clarify and expand the range of allowable uses in a zoning district.

Finding 6: The applicant is proposing to expand the list of allowable office uses within business parks in the Campus Industrial District. Although the proposed text amendments currently affect two existing business parks in the Campus Industrial District, the provisions would also apply to any future business parks and are therefore not a site-specific amendment.

Finding 7: The applicant’s submitted narrative (Exhibit C) and findings above are incorporated herein as findings and conclusions in this staff report. The proposal conforms with the adopted Metro Plan and Springfield Comprehensive Plan. Therefore, this criterion is met.

(2) Conformance to Applicable State statutes; and

Applicant’s Finding: “*The Code amendments are narrow in scope and do not have any apparent conflicts with applicable State statutes.*”

Finding 8: The proposed Development Code text amendments do not appear to conflict with any State statutes. Therefore, this criterion is met.

(3) **Conformance to Applicable State-wide Planning Goals and Administrative Rules.**

Finding 9: Of the 19 statewide planning goals, 13 are “urban” goals that may be applicable to comprehensive plan map amendments in the city; however, it is the proposal and its effect on the purpose of these goals that will determine whether or not the proposed amendment is “consistent with” the applicable goals. The goals that are to be evaluated are: Goal 1 – Citizen Involvement; Goal 2 – Land Use Planning; Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 6 – Air, Water and Land Resources Quality; Goal 7 – Areas Subject to Natural Hazards; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 11 – Public Facilities and Services; Goal 12 – Transportation; Goal 13 – Energy Conservation; Goal 14 – Urbanization; and Goal 15 – Willamette River Greenway. All of the statewide goals are listed below; the narrative that accompanies each is more expositive when the discussion applies to one of the 13 goals identified above.

Goal 1 – Citizen Involvement

Applicant’s Findings: *“The Findings of Facts below demonstrate the Code amendments are consistent with applicable Statewide Planning Goals and Administrative Rules. The following applicable state-wide planning goal statements have been summarized. The Oregon Land Conservation and Development Commission Goals and Guidelines are incorporated herein by reference, except as noted.*

GOAL 1: Citizen Involvement - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City of Springfield has a citizen involvement program that is acknowledged by the State as being in compliance with Goal 1. Citizens are provided the opportunity to be involved in all phases of the planning process. The proposal does not include any changes to the City’s citizen involvement program. The requirements under Goal 1 are met by adherence to the City’s provisions for citizen involvement as implemented by the Springfield Development Code (SDC).”

Finding 10: Goal 1 – Citizen Involvement calls for “the opportunity for citizens to be involved in all phases of the planning process.” The proposed property owner-initiated amendment to the adopted *Springfield Development Code* is subject to the City’s acknowledged legislative plan amendment process which is a Type 4 land use action under SDC 5.1.600. The applicable Code sections include SDC 5.1.600 – Type 4 Procedures, SDC 5.1.615 – Type 4 Notice and 5.6.100 Development Code Adoption or Amendment. SDC 5.1.610(A) requires a public hearing before the Springfield Planning Commission and a public hearing before the Springfield City Council, and includes specifications for the content, timing and method of public notice (see description following).

Finding 11: The Planning Commission public hearing to consider the proposed amendments was opened on November 5, 2024 and continued on the record to November 19, 2024 at 7:00 PM. The original public hearing date was advertised in the October 24, 2024 edition of the *Chronicle* newspaper. Additionally, staff posted notices of the scheduled public hearing on the City’s website, on the Public Notices board in the lobby of City Hall and on the digital display in the Development & Public Works office lobby. Because the proposed amendments are not site-specific, mailed and site posted notices were not provided for the public hearing.

Finding 12: At the time the meeting agenda, Agenda Item Summary (AIS), covering staff report and supporting documents were posted on the Springfield Planning Commission website (<http://springfielddoregonspeaks.org>) in the week prior to the November 5, 2024 meeting, the public was invited to provide comments by email or through the Planning Commission webpage. Additional information was also provided to the public for how to attend the public hearing meeting via online meeting platform or by phone. A summary of the submitted public and applicant testimony is provided as Attachment 2.

Finding 13: The recommendations of the Planning Commission to the Springfield City Council and Lane County Board of Commissioners will be included with the covering Agenda Item Summary (AIS) for consideration at a joint public hearing with the Lane County Board of Commissioners that will be scheduled in early 2025. Because of the delay between the two scheduled public hearing meetings, staff will be completing another round of public notice in early 2025 for the joint City Council and Lane County Board of Commissioners public hearing. The notice for this proposed Development Code text amendment complies with SDC 5.1.615 and is consistent with Goal 1 requirements.

Goal 2 – Land Use Planning

Applicant's Findings:

“GOAL 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal 2 requires local plans and regulatory measures to be consistent with statewide goals and requires land use decisions be supported by an adequate factual basis. Goal 2 also requires that comprehensive plan amendments be adopted after a public hearing by the governing body that provides citizens an opportunity to comment on the proposed amendment. Goal 2 establishes a land use planning process and policy framework as a basis for all land use decisions and requires the development of an adequate factual base to support these decisions. A minor change is one that does not have significant effect beyond its immediate area and is based on special studies or information. The SDC implements Goal 2 by providing state-acknowledged procedures and criteria governing land use decisions. This Code amendment will be considered by the Planning Commission and City Council following two public hearings. This application is being processed in compliance with the requirements of SDC and thus complies with Goal 2.”

Finding 14: Goal 2 – Land Use Planning outlines the basic procedures for Oregon’s statewide planning program. In accordance with Goal 2, land use decisions are to be made in accordance with a comprehensive plan, and jurisdictions are to adopt suitable implementation ordinances that put the plan’s policies into force and effect. Consistent with the City’s coordination responsibilities and obligations to provide affected local agencies with an opportunity to comment, the City sent a copy of the application submittals to the following agencies: Willamalane Park & Recreation District; Springfield Utility Board (water, groundwater protection, electricity and energy conservation); Lane 911; United States Postal Service; Northwest Natural Gas; Emerald People’s Utility District; Rainbow Water District; Eugene Water and Electric Board – Water and Electric Departments; Springfield School District #19 Maintenance, Safe Routes to School and Financial Services; Lane County Transportation, County Sanitarian; Lane Regional Air Pollution Authority; Comcast Cable;

CenturyLink; Lane Transit District; and ODOT Planning and Development, State Highway Division. Additionally, notice was provided electronically to DLCD on September 26, 2024.

Finding 15: The City's Development Code is the principal document for implementing land use planning policies, procedures and regulations in Springfield. As such, the City's Development Code is also a key mechanism used to implement the goals and policies of the City's adopted comprehensive plans including the *Springfield Comprehensive Plan*, *Metro Plan* and neighborhood-specific Refinement Plans. The public hearing process used for amendments to the Development Code is specified in SDC 5.6.100.

Finding 16: The proposed text amendments affect the Campus Industrial District, which is a plan designation and zoning that is applied within the City's Urban Growth Boundary. The CI District zoning and associated regulations therefore affect both incorporated and unincorporated properties within the North Gateway area of Springfield. Because it affects a land use district that is applied both inside and outside the City limits, the proposal is classified as a Type 4 amendment to the Springfield Development Code that is approved by Springfield and co-adopted by Lane County in accordance with SDC 5.1.625(C).

Finding 17: The proposed Development Code amendments are not site-specific and are therefore processed as a Type 4 legislative action as described in SDC 5.1.605. The process observed for the proposed Development Code text amendments is consistent with the policies pertaining to Development Code – Adoption or Amendment. Additionally, the proposed amendments have been initiated in accordance with the provisions of the City's acknowledged comprehensive plan and Development Code (SDC 5.6.105). Based on the above findings, the proposed Development Code text amendments are consistent with City ordinances, policies and procedures adopted to comply with Goal 2 requirements. Notice and coordination requirements "with those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area" that includes this proposal have been provided consistent with Goal 2.

Goal 3 – Agricultural Lands

Applicant's Findings:

"GOAL 3: Agricultural Lands- To preserve and maintain agricultural lands.

The Code amendments only apply to property in the Springfield Urban Growth Boundary and do not affect any land designated for agricultural use. Goal 3 is not applicable."

Goal 4 – Forest Lands

Applicant's Findings:

"GOAL 4: Forest Lands - To conserve forest lands by maintaining the forest and base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The Code amendments only apply to property in the Springfield Urban Growth Boundary and do not affect any land designated for forest use. Goal 4 is not applicable.”

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

Applicant’s Findings:

“GOAL 5: Open Spaces, Scenic and Historic Areas, and Natural Resources - To protect natural resources and conserve scenic and historic areas and open spaces.

Goal 5 requires the conservation of open space and the protection of numerous natural, cultural, historic and scenic resources. The goal applies to the following resources: riparian corridors, water and riparian areas and fish habitat, wetlands, wildlife habitat, mineral and aggregate resources, energy sources, natural areas, scenic views and sites, open space, groundwater resources, wilderness areas, historic resources, cultural areas, Oregon recreational trails, federal wild and scenic waterways and state scenic waterways. OAR 660- 023-0010 and 0020 include definitions, standards and specific rules applicable to each Goal 5 resource inventoried for conservation under the Goal.

Goal 5 resources listed above have been appropriately considered by the City of Springfield in the Plan. The code amendment does not propose a change to the City’s list of Goal 5 resources or propose a change to any regulatory measures related to Goal 5. The proposed request will not allow uses that could be in conflict with a significant Goal 5 resource site. Goal 5 is not applicable.”

Finding 18: Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources, such as wildlife habitats and wetlands, and establishes a process for each resource to be inventoried and evaluated. The proposed Development Code text amendments do not affect historic resources listed in the City’s Register of Historic Sites, natural resources listed in the City’s adopted Natural Resources Study, or any open space resource in the adopted 2023 Willamalane Park & Recreation District Comprehensive Plan. Therefore, Goal 5 is not applicable.

Goal 6 – Air, Water and Land Resources Quality

Applicant’s Findings:

“GOAL 6: Air, Water and Land Resource Quality - To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 is generally implemented during the comprehensive planning process and local regulations. The City of Springfield’s Environmental Services Division (ESD) coordinates the City’s compliance with applicable state and federal environmental quality statutes. ESD manages multiple programs to maintain compliance with Goal 6 including: 1) Water Resources Programs, such as implementing the City’s National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit, 2) Industrial Pretreatment Program such as administering the Pollution Management Practice programs, and 3) Wastewater & Stormwater Programs.

As Goal 6 pertains to site-specific development, it requires that adequate protective measures are taken to ensure the maintenance of air, water and land quality. This code amendment will encourage economically viable uses within a Business Park and does not contain any specific proposed

development. Any new development must comply with applicable local, state, and federal air and water quality standards. Business Parks are only specifically listed as permitted in the CI District and these areas are generally served by adequate water and sanitation facilities. The Code amendments clarify and expand permitted uses in Business Parks and do not produce or discharge any product or by-product that would degrade the quality of the air, water, and land resources. The proposed code amendment does not alter the City's acknowledged compliance with Goal 6."

Finding 19: Goal 6 – Air, Water and Land Resources Quality applies to local comprehensive plans and the implementation of measures consistent with state and Federal regulations on matters such as clean air, clean water, and preventing groundwater pollution. The proposed Development Code text amendment does not affect City ordinances, policies, plans, and studies adopted to comply with Goal 6 requirements. Therefore, this action does not alter the City's acknowledged compliance with Goal 6.

Goal 7 – Areas Subject to Natural Hazards

Applicant's Findings:

"GOAL 7: Areas Subject to Natural Disasters or Hazards - To protect people and property from natural hazards.

The Metro Plan and the SDC are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. The City of Springfield has existing programs, policies, zoning overlays, and development standards to regulate development in areas subject to natural disasters and hazards. There is no development proposed with this code amendment. Goal 7 is not applicable."

Finding 20: Goal 7 – Areas Subject to Natural Hazards applies to development in areas such as floodplains and potential landslide areas. Local jurisdictions are required to apply "appropriate safeguards" when planning for development in hazard areas. The City has inventoried areas subject to natural hazards such as the McKenzie and Willamette River floodplains and potential landslide areas on steeply sloping hillsides. The Campus Industrial District in the north Gateway area of Springfield contains mapped 100-year flood hazard areas of the McKenzie River. Any future development or redevelopment affecting Campus Industrial sites will be subject to the provisions of the City's Floodplain Overlay District (SDC 3.3.400) and the Site Plan Review processes described in SDC 5.17.100.

Finding 21: The proposed Development Code text amendment has no effect on City ordinances, policies, plans, and studies adopted to comply with Goal 7 requirements and siting standards for development within hillside areas or the mapped flood hazard area of the McKenzie and Willamette Rivers. Therefore, this action has no effect on the City's acknowledged compliance with Goal 7.

Goal 8 – Recreational Needs

Applicant's Findings:

"GOAL 8: Recreational Needs - To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 addresses the recreational needs of Oregon residents and visitors. Provisions of this goal are appropriately implemented by a legislative process as part of periodic review of the Plan. The City of Springfield evaluated projected population growth, changes in community demographics, and the recreational needs of citizens and visitors. In compliance with Goal 8, the Plan Diagram designates areas needed for Parks and Open Space.

The Code amendments will not affect the City's supply of land available for recreation areas or recreational facilities. The Code amendments will not have a direct impact on recreational needs and will continue to allow bicycle paths, pedestrian trails, and parks as allowed uses associated with Business Parks. Goal 8 is not applicable."

Finding 22: Goal 8 – Recreational Needs requires communities to evaluate their recreation areas and facilities and to develop plans to address current and projected demand. The provision of recreation services within Springfield is the responsibility of Willamalane Park & Recreation District. Willamalane has just adopted a new Comprehensive Plan for the provision of park, open space and recreation services for Springfield (2023 *Willamalane Comprehensive Plan*). The 2023 *Willamalane Comprehensive Plan* was co-adopted by the City of Springfield and Lane County. The *Willamalane Comprehensive Plan* provides current and updated information about the City's recreational needs under Goal 8. Because the proposed Development Code text amendments do not affect the *Willamalane Comprehensive Plan* specifically or recreational needs in general, Goal 8 is not applicable.

Goal 9 – Economic Development

Applicant's Findings:

"GOAL 9: Economy of the State - To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The purpose of Goal 9 is to diversify and improve the economy of the State and is primarily applicable to commercial and industrial development. In 2007 the Oregon legislature adopted House Bill 3337 establishing land use planning requirements for the Eugene-Springfield Metro area. ORS 197.304 established a mandate that Springfield and Eugene separately determine the projected 20-year need for housing and establish separate Urban Growth Boundaries to meet housing needs. Although ORS 197.304 only required separate UGBs for housing, it was implicit that the two cities independently plan for other land use needs including employment growth, as defined by Goal 9. Pursuant to Goal 9, in 2010, Lane County and the cities of Springfield and Eugene approved the Regional Prosperity Economic Development Plan providing a framework to better align regional economic growth with the area's assets and values.

Given the complexity involved with addressing ORS 197.304, the City of Springfield chose to phase adoption of various amendments to the Plan. To address OAR 660-009-0015(1) and (4), the City of Springfield prepared an Economic Opportunities Analysis (EOA) to review 'the types and amounts of industrial and other employment uses likely to occur in the planning area.' The EOA identified Target Industries including 'Medical Services' and 'Professional and Technical Services' suitable for Business Parks. Existing city approved Business Parks are on developed sites that were not included on the City of Springfield inventory of vacant Commercial Industrial Buildable Land (CIBL). The CIBL also concluded there were not enough large vacant sites within the City of Springfield UGB to

accommodate the projected economic growth. Relevant City of Springfield economic development strategies include:

- Provide sites with a variety of site characteristics to meet both commercial and industrial economic opportunities, including sites that are available for relatively fast development. This includes large sites for major employers.*
- Support and assist existing businesses within Springfield by assessing what kind of assistance businesses need and developing programs to meet that need.*
- Attract and develop new businesses, especially those related to regional business clusters. The City would like to build on the developing health care cluster, promote development of high- tech businesses, and attract sustainable businesses.*
- Maintain flexibility in planning through providing efficient planning services and developing planning policies to respond to the changing needs of businesses.*

On December 5, 2016, the City of Springfield adopted Ordinance No. 6361 amending the Springfield Urban Growth Boundary and adopting the Springfield 2030 Comprehensive Plan (2030 Plan) Economic and Urbanization Policy Elements. The 2030 Economic Element provides policy direction to address the community's commercial, industrial, and other employment development needs and supplants the Economic Element in the Metro Plan.

The Code amendments will increase the uses permitted in Business Parks while retaining existing standards requiring landscaping, pedestrian amenities, and other site features. The Code amendments will help meet a key economic goal to support the health care cluster. Since the existing Business Parks are located within a block of frequent transit service and are on a major bike route, the code amendment will also support City policies encouraging multi-modal transportation corridors. The Code amendments will implement the City goal to diversify the local economy and will respond to changing economic conditions described above in Part II [see application materials presented as Exhibit C]. The Code amendments will not have an adverse impact on the availability of suitable sites for a variety of economic activities. The Code amendments will provide the following economic benefits:

- 1. Provide more diverse uses supporting new employment opportunities that result in both direct and indirect benefits to the local economy.*
- 2. Strengthen City of Springfield target industries of "Medical Services" and Professional and Technical Services."*
- 3. Stimulate economic viability of the existing Business Parks.*

For further information regarding the Code amendments compliance with the City of Springfield 2030 Economic Element, please refer to the analysis above regarding SDC 5.6.115(A)(1)."

Finding 23: Under Goal 9 – Economic Development, the proposed legislative amendment must ensure that there is enough serviceable land within the Springfield UGB to meet the industrial and commercial site needs identified in the *Economic Element* and the City's acknowledged *Commercial and Industrial Buildable Lands Inventory and Economic Opportunities Analysis* (CIBL-EOA). The

CIBL identifies the City's needed sites for employment uses based on use categories and site size ranges, rather than by cumulative area needed within the UGB.

Finding 24: The proposed Development Code text amendments do not affect the City's inventory of buildable land but would provide enhanced opportunities for existing and future business parks within the Campus Industrial District. Additionally, the proposed text amendments target key industries that are gravitating to the north Gateway area due to the proximity of the Sacred Heart Medical Center at Riverbend and other employers.

Conclusion: The proposal does not have an impact on the City's CIBL and would have the effect of clarifying and expanding upon the allowable uses for business park offices in the CI District. Based on the above findings, this proposal is consistent with Goal 9.

Goal 10 - Housing

Applicant's Findings:

“GOAL 10: Housing - To provide for the housing needs of citizens of the state.

Goal 10 is intended to provide for the housing needs of the citizens of the State. The Code amendments do not impact the buildable land supply for housing. Goal 10 is not applicable.”

Finding 25: Goal 10 – Housing applies to the planning for – and provision of – needed housing types, including multi-family and manufactured housing. Goal 10 requires the City to evaluate and maintain a sufficient buildable land base for projected housing needs over the forecast period. The City monitors and updates the calculated acreage of residential buildable lands when redesignation and rezoning actions affect the net acreage attributed to Low-, Medium-, and High-Density Residential uses.

Finding 26: The proposed legislative amendment to the Development Code does not affect the City's inventory of residential land. Because there is an existing surplus of residential land in the City, the proposed Development Code text amendment does not have an effect on the City's Goal 10 compliance. Therefore, Goal 10 is not applicable.

Goal 11 – Public Facilities and Services

Applicant's Findings:

“GOAL 11: Public Facilities and Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The Code amendments will not affect the City or other service providers' ability to provide public facilities and services.”

Finding 27: Goal 11 – Public Facilities and Services addresses the efficient planning and provision of public services such as sewer, water, law enforcement, and fire protection. In accordance with OAR 660-011-0005(5), public facilities include water, sewer and transportation facilities, but do not include buildings, structures or equipment incidental to the operation of those facilities. The proposed

Development Code text amendments cannot result in permitted uses that will have an adverse effect on the demand for public facilities and services provided to properties within the Campus Industrial District. The CI District area of Springfield is already planned for a variety of manufacturing, corporate headquarter, business park and research and development uses and the public facilities serving this area have been designed accordingly.

Finding 28: Goal 11 compatibility is typically determined at the time of initial property annexation. Sites that are outside the current City limits but within the Urban Growth Boundary must demonstrate that urban utilities and services can be provided in an orderly and efficient fashion. The City and utility providers typically employ a 20-year development horizon for the Campus Industrial district in sizing facilities and infrastructure to serve this area of Springfield. Once urban development is initiated on a property, the developer must demonstrate through land use and building permitting, the physical construction of improvements, and installation of connections to urban utilities and services that these Goal 11 requirements have been met. Changes to building tenancies and allowable secondary uses do not typically change the serviceability of these properties to be adequately provided with the full suite of urban services and utilities, including police and emergency response. Major changes to on-site uses or wholesale site redevelopment requires review by the City and service providers to ensure the existing facilities are adequate to meet the needs of the new use. Where deficiencies are identified the onus is on the developer, not the City, to ensure the necessary services and facilities are available and installed to accommodate the new or modified use. Because the proposed text amendments do not appreciably change the types or impacts of allowable uses in Business Parks from what is currently allowed and urban services and utilities already serve the Campus Industrial district there is no extensive Goal 11 analysis required for this proposal. The respondents' argument that the proposal requires additional Goal 11 and 12 analysis is found to have no merit.

Finding 29: The proposed amendments to the CI District affect business parks exclusively. Existing and future business parks in the CI District will need to demonstrate that sufficient public facilities and services exist or can be extended in an orderly and efficient manner to allow for the full range of office uses allowed by the amended provisions of the zoning district. Review of available public facilities and services is typically done through the Site Plan Review process for properties already in the City limits.

Conclusion: The proposed Development Code text amendments do not have an effect on the City's Goal 11 compliance.

Goal 12 – Transportation

Applicant's Findings:

“GOAL 12: Transportation - To provide and encourage a safe, convenient and economic transportation system.

Goal 12 is implemented through the provisions of the State Transportation Planning Rule (TPR) OAR 660, Division 12) which was adopted by LCDC in 1991. OAR 660-012-0060(1) requires that amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.

To determine whether the Code amendments will significantly affect a transportation facility, the TPR lists specific criteria against which the Code amendments are to be evaluated. The TPR provides that a land use regulation amendment significantly affects a transportation facility if it:

- a) Changes the functional classification of an existing or planned transportation facility;*
- b) Changes standards implementing a functional classification system;*
- c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or,*
- d) Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP (Transportation System Plan).*

Sandow Engineering conducted the required TPR analysis of the Code amendments and concluded:

- The addition of development trips does not trigger any intersections to not meet the LOS standards.*
- The intersection of Gateway St at Beltline Rd currently operates at LOS F during the PM peak hour. The City has identified improvements at this intersection, which are reasonably assumed to be constructed within the 20-year planning horizon. With these improvements, the intersection will meet the mobility standards.*
- The addition of development traffic does not substantially increase queuing conditions.*
- There is no off-site mitigation needed for the proposed impacts.*
- TPR findings are demonstrated to be met.*

For a complete analysis of how the application meets Goal 12 and the TPR, please see Exhibit C.”

Finding 30: The Transportation Planning Rule (TPR), Oregon Administrative Rule OAR 660-12-0060, requires local governments to put in place mitigation measures as provided in the TPR whenever an amendment to a functional plan, an acknowledged comprehensive plan, or land use regulation (including an amendment to the Development Code) would “significantly affect” an existing or planned transportation facility. The subject application proposes to amend the Springfield Development Code regulations for Business Parks in the Campus Industrial zoning district.

Finding 31: To address the proposal’s compliance with Goal 12, the applicant has submitted a TPR Analysis addressing potential vehicle trip generation and traffic impacts associated with the proposed Development Code amendments to show compliance with the TPR at OAR 660-012-0060. The applicant’s TPR Analysis can be found in Exhibit C with the application materials submitted for the proposed Development Code text amendment. The City’s Transportation Planning Engineer has reviewed the TPR Analysis and concurs with the applicant’s trip generation methodology, findings and conclusions, which are adopted as findings herein. The applicant’s TPR Analysis provides Trip Generation, traffic queuing and intersection performance scenarios for the existing and uses in Business Parks within the Campus Industrial District. The trips generated by the existing Campus Industrial District were compared to the proposed amended Campus Industrial District under “reasonable most traffic-generating use” conditions.

Finding 32: Under the TPR, a land use regulation amendment may result in a “significant affect” under OAR 660-012-0060(2)(a) and (b) by changing the functional classification of an existing or planned transportation facility or by changing the standards implementing a functional classification system.

Finding 33: The applicant’s TPR Analysis shows that the anticipated mix and levels of traffic are consistent with that found in the vicinity (i.e. the “study area”) and therefore the proposed Development Code text amendments would not require a change in functional classification of any planned or existing facility.

Finding 34: The applicant’s TPR Analysis shows that the standards for implementing the functional classification system are found in the City’s adopted *Transportation System Plan* (TSP). The standards are based on street connectivity and spacing; types and amounts of travel modes; and mobility. The proposed Development Code text amendments do not require a modification to the standards for the street functional classification system detailed in the City’s TSP. Because the proposed amendments do not alter the functional classification of any facility or change any standards for implementing the functional classification system they do not result in a “significant affect” under OAR 660-012-0060(1)(a) or (b).

Finding 35: Under the TPR, an amendment to a land use regulation may also result in a “significant affect” if it would result in any of the effects listed under OAR 660-012-0060(1)(c) “based on projected conditions measured at the end of the planning period identified in the adopted TSP.”

Finding 36: Under subsection (1)(c) of the TPR, a “significant affect” occurs if the proposed amendment(s) would result in types or levels of travel or access that are inconsistent with the identified functional classification of the existing or planned transportation facilities, that degrade the performance of an existing or planned transportation facility such that it would not meet performance standards identified in the TSP, or that degrade the performance of an existing or planned transportation facility that is otherwise not projected to meet the performance standards identified in the TSP.

Finding 37: The applicant’s TPR Analysis concludes that Gateway Street and Beltline intersection already operates a Level of Service (LOS) F during the PM Peak Hour. The intersection is projected to have mitigation measures constructed within the 20-year planning horizon, which ensures that the intersection improves its LOS to meet mobility standards. The added trips from the proposed Development Code text amendment would not worsen the degraded performance standard.

Conclusion: The applicant’s narrative, findings and submitted TPR Analysis along with staff findings above are adopted herein as findings and conclusions in support of the proposal’s conformance with Goal 12. Therefore, the proposal complies with Goal 12.

Goal 13 – Energy Conservation

Applicant’s Findings:

“GOAL 13: Energy Conservation - To conserve energy.

The Code amendments will not amend or affect any land use regulations enacted to implement Goal 13. All new development will be required to comply with local, state and federal codes related to energy conservation. Goal 13 is not applicable.”

Finding 38: The proposed Development Code text amendment does not affect the City's ordinances, policies, plans, or studies adopted to comply with Goal 13 requirements. Future applicants for Business Park development within the Campus Industrial District will have an opportunity to incorporate suitable energy conservation measures when detailed construction plans are prepared for the projects. The City's building codes comply with all Oregon State Building Codes Agency standards for energy efficiency in commercial and industrial building design. The City's conservation measures applicable to storm water management, temporary storage, filtration and discharge would apply to any campus industrial uses developed within the CI zoning district; therefore, this action has no effect on the City's acknowledged compliance with Goal 13.

Goal 14 - Urbanization

Applicant's Findings:

“GOAL 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The Code amendments do not propose to expand the Urban Growth Boundary thus does not require a review of the transition of rural to urban land uses. Therefore, the provisions of Goal 14 and OAR Chapter 660, Division 24 (Urban Growth Boundaries) are not applicable.”

Finding 39: Goal 14 – Urbanization requires cities to estimate future growth rates and patterns, and to incorporate, plan, and zone enough land to meet the projected demands. When completing its Commercial and Industrial Buildable Land (CIBL) inventory the properties designated for Campus Industrial use were classified as vacant, partially developed or developed based on current development patterns and uses at the time of the inventory. The City has since expanded the Urban Growth Boundary to incorporate needed employment lands and there is no longer a deficit of large (20+ acre) industrial parcels in the City's employment lands inventory. The proposed Development Code text amendment does not affect the City's adopted ordinances, policies, plans, or studies adopted to satisfy the compliance requirements of Goal 14.

Goal 15 – Willamette River Greenway

Applicant's Findings:

“GOALS 15-19: Goals 15 through 19 are inapplicable to this application as they are geographically oriented and only apply to the Willamette River Greenway and coastal resources.”

Finding 40: Goal 15 – Willamette River Greenway establishes procedures for administering the 300 miles of greenway that borders the Willamette River, including portions that are inside the City limits and UGB of Springfield. The Campus Industrial Zoning District is specific to the north Gateway area of Springfield and is not within the adopted Willamette River Greenway Boundary area. Therefore, this goal is not applicable and this proposed action has no effect on the City's acknowledged compliance with Goal 15.

Goal 16 – Estuarine Resources

Goal 17 – Coastal Shorelands

Goal 18 – Beaches and Dunes

Goal 19 – Ocean Resources

Finding 41: As stated in the applicant’s findings, Goals 16-19 are not applicable to this proposal.

Conclusion: The proposal meets Criterion 3.

(B) Applications specified in SDC 5.6.105 may require co-adoption by the Lane County Board of Commissioners.

Finding 42: The proposed Development Code text amendments affect the entire Campus Industrial zoning district, which includes properties both inside and outside the current City limits. Therefore, co-adoption by the Lane County Board of Commissioners is necessary.

Finding 43: The Lane County Planning Director stated that initial review of the proposed Development Code text amendments by the County Planning Commission is not necessary under the provisions of the 1986 *Urban Transition Agreement* with Springfield. Therefore, the initial public hearing was held with the Springfield Planning Commission only.

Finding 44: Staff has looked at projected meeting schedules for 2025 and anticipates that the Springfield City Council and Lane County Board of Commissioners will conduct a joint public hearing for the proposed Development Code text amendments in early 2025.

Conclusion: The proposed Development Code text amendment public hearing schedule and adoption process anticipates co-adoption by the Lane County Board of Commissioners. Therefore, this criterion is met.

Applicant’s Summary:

“The 2022 SDC updates were intended to be ‘policy neutral’ with the purpose of modernizing the Industrial District code and expanding flexibility to include Target Industries, such as medical services. However, Business Park uses were not specifically addressed in the SDC 2022 updates and some uses were removed. Therefore, the proposed Code amendments:

- 1) Continue to permit all primary, secondary, and accessory uses allowed in the CI District,*
- 2) Reinstates the limit of Business Parks to 40% of the gross acres of the CI District,*
- 3) Expand uses to include Target Industries such as ‘Medical Services,’ ‘Professional and Technical Services,’ ‘Educational Services,’ and ‘Health Services for Seniors’,*
- 4) Removes requirement to serve on-site uses/employees and allows uses to serve the public, and*
- 5) No longer limits each secondary use to a maximum of 2,500 square feet and allows secondary uses to occupy a maximum of 40 percent of the total gross floor area of the Business Park.*

The Code amendments further address the intent of the 2022 SDC updates by clarifying the existing Industrial Use Category of Corporate or Regional Headquarters and adding a new Industrial Use Category for Business Parks. This written narrative, including Findings of Fact, exhibits, and technical reports, offer substantial evidence to support approval of the Code amendments in compliance with SDC 5.6.115.”

Conclusion

The applicant’s submitted narrative, supporting TPR Analysis and findings of fact are incorporated herein by reference and are adopted as findings and conclusions herein. Responses have been provided to opposing testimony submitted at the November 5, 2024 public hearing meeting, on November 18 and during the November 19 public hearing meeting. The issues raised by respondents in their testimony have been acknowledged and addressed herein. The applicant and staff have responded to the submitted testimony by further amending the proposed Development Code text amendments as presented in the final legislative version found in Attachment 1, Exhibit A. Based on the findings and conclusions herein, the proposed Development Code text amendments comply with the criteria found in SDC 5.6.115.

Lane County
ATTACHMENT 5 - Exhibit B

Proposed Changes to Lane Code 10.600-15
(BCC & Legislative versions)

10.600-15 – Applicable Land Use Regulations.

Lane County has adopted the following land use regulations to be applied by Springfield on urbanizable land within the Springfield Urban Growth Boundary.

- (1) The Springfield Development Code adopted by the Lane County Board of Commissioners as part of Ordinance No. 16-86, and amended by Ordinance Nos. 5-89, 18-90, 9-91, 13-91, 14-92, 5-93, 13-94, 3-97, 7-99, 10-00, 13-04, 2-05, 2-06, 16-07, 4-09, 7-11, 3-12, 13-05, 13-07, 14-13, 14-15, 16-05, 18-06, 19-05, 21-08, 22-03, 23-08, 23-07, ~~and 24-04,~~ **and 25-03.**
- (2) Copies of these applicable land use regulations shall be on file at the Lane County Land Management Division.

(Ordinance 16-86, 11.24.86; Ordinance 5-89, 5.31.89; Ordinance 11-89, 11.21.89; Ordinance 18-90, 12.19.90; Ordinance 9-91, 9.20.91; Ordinance 13-91, 9.25.91; Ordinance 14-92, 1.8.93; Ordinance 5-93, 8.26.93; Ordinance 13-94, 1.11.95; Ordinance 3-97, 4.18.97; Ordinance 7-99, 12.8.99; Ordinance 10-00, 12.13.00; Ordinance 13-04, 7.1.04; Ordinance 2-05, 9.9.05; Ordinance 2-06, 4.14.06; Ordinance 16-07, 1.4.08; Ordinance 4-09, 10.15.09; Ordinance 7-11, 11.4.2011; Ordinance 3-12, 10.05.12; Ordinance 13-05, 11.19.13; Ordinance 13-07, 04.15.14; Ordinance 14-13, 11.25.14; Ordinance 14-15, 1.2.15; Ordinance 16-05, 1.5.17; Ordinance 18-06, 7.10.18; Ordinance 19-05, 4.9.2020; Ordinance 21-08, 3.10.22; Ordinance 22-03, 7.1.22; Ordinance 23-08, 1.11.24; Ordinance 23-07, 3.1.24; Ordinance 24-04, 7.30.24)

10.600-15 – Applicable Land Use Regulations.

Lane County has adopted the following land use regulations to be applied by Springfield on urbanizable land within the Springfield Urban Growth Boundary.

- (1) The Springfield Development Code adopted by the Lane County Board of Commissioners as part of Ordinance No. 16-86, and amended by Ordinance Nos. 5-89, 18-90, 9-91, 13-91, 14-92, 5-93, 13-94, 3-97, 7-99, 10-00, 13-04, 2-05, 2-06, 16-07, 4-09, 7-11, 3-12, 13-05, 13-07, 14-13, 14-15, 16-05, 18-06, 19-05, 21-08, 22-03, 23-08, 23-07, 24-04, and 25-03.
- (2) Copies of these applicable land use regulations shall be on file at the Lane County Land Management Division.

(Ordinance 16-86, 11.24.86; Ordinance 5-89, 5.31.89; Ordinance 11-89, 11.21.89; Ordinance 18-90, 12.19.90; Ordinance 9-91, 9.20.91; Ordinance 13-91, 9.25.91; Ordinance 14-92, 1.8.93; Ordinance 5-93, 8.26.93; Ordinance 13-94, 1.11.95; Ordinance 3-97, 4.18.97; Ordinance 7-99, 12.8.99; Ordinance 10-00, 12.13.00; Ordinance 13-04, 7.1.04; Ordinance 2-05, 9.9.05; Ordinance 2-06, 4.14.06; Ordinance 16-07, 1.4.08; Ordinance 4-09, 10.15.09; Ordinance 7-11, 11.4.2011; Ordinance 3-12, 10.05.12; Ordinance 13-05, 11.19.13; Ordinance 13-07, 04.15.14; Ordinance 14-13, 11.25.14; Ordinance 14-15, 1.2.15; Ordinance 16-05, 1.5.17; Ordinance 18-06, 7.10.18; Ordinance 19-05, 4.9.2020; Ordinance 21-08, 3.10.22; Ordinance 22-03, 7.1.22; Ordinance 23-08, 1.11.24; Ordinance 23-07, 3.1.24; Ordinance 24-04, 7.30.24)

Lane County
ATTACHMENT 5 - Exhibit C

Staff Report & Findings of Fact



AGENDA COVER MEMO

Memorandum Date: March 14, 2025
First Reading Date: April 1, 2025
Second Reading/Joint Public Hearing: April 21, 2025
Tentative Third Reading/Deliberations: June 10, 2025

TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division, Planning Program
PRESENTED BY: Jared Bauder, Senior Planner, Lane County
Andrew Limbird, Senior Planner, City of Springfield
PROJECT NAME: Springfield Development Code Amendments for the Campus Industrial District
AGENDA ITEM TITLE: **ORDINANCE NO. 25-03** / In the Matter of Amending Lane Code 10.600-15 to Co-Adopt Amendments to Springfield Development Code Sections 3.2.400 and 6.1.110 for the Campus Industrial District and Adopting a Savings and Severability Clause and Providing an Effective Date.
(Local File No.: 509-PA25-05073/ City File No.: 811-24-000215-TYP4)

I. MOTION

1. April 1, 2025 (1st Reading):

MOVE TO APPROVE THE FIRST READING OF ORDINANCE NO. 25-03, AND TO SET THE SECOND READING AND JOINT PUBLIC HEARING WITH THE CITY OF SPRINGFIELD CITY COUNCIL FOR APRIL 21, 2025 (AT 7:00 PM DATE AND TIME CERTAIN AT SPRINGFIELD CITY HALL IN A HYBRID MEETING FORMAT).

2. April 21, 2025 (2nd Reading/Joint Public Hearing):

- 1) MOVE TO TENTATIVELY APPROVE ORDINANCE NO. 25-03 AS PRESENTED AND SET A THIRD READING AND DELIBERATIONS FOR JUNE 10, 2025;
- 2) MOVE TO REVISE ORDINANCE 25-03 AS DIRECTED BY THE SPRINGFIELD CITY COUNCIL AND/OR THE BOARD OF COMMISSIONERS AND RETURN FOR A THIRD READING (DATE CERTAIN: JUNE 10, 2025) AND DELIBERATIONS ON THE REVISED ORDINANCE (SUMMARIZE REVISIONS);

- 3) MOVE TO SET A THIRD READING AND CONTINUE THE PUBLIC HEARING (DATE AND TIME CERTAIN), AND DIRECT STAFF TO REVISE ORDINANCE NO. 25-03 AS DIRECTED BY THE BOARD AND/OR CITY COUNCIL (SUMMARIZE REVISIONS);
- 4) MOVE TO NOT APPROVE ORDINANCE 25-03.

II. AGENDA ITEM SUMMARY

The Board is being asked to consider approval of Ordinance 25-03 (**see Attachment 1**) to adopt amendments to the Campus Industrial District section of the City of Springfield's (the City) Development Code. Specifically, a commercial property owner is requesting text amendments to the Springfield Development Code (SDC) to:

- modify the definition of “business park” and to amend provisions of the Campus Industrial district.
- Clarify and expand upon the types of uses allowable in Business Parks within the Campus Industrial District;
- Allow for medical offices and medical clinics in Business Parks within the Campus Industrial District; and
- Allow for offices that serve the public in Business Parks within the Campus Industrial District.

Amendments to the City's Development Code must be reviewed and adopted by the Board of Commissioners (the Board) for the regulation of lands between Springfield City Limits and the Springfield Urban Growth Boundary (UGB), which are urbanizing areas subject to Lane Code Chapter 10. This proposal is in accordance with the urban transition agreement made between Lane County and the City, which requires joint development and adoption of land use regulations within the Springfield urbanizing area.

At the April 21, 2025, Joint Public Hearing, the Board and City Council may decide if they should continue the public hearing to allow for additional public comment. If the Board and Council decide to close the public hearing, staff requests that Board make a motion to tentatively approve Ordinance 25-03 as presented and set the deliberations meeting for June 10, 2025. The Springfield City Council is scheduled to hold a second reading for adoption of the Ordinance on May 5, 2025. If the City Council adopts the city Ordinance, the Board is tentatively scheduled for its third reading of the Ordinance on June 10, 2025.

III. BACKGROUND & ANALYSIS

A. Board Action and Other History:

The Springfield Development Code (SDC) contains the implementing regulations for construction and development of land in Springfield. It was co-adopted in 1986, and since then, the code has been amended over 60 times. The last SDC amendment was in 2024 when the Board co-adopted amendments relating to modernization of the Springfield Development Code (Ordinance 24-04). Prior to that, the last amendment was in 2023 for the Springfield Comprehensive Plan Map and Land Use Element (Ordinance 23-07).

The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the official long-range general plan (public policy document) of metropolitan Lane County and the cities of Eugene and Springfield. The Metro Plan policies and land use designations apply to areas under the jurisdiction of the Metro Plan. The Metro Plan sets forth general planning policies

and land use allocations and serves as the basis for the coordinated development of programs concerning the use and conservation of physical resources, furtherance of assets, and development or redevelopment of the metropolitan area. The dividing line between the two cities is Interstate 5, and the City of Springfield is the Home City for the metro lands east of I-5.

The City of Springfield has the responsibility and the authority to administer its land use regulations on urbanizable land within the Springfield UGB. This is provided by the urban transition agreement between the City and Lane County, passed with Ordinance No. 16-86 (**Attachment 2**). Urbanizable lands are those unincorporated lands between the Springfield City Limits and the Springfield UGB.

The Springfield Planning Commission opened the public hearing for the proposed amendments on November 5, 2024, and continued the hearing to November 18, 2024, and then again to November 19, 2024. On November 19, 2024, the continued public hearing was conducted, and the Springfield Planning Commission closed the public hearing, with their final review and deliberations to occur on December 3, 2024. At the December 3, 2024, deliberations meeting the Springfield Planning Commission passed an Order and recommendation for approval to be forwarded to the Springfield City Council and Lane County Board of Commissioners (**Attachment 3**). The procedural requirements completed for this public hearing, as well as the public testimony received, are described in detail in the City staff report, included as **Attachment 1, Exhibit C**.

In accordance with Lane Code Chapter 14 procedural requirements, notice of the joint public hearing scheduled before the Board of Commissioners Springfield City Council and will be published in the Register Guard and mailed to all parties who submitted comments during the Springfield Planning Commission public hearing and interested parties in advance of the public hearing as required.

B. Policy Issues:

The delivery of effective and efficient urban services by the cities within the urbanizable area of the Metro Plan is supported by the urban transition agreement between the County and the metro cities. The applicable Comprehensive Plan policies are found in the Metro Plan and are addressed in the City's staff report and findings of fact (**Attachment 1, Exhibit C**). Approval of this Ordinance adopting an amendment to Lane Code Chapter 10 will ensure consistency for the updated land use regulations guiding development in the Springfield urbanizable area.

C. Board Goals:

While approval of Ordinance 25-03 will only affect the regulation of lands within the Springfield UGB, aspects of the proposed code amendment will be generally supportive of the tenants of all four Strategic Plan priorities: safe, healthy county; vibrant communities; robust infrastructure; and our people & partnership.

Enhancements to the land use provisions of Springfield's Campus Industrial District will further the Vibrant Communities Key Strategic Initiative 2.b by allowing more flexibility in allowed uses in the Springfield Campus Industrial District, and by ensuring development within the urbanizable area occurs in a safe, orderly and efficient manner.

Financial and/or Resource Considerations:

No direct financial or resource considerations apply to the adoption of the proposed

ordinance by Lane County. The adoption of a consistent development code for the entire Springfield urbanizable area does eliminate duplication and greatly enhances the efficiency of development permit processing, leading to higher levels of customer satisfaction and more efficient provision of government services.

Health Implications:

Actual health implications are difficult to predict, but generally, the proposed code amendments implement standards for development that aim to reduce any possible impacts on health and safety.

D. Analysis & Approval Criteria:

12.300.030 - Metro Plan Amendment Criteria.

The following criteria will be applied by the Board of Commissioners and other applicable governing body or bodies in approving or denying a Metro Plan amendment application:

- A. The proposed amendment is consistent with the relevant Statewide Planning Goals; and**
- B. The proposed amendment does not make the Metro Plan internally inconsistent.**

Finding 1. Ordinance 25-03, to adopt amendments to Lane Code Chapter 10.600 and incorporate the amendments to the SDC, is provided as **Attachment 1** of this memo. **Attachment 1, Exhibit A**, contains the draft City Ordinance and the proposed draft code revisions to the SDC. The proposed changes to Lane Code 10.600-15 are included in **Attachment 1, Exhibit B**. Findings of consistency with the applicable criteria of the Statewide Planning Goals, and the Springfield Development Code are included as **Attachment 1-Exhibit C** to this memo, the Staff Report and Findings of Fact provided by Springfield planning staff. Lane County herein incorporates by reference the findings in the Springfield staff report. An in-depth summary and analysis of the changes being made to the SDC is provided within the City's staff report and findings of fact, provided as **Attachment 1, Exhibit C** of this memo.

E. Motion Options:

April 1, 2025 (1st Reading):

MOVE TO APPROVE THE FIRST READING OF ORDINANCE NO. 25-03, AND TO SET THE SECOND READING AND JOINT PUBLIC HEARING WITH THE CITY OF SPRINGFIELD CITY COUNCIL FOR APRIL 21, 2025 (AT 7:00 PM DATE AND TIME CERTAIN AT SPRINGFIELD CITY HALL IN A HYBRID MEETING FORMAT).

April 21, 2025(2nd Reading/Joint Public Hearing):

- 1) MOVE TO TENTATIVELY APPROVE ORDINANCE NO. 25-03 AS PRESENTED AND SET A THIRD READING AND DELIBERATIONS FOR JUNE 10, 2025;**
- 2) MOVE TO REVISE ORDINANCE 25-03 AS DIRECTED BY THE SPRINGFIELD CITY COUNCIL AND/OR THE BOARD OF COMMISSIONERS AND RETURN FOR A THIRD READING (DATE CERTAIN: JUNE 10, 2025) AND DELIBERATIONS ON THE REVISED ORDINANCE (SUMMARIZE REVISIONS);**

- 3) MOVE TO SET A THIRD READING AND CONTINUE THE PUBLIC HEARING (DATE AND TIME CERTAIN), AND DIRECT STAFF TO REVISE ORDINANCE NO. 25-03 AS DIRECTED BY THE BOARD AND/OR CITY COUNCIL (SUMMARIZE REVISIONS);
- 4) MOVE TO NOT APPROVE ORDINANCE 25-03.

IV. RECOMMENDATION

Staff recommends **Option 1** above.

V. TIMING & FOLLOW UP

If the Board moves to approve the First Reading of the ordinances on April 1, 2025, a Second Reading and Joint Public Hearing with the Springfield City Council will occur on April 21, 2025, as has been tentatively scheduled. Following the April 21st Joint Public Hearing, the Springfield City Council is scheduled to deliberate and take action on the city ordinance on May 5, 2025. The Board has been tentatively scheduled for deliberations and action at their meeting on June 10, 2025.

VI. SUMMARY:

Adoption of the proposed SDC Amendments (**Motion Option 1**) will provide consistency between development regulations applicable to properties that lie inside and outside the Springfield City Limits and within the Springfield Urban Growth Boundary, under County/City *Metro Plan* coordination agreements. Staff finds this application meets all applicable approval criteria, and recommends the Board of County Commissioners approve Ordinance 25-03 (Springfield Development Code Amendments for the Campus Industrial District).

VII. ATTACHMENTS

1. Draft Ordinance No. 25-03
 - **Exhibit A:** Draft City Ordinance with Exhibits
 - **Exhibit B:** Proposed Changes to Lane Code 10.600-15 (*BCC & Legislative versions*)
 - **Exhibit C:** Staff Report & Findings of Fact
2. Ordinance No. 16-86 with Exhibits
3. Springfield Planning Commission Order and Recommendation

Exhibit B

Staff Report and Findings Springfield City Council and Lane County Board of Commissioners Type 4 Amendment to the Springfield Development Code Text

Meeting Date: February 5, 2025

File Number: 811-24-000215-TYP4

Applicant: Hawes Investments, LLC

Request

The City of Springfield has received an application for a text amendment to the Springfield Development Code (SDC). Recent years have seen a spate of Development Code text amendments primarily in response to changes in state law and housing mandates, Council initiatives, and an evolving regulatory environment. Although it is unusual to receive this type of request from the public, in accordance with SDC 5.6.105(B) proposals for amending the Development Code text may be initiated by a citizen (or in this case, a property owner). In accordance with SDC 5.1.605 and 5.6.110, text amendments to the Development Code are processed as a Type 4 legislative plan amendment requiring public hearings before the Springfield Planning Commission and City Council. The proposed text amendments apply to the entire Campus Industrial district, which includes both incorporated and unincorporated properties, and therefore requires co-adoption with Lane County in accordance with SDC 5.6.115(B).

The proposed Development Code text amendments specifically affect the Campus Industrial (CI) District. The proposed amendments are intended to clarify and expand upon the allowable uses in Business Parks within the CI District by allowing for medical offices and other offices that serve the public and clarify the operational performance standards for Business Parks within the CI District. In response to staff's suggestions, the applicant is proposing to make "surgical" text amendments to the Development Code to address evolving economic conditions while still addressing potential future implications of these changes.

The application was submitted and deemed complete on September 9, 2024 and the Springfield Planning Commission public hearing on the proposed Development Code text amendments was opened on November 5, 2024. The Planning Commission continued the public hearing to the regular meeting on November 19, 2024 at which time the public hearing was closed and the matter tabled until the December 3, 2024 regular meeting. The applicant revised and resubmitted the proposed Development Code amendments on November 19 following the public hearing meeting on November 5; this version is included in the Summary of Public and Applicant Testimony (Attachment 2). Staff has prepared a final legislative version of the requested Development Code text amendments based substantially on the applicant's November 19 submittal and in response to public testimony and feedback from the Planning Commission (Attachment 1 Exhibit A). The revisions incorporated into the final recommendation include removing the 40% maximum acreage attributed to Business Parks; clarifying that Business Park primary uses require a transparent public process (i.e. Site Plan Review) for review and approval; that medical clinics and offices serving the public can be approved as primary uses in approved Business Parks; and that medical clinics cannot provide urgent or emergency care.

Background

The applicant owns property at 400 International Way, which was approved and developed as a business park in 2008. Originally constructed as a corporate headquarters office, the existing three-story building comprises approximately 82,700 ft² of leasable space. Economic conditions have changed significantly since the Covid pandemic which has resulted in reduced demand for corporate office space. However, there

are still public agencies and specialized professions that are seeking high quality office space, especially in conjunction with nearby health care facilities.

The applicant proposes to amend the Development Code provisions for offices within business parks, which allows for a wider diversity of tenancies within the existing building. It also clarifies the types of offices that are allowable within the CI District. Because the proposed amendments would affect all existing and future business parks within the CI District it is not considered a site-specific amendment.

Notification and Written Comments

In accordance with the Oregon Administrative Rules (OARs) 660-018-0020, prior to adopting a change to an acknowledged comprehensive plan or land use regulation, local governments are required to notify the state Department of Land Conservation and Development (DLCD) at least 35 days prior to the first evidentiary hearing. A Notice of Proposed Amendment was transmitted to the DLCD on September 26, 2024, which is 40 days prior to the initial public hearing on the matter.

In accordance with SDC 5.1.615, Type 4 land use decisions that amend a comprehensive plan or land use regulations require notice in a newspaper of general circulation. Because the proposed Development Code text amendments are not site-specific a notice posted on site was not required.

Consistent with the requirements of SDC 5.1.615, notification of the November 5, 2024 Planning Commission public hearing was published in *The Chronicle* newspaper on October 24, 2024. Staff also posted notices of the November 5, 2024 Planning Commission public hearing at the following locations: on the Public Notices board in the lobby of Springfield City Hall; on the Development & Public Works office digital display; and on the City's webpage. The posted notices meet the requirements of SDC 5.1.615. A second round of notifications will be issued for the joint public hearing before the City Council and Lane County Board of Commissioners to be scheduled in Spring 2025.

Written testimony was received from G Group LLC and Richardson Sports on November 5, 2024 and summarized in verbal presentations by representatives of Richardson Sports at the public hearing meeting. The applicant submitted testimony and a revised proposal on November 15 in response to the November 5 public hearing testimony and following a private meeting between representatives of the applicant and the respondents (G Group LLC and Richardson Sports). In response to the applicant's revised proposal, additional written testimony was received on November 18, 2024 from Hathaway Larson on behalf of G Group LLC and from Michael Gelardi Law on behalf of Richardson Sports. Ardel Wicks and Michael Gelardi representing Richardson Sports also provided verbal testimony at the November 19 Planning Commission meeting. In their November 18 written testimony, both respondents submitted proposed additional textual changes to the revised Development Code amendments provided by the applicant on November 15.

The testimony provided by G Group LLC and Richardson Sports are similar in nature based on the concerns expressed with the proposed Development Code text amendments. The respondents allege procedural errors with the public hearing process including a lack of notification to adjacent property owners and other potentially affected properties within the Campus Industrial district; incompatibility with the City's Comprehensive Plan; a lack of Goal 11 and 12 analysis; text amendments that are "overly broad and ambiguous"; and why alternative options such as rezoning of the site weren't explored. During the public hearing, the applicant, respondents and Planning Commissioners also questioned how much land was zoned for Campus Industrial and how much of the land base remained as potential development or redevelopment sites. Staff responded to the alternative rezoning option at the public hearing meeting on November 19 and an overview of the Campus Industrial land base is provided below. The issues raised and associated responses are outlined herein.

Public Hearing Process: Respondents allege that the proposed Development Code text amendments require a joint hearing before the Lane County and City Planning Commissions because the amendments are a regulatory change that potentially affects properties both inside and outside the City limits. Respondents argue that provisions of the *Metro Plan* require this joint hearing process with Lane County. It is important to note that this proposed Development Code text amendment is not an amendment to an adopted comprehensive plan or refinement plan and therefore citations from the *Metro Plan* are not applicable to this process. For changes to a land use regulation (such as the Development Code) that applies to land outside the City limits a joint public hearing with the Lane County Planning Commission *could* be held if the County so desires. Article IV, Section 3 of the *Urban Transition Agreement* with Lane County (1986) specifies that Lane County shall “transfer to the Springfield Planning Commission the legislative land use authority for the urbanizable portion of the Springfield Urban Growth Boundry (sic) currently exercised by the Lane County Planning Commission.” The City of Springfield has adopted language in SDC 5.1.625(A) stating that “a Type 4 legislative change to land use regulations that apply entirely or partially outside city limits must be reviewed by the Planning Commission, and Lane County Planning Commission at Lane County’s discretion, prior to action being taken jointly by the City Council and Lane County Board of Commissioners” [emphasis added]. On September 23, 2024 the City of Springfield initiated a request to Lane County for a joint Planning Commission public hearing. The request was politely declined, with the County citing provisions of Article IV, Section 3 of the Urban Transition Agreement. For the aforementioned reasons, the City will not revisit the issue and the recommendation of the Springfield Planning Commission will be brought to the City Council and Lane County Board of Commissioners for joint adoption at a future public hearing. The respondents’ argument that the proposal must be first brought to the joint Lane County and City of Springfield Planning Commissions for a public hearing is therefore found to not apply in this context.

Compatibility with Comprehensive Plan: The staff report contains an overview of the proposal’s consistency with the adopted Springfield Comprehensive Plan. Respondents allege that the proposed text amendments are “so broad they arguably could convert the CI zone into a general commercial or medical zone.” Staff finds that this is an exaggeration of the proposed text amendments because the proposed amendments are surgical in nature and apply exclusively to business parks and activities that are ***already allowed as secondary uses within the district*** [emphasis added]. The proposed changes allow for any existing, secondary uses to also serve the public in addition to internal customers (e.g. employees). Secondary uses are limited by overall floor area and cannot exist without an approved primary use. Therefore, because a primary use must first exist – in an approved Business Park environment – before any secondary use(s) can be considered, the CI district will not devolve into a general commercial or medical district that is comprised only of secondary uses as forecast by the respondents. Finally, there are no provisions of the City’s adopted Comprehensive Plan that preclude textual changes to the Development Code or amendments that clarify and expand the range of allowable uses in a zoning district. The respondents’ argument that the proposal is incompatible with the Springfield Comprehensive Plan is found to have no merit.

Goal 11 and 12 Analysis: The applicant has prepared a Goal 12 analysis that is contained in the application materials and summarized in subsection A.3 of this report. Respondents stated that they didn’t have time to fully review the materials, so the Planning Commission continued the public hearing to November 19 to provide two more weeks for respondents to fully evaluate the application and supporting documents. The Goal 12 analysis is specific to the applicant’s property and does not encompass other developed or undeveloped sites in the Campus Industrial district because future uses on these properties and the associated traffic impacts are highly variable and purely speculative at this point. The City’s Transportation Planning Engineer has reviewed the findings and conclusions of the report and agrees with the content. Staff finds that it is not warranted to revisit the Goal 12 analysis.

Regarding Goal 11 compatibility (which is the provision of adequate public facilities and services), the primary point of analysis is at the time of initial property annexation. Sites that are outside the current City limits but within the Urban Growth Boundary must demonstrate that urban utilities and services can be provided in an orderly and efficient fashion. The City and utility providers anticipate a 20-year development horizon for the Campus Industrial district in sizing facilities and infrastructure to serve this area of Springfield. Once urban development is initiated on a property, the developer must demonstrate through land use and building permitting, the physical construction of improvements, and installation of connections to urban utilities and services that these Goal 11 requirements have been met. Changes to building tenancies and allowable secondary uses do not typically change the serviceability of these properties to be adequately provided with the full suite of urban services and utilities, including police and emergency response. Major changes to on-site uses or wholesale site redevelopment requires review by the City and service providers to ensure the existing facilities are adequate to meet the needs of the new use. Because the proposed text amendments do not appreciably change the types or impacts of allowable uses in Business Parks from what is currently allowed, and urban services and utilities already serve the Campus Industrial district, there is no extensive Goal 11 analysis required for this proposal. The respondents' argument that the proposal requires additional Goal 11 and 12 analysis is found to have no merit.

Site-Specific Rezoning Option: The respondents stated that the proposed text amendments could “turn the [Campus Industrial] zone into a general commercial or medical zone.” Additionally, the respondents questioned why the applicant didn't propose to redesignate and rezone the property to commercial or medical zoning. The applicant did, in fact, submit applications to redesignate and rezone the site to Community Commercial pursuant to Cases 811-24-000162-TYP4 and 811-24-000163-TYP3. Redesignating and rezoning the site to a medical services use would significantly narrow the range of allowable uses and tenancies and serve to eliminate all non-medical uses from the existing Business Park such as corporate headquarters and professional offices. This is not desired by the applicant because they do not wish to convert the Business Park exclusively to medical uses. Redesignating and rezoning the site to Community Commercial would have the immediate effect of creating a “general commercial” site embedded within the Campus Industrial district – an outcome already identified as concerning by the respondents in their testimony. Community Commercial zoning allows for a wide range of non-compatible and automobile-centric uses including drive-through restaurants and coffee kiosks; vehicle service centers, sales lots and fueling stations; mini-storage facilities; retail stores; and big box stores. Low-intensity commercial uses are typically not “target industries” or major employers offering family wage jobs. As stated by the applicant in their rebuttal testimony (Attachment 2), Community Commercial zoning has much different and reduced building and landscaping setbacks, fewer facilities to enhance the pedestrian experience and fewer restrictions on fencing, signage and parking. Redesignation and rezoning of the site to a Community Commercial district is also contrary to the provisions of the City's adopted Comprehensive Plan and would require new Goal 11 and 12 analyses because the types, varieties and intensities of potential uses in the Community Commercial district are considerably different than those in the Campus Industrial district. Moreover, rezoning the property to Community Commercial is contrary to Policy E.1 of the *Springfield Comprehensive Plan - Economic Element* and may require a new or amended Economic Opportunities Analysis that accounts for changes to the size and availability of Campus Industrial employment sites to meet the City's needs over the planning horizon. Because of these conflicting impacts, the City does not support redesignating and rezoning the subject property to a commercial district. Therefore, the suggestion by the respondents to pursue rezoning the site to a commercial zone is not supported by the City's adopted Comprehensive Plan or staff.

Availability of Campus Industrial District Zoned Land: In the applicant's initial submittal and during the Planning Commission public hearing process there was discussion about re-enacting a 40% acreage limit on business parks within the Campus Industrial District. This language had been included in earlier versions of

the City's Development Code but was removed when comprehensive Development Code amendments were adopted in 2022 with Ordinance 6443. The applicant proposed to reinstate the 40% acreage limit as a measure to limit the proliferation of Business Parks thereby ensuring sites would be available for other primary uses, including target industries. However, based on testimony from the respondents, the applicant removed the 40% acreage limitation language (originally drafted as SDC 3.2.410(J)(5)) in the latest iteration of the proposed Development Code text amendments. The issue regarding acreage limitations and maintaining a tabulation of sites attributed to Business Parks did illuminate a statistic that neither staff nor the applicant could quickly answer: about how much developable land remains within the Campus Industrial District? To address this question, following the November 19 public hearing meeting City staff examined the entire assembly of properties with CI zoning in Springfield. The properties were then loosely categorized based on whether they were fully or mostly developed; partially developed or developed with existing, non-conforming uses; or vacant. Using these general parameters, staff determined the following:

Status of Campus Industrial Property	Acreage
Developed Campus Industrial Sites	~153.22 acres
Partially Developed/Underdeveloped or Contain Existing Non-Conforming Uses (e.g. Residential Dwellings) in Campus Industrial District	~6.84 acres
Vacant Campus Industrial Sites	~116.21 acres
<i>Total Campus Industrial Zoned Land</i>	<i>~276.27 acres</i>

Based on the simplistic acreage calculations above, about 55% of the overall Campus Industrial acreage has been developed and 45% remains vacant or underdeveloped. There are some other basic assumptions made here: the acreage calculations assume that no "developed" sites will become more intensively developed (such as converting existing buildings, parking lots or landscaped areas to new buildings), and that all partially developed or non-conforming sites will eventually annex and convert to Campus Industrial uses. It is also important to note that a significant amount of the vacant acreage is encumbered by the McKenzie River floodway (approximately 74 acres), so the net acreage (about 42.21 acres) is much less than the 116.21 gross acres contained within the zoning boundary. Assuming that no development can occur within the mapped floodway, about 75.8% of the Campus Industrial zoned property has been developed and about 24.2% of the remaining, non-floodway property is vacant or underdeveloped.

About 15.05 acres of land can be attributed to existing Business Parks, including the applicant's property (7.05 acres) and the McKenzie Gateway Business Park (8.0 acres, including a vacant ~2.83-acre portion). Based on these calculations, even if all remaining vacant and underdeveloped Campus Industrial zoned land was developed with Business Parks, the total acreage of existing and hypothetical Business Parks would be approximately 64.1 acres or 31.7% of the total developable acreage in the Campus Industrial District. This theoretical outcome (however unlikely in reality) does not approach the 40% acreage limitation originally proposed by the applicant nor would it equate with a widespread proliferation of Business Parks identified as a significant concern by the respondents in their testimony. For this reason, the respondents' suggestion that the proposed Development Code text amendments will cause the Campus Industrial District to be populated primarily with medical clinic uses (necessarily in Business Parks) is not supported by the evidence.

Criteria of Approval

SDC 5.6.115 contains the criteria of approval for the decision maker to utilize during review of *Springfield Development Code* amendments. The Criteria of approval are:

5.6.115 Criteria.

- (A) *In reaching a decision on the adoption or amendment of refinement plans and this code's text, the City Council shall adopt findings that demonstrate conformance to the following:*
- (1) *The Metro Plan and Springfield Comprehensive Plan;*
 - (2) *Applicable State statutes; and*
 - (3) *Applicable State-wide Planning Goals and Administrative Rules.*
- (B) *Applications specified in SDC 5.6.105 may require co-adoption by the Lane County Board of Commissioners.*
- (1) Conformance to the Metro Plan and Springfield Comprehensive Plan**

Applicant's Findings: *"The Code amendments do not conflict with the Metro Plan; the Code amendments conform to the Springfield 2030 Comprehensive Plan including the policies listed below:*

Policy E.3 Work with property owners and their representatives to ensure that prime development and redevelopment sites throughout Springfield and its Urban Growth Boundary that are designated for employment use are preserved for future employment needs and are not subdivided or used for nonemployment uses.

Responding to changes in economic conditions, the Code amendments will promote development and employment uses in Business Parks. The Code amendments will facilitate stable, economically viable occupancy of Business Parks, and preserve future employment needs. The Code amendments will not result in the subdivision of a lot or a shift to non-employment uses.

Policy E.6 Facilitate short term and long term redevelopment activity and increased efficiency of land use through the urban renewal program, updates to refinement plans and the development review process.

The Code amendments will facilitate efficient land use by clarifying and expanding the permitted uses in Business Parks. The Code amendments will also modernize and add flexibility as was intended with the 2022 SDC updates by allowing medical clinics and other uses that may primarily serve the public. The Code amendments will help to identify and attract potential tenants thereby stimulating better use of existing buildings and strengthening the economic vitality of Business Parks.

Policy E.7 Where possible, concentrate development on sites with existing infrastructure or on sites where infrastructure can be provided relatively easily and at a comparatively low cost.

The Code amendments encourage the economic vitality of Business Parks located inside the City limits on sites developed with existing infrastructure for public facilities and services. The Code amendments are not site specific and do not require a change in infrastructure.

Policy E.16 Consider the economic opportunities provided by transportation corridors and seek to maximize economic uses in corridors that provide the most optimal locations and best exposure for existing and future commercial and industrial uses.

The Code amendments will clarify and expand uses permitted in Business Parks. The Gateway Campus Industrial area is served by multiple transportation corridors. Approval of the Code amendments will enable optimal use of the existing Business Parks and stimulate an increase in the number of employees on-site. The allowance of more commercial uses, and those serving the public, will increase the level of activity in Business Parks with an expected increase in ridership on the EmX and use of bike routes.

Policy E.28 Increase the potential for employment in the regional industry clusters, including: Health Care, Communication Equipment, Information Technology (Software), Metals (Wholesalers), Local Food and Beverage Production and Distribution, Specialty Agriculture, Wood & Forest Products, and Transportation Equipment.

The Code amendments will facilitate new businesses in regional industry clusters including Health Care and Information Technology. The Code amendments will allow medical clinics in proximity to other health care industries. The Code amendments will modernize and allow flexibility as was intended in the 2022 SDC updates.

Policy E.40 Provide the services, infrastructure, and land needed to attract the identified industry clusters, especially where they can increase economic connectivity among businesses.

The Code amendments will stimulate economic connectivity among businesses in Business Parks. The Code amendments will allow uses in identified industry clusters that serve the public. The Code amendments will not have any adverse impacts on services, infrastructure, or land available for the identified industry clusters.

Gateway Refinement Plan

The Code amendments address Business Parks in the Campus Industrial District. All land in the City of Springfield zoned CI is in the boundary of the Gateway Refinement Plan and shown on the land use diagram as part of the McKenzie-Gateway Special Light Industrial site.

Below are Findings applicable to Gateway Refinement Plan policies:

8.0 Provide for an efficient and flexible transportation system for the McKenzie-Gateway SLI Site.

Since the Gateway Refinement Plan was adopted in November 1992, public and private investments have funded significant capital improvements to the transportation system serving the McKenzie-Gateway SLI Site.

The Code amendments will not have an adverse impact on the transportation system. The Code amendments will allow a different range of uses in Business Parks that will increase potential transit ridership on the EmX and use of bike routes.

10.0 Mitigate impacts of incremental (SLI) development on existing on-site (non-SLI) uses occupying the McKenzie-Gateway SLI Site.

Policy 10.0 recognizes that full development of the McKenzie-Gateway SLI Site will likely occur incrementally. Due to national and local economic trends, especially the decreased demand for large corporate office space, the existing zoning constraints create barriers to recruit and attract tenants. The zoning constraints jeopardize the financial viability of Business Parks and could have negative impacts on sustaining the attractive, campus-like settings. The impetus for the Code amendments is primarily to clarify and expand permitted uses in Business Parks and to respond to the decreased occupancy rates and the inherent limits of the CI zoning. Refer also to Part II above [Note: see Exhibit C] regarding changes in economic conditions and the impetus for the Code amendments. The Code amendments do not propose any specific development. Any future development will be required to comply with SDC standards including requirements for landscaping, building setbacks, parking, etc. through the site plan review process.

11.0 Ensure that development plans adequately consider the site's natural landscape features and amenities, and provide for the development needs of future developers.

The Code amendments will not change any development standards, such as landscape requirements for parking areas and stormwater management.

13.0 Ensure adequate storm drainage management planning emphasizing the minimization of negative impacts on water quality and quantity resulting from McKenzie-Gateway SLI Site development.

The Code amendments do not contain any proposed development. Any future development will require compliance with City, state and federal water quality standards and storm drainage. The Hawes Business Park was approved with conditions addressing stormwater and water quality.”

Finding 1: The proposal is consistent with objectives of the adopted *Land Use Element* of the *Springfield Comprehensive Plan* where the Campus Industrial plan designation is described as follows: “The primary objective of this designation is to provide opportunities for diversification of the local economy through siting of light industrial firms in a campus-like setting. The activities (e.g, manufacturing, storage of materials) of such firms must be obscured from public view and have external impacts less than or equal to office uses, such as noise, pollution, and vibration. Large-scale light industrial uses, including regional distribution centers and research and development complexes, are the primary focus of this designation. Provision should also be made for small and medium scale industrial uses within the context of industrial and business parks which will maintain the campus-like setting with minimal environmental impacts. Complementary uses such as corporate office headquarters and supporting commercial establishments serving primary uses may also be sited on a limited basis.” This plan designation is implemented through the Campus Industrial zoning district and the associated regulations found in SDC 3.2.400.

Finding 2: The proposal is consistent with policies and implementation strategies of the adopted *Economic Element* of the *Springfield Comprehensive Plan*. Policy E.4 states: “Expand industrial site opportunities by evaluating and rezoning commercial, residential, and industrial land for the best economic return for the community through the process of City refinement planning, review of owner-initiated land use proposals, expanding the urban growth boundary, and other means.” The proposed Development Code text amendments are being initiated by an industrial property owner in response to changes in economic conditions.

Finding 3: Implementation Strategy 4.1 of the *Economic Element* states: “Conduct a comprehensive review of Springfield’s industrial and commercial land use plan designations and zoning districts (SDC 3.2-305 and 3.2-405) and schedule of use categories (SDC 3.2-310 and 3.2-410) to identify potential updates that may be better aligned with the land, real estate and development requirements of modern industry and commerce to ensure that Springfield has sites and conditions favorable for industry and commerce to operate efficiently.” The proposed Development Code text amendments aim to accomplish exactly what is described in this Implementation Strategy by updating the scheduled of use categories in the Campus Industrial zoning district. As described in the applicant’s narrative, the updates are in response to a changing real estate and office tenancy climate in Campus Industrial business parks.

Finding 4: Implementation Strategy 4.2 of the *Economic Element* states: “Update the Development Code to create more zoning flexibility for developing industrial or business parks to support clustering of related or complementary businesses.” The proposed Development Code text amendments would increase zoning flexibility for uses and activities that are currently allowed in Campus Industrial business parks by allowing the uses to also serve the public. The proposed amendments also contribute to clustering the related and complementary businesses exclusively in approved Business Parks in the CI District. Allowing for greater flexibility in allowable uses and their operational characteristics will help to maintain viability of existing and future Campus Industrial Business Parks.

Finding 5: The proposed Development Code text amendments allow for any existing, secondary uses to also serve the public in addition to internal customers (e.g. employees). Secondary uses are limited by overall floor area and cannot exist without an approved primary use. Therefore, because a primary use must first exist – in an approved Business Park environment – before any secondary use(s) can be considered, the CI district will not devolve into a general commercial or medical district that is comprised only of secondary uses. Additionally, there are no provisions of the City’s adopted Comprehensive Plan that preclude textual changes to the Development Code including amendments that clarify and expand the range of allowable uses in a zoning district.

Finding 6: The applicant is proposing to expand the list of allowable office uses within business parks in the Campus Industrial District. Although the proposed text amendments currently affect two existing business parks in the Campus Industrial District, the provisions would also apply to any future business parks and are therefore not a site-specific amendment.

Finding 7: The applicant’s submitted narrative (Exhibit C) and findings above are incorporated herein as findings and conclusions in this staff report. The proposal conforms with the adopted Metro Plan and Springfield Comprehensive Plan. Therefore, this criterion is met.

(2) Conformance to Applicable State statutes; and

Applicant’s Finding: “*The Code amendments are narrow in scope and do not have any apparent conflicts with applicable State statutes.*”

Finding 8: The proposed Development Code text amendments do not appear to conflict with any State statutes. Therefore, this criterion is met.

(3) **Conformance to Applicable State-wide Planning Goals and Administrative Rules.**

Finding 9: Of the 19 statewide planning goals, 13 are “urban” goals that may be applicable to comprehensive plan map amendments in the city; however, it is the proposal and its effect on the purpose of these goals that will determine whether or not the proposed amendment is “consistent with” the applicable goals. The goals that are to be evaluated are: Goal 1 – Citizen Involvement; Goal 2 – Land Use Planning; Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 6 – Air, Water and Land Resources Quality; Goal 7 – Areas Subject to Natural Hazards; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 11 – Public Facilities and Services; Goal 12 – Transportation; Goal 13 – Energy Conservation; Goal 14 – Urbanization; and Goal 15 – Willamette River Greenway. All of the statewide goals are listed below; the narrative that accompanies each is more expositive when the discussion applies to one of the 13 goals identified above.

Goal 1 – Citizen Involvement

Applicant’s Findings: *“The Findings of Facts below demonstrate the Code amendments are consistent with applicable Statewide Planning Goals and Administrative Rules. The following applicable state-wide planning goal statements have been summarized. The Oregon Land Conservation and Development Commission Goals and Guidelines are incorporated herein by reference, except as noted.*

GOAL 1: Citizen Involvement - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City of Springfield has a citizen involvement program that is acknowledged by the State as being in compliance with Goal 1. Citizens are provided the opportunity to be involved in all phases of the planning process. The proposal does not include any changes to the City’s citizen involvement program. The requirements under Goal 1 are met by adherence to the City’s provisions for citizen involvement as implemented by the Springfield Development Code (SDC).”

Finding 10: Goal 1 – Citizen Involvement calls for “the opportunity for citizens to be involved in all phases of the planning process.” The proposed property owner-initiated amendment to the adopted *Springfield Development Code* is subject to the City’s acknowledged legislative plan amendment process which is a Type 4 land use action under SDC 5.1.600. The applicable Code sections include SDC 5.1.600 – Type 4 Procedures, SDC 5.1.615 – Type 4 Notice and 5.6.100 Development Code Adoption or Amendment. SDC 5.1.610(A) requires a public hearing before the Springfield Planning Commission and a public hearing before the Springfield City Council, and includes specifications for the content, timing and method of public notice (see description following).

Finding 11: The Planning Commission public hearing to consider the proposed amendments was opened on November 5, 2024 and continued on the record to November 19, 2024 at 7:00 PM. The original public hearing date was advertised in the October 24, 2024 edition of the *Chronicle* newspaper. Additionally, staff posted notices of the scheduled public hearing on the City’s website, on the Public Notices board in the lobby of City Hall and on the digital display in the Development & Public Works office lobby. Because the proposed amendments are not site-specific, mailed and site posted notices were not provided for the public hearing.

Finding 12: At the time the meeting agenda, Agenda Item Summary (AIS), covering staff report and supporting documents were posted on the Springfield Planning Commission website (<http://springfielddoregonspeaks.org>) in the week prior to the November 5, 2024 meeting, the public was invited to provide comments by email or through the Planning Commission webpage. Additional information was also provided to the public for how to attend the public hearing meeting via online meeting platform or by phone. A summary of the submitted public and applicant testimony is provided as Attachment 2.

Finding 13: The recommendations of the Planning Commission to the Springfield City Council and Lane County Board of Commissioners will be included with the covering Agenda Item Summary (AIS) for consideration at a joint public hearing with the Lane County Board of Commissioners that will be scheduled in early 2025. Because of the delay between the two scheduled public hearing meetings, staff will be completing another round of public notice in early 2025 for the joint City Council and Lane County Board of Commissioners public hearing. The notice for this proposed Development Code text amendment complies with SDC 5.1.615 and is consistent with Goal 1 requirements.

Goal 2 – Land Use Planning

Applicant's Findings:

“GOAL 2: Land Use Planning - To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal 2 requires local plans and regulatory measures to be consistent with statewide goals and requires land use decisions be supported by an adequate factual basis. Goal 2 also requires that comprehensive plan amendments be adopted after a public hearing by the governing body that provides citizens an opportunity to comment on the proposed amendment. Goal 2 establishes a land use planning process and policy framework as a basis for all land use decisions and requires the development of an adequate factual base to support these decisions. A minor change is one that does not have significant effect beyond its immediate area and is based on special studies or information. The SDC implements Goal 2 by providing state-acknowledged procedures and criteria governing land use decisions. This Code amendment will be considered by the Planning Commission and City Council following two public hearings. This application is being processed in compliance with the requirements of SDC and thus complies with Goal 2.”

Finding 14: Goal 2 – Land Use Planning outlines the basic procedures for Oregon’s statewide planning program. In accordance with Goal 2, land use decisions are to be made in accordance with a comprehensive plan, and jurisdictions are to adopt suitable implementation ordinances that put the plan’s policies into force and effect. Consistent with the City’s coordination responsibilities and obligations to provide affected local agencies with an opportunity to comment, the City sent a copy of the application submittals to the following agencies: Willamalane Park & Recreation District; Springfield Utility Board (water, groundwater protection, electricity and energy conservation); Lane 911; United States Postal Service; Northwest Natural Gas; Emerald People’s Utility District; Rainbow Water District; Eugene Water and Electric Board – Water and Electric Departments; Springfield School District #19 Maintenance, Safe Routes to School and Financial Services; Lane County Transportation, County Sanitarian; Lane Regional Air Pollution Authority; Comcast Cable;

CenturyLink; Lane Transit District; and ODOT Planning and Development, State Highway Division. Additionally, notice was provided electronically to DLCD on September 26, 2024.

Finding 15: The City's Development Code is the principal document for implementing land use planning policies, procedures and regulations in Springfield. As such, the City's Development Code is also a key mechanism used to implement the goals and policies of the City's adopted comprehensive plans including the *Springfield Comprehensive Plan*, *Metro Plan* and neighborhood-specific Refinement Plans. The public hearing process used for amendments to the Development Code is specified in SDC 5.6.100.

Finding 16: The proposed text amendments affect the Campus Industrial District, which is a plan designation and zoning that is applied within the City's Urban Growth Boundary. The CI District zoning and associated regulations therefore affect both incorporated and unincorporated properties within the North Gateway area of Springfield. Because it affects a land use district that is applied both inside and outside the City limits, the proposal is classified as a Type 4 amendment to the Springfield Development Code that is approved by Springfield and co-adopted by Lane County in accordance with SDC 5.1.625(C).

Finding 17: The proposed Development Code amendments are not site-specific and are therefore processed as a Type 4 legislative action as described in SDC 5.1.605. The process observed for the proposed Development Code text amendments is consistent with the policies pertaining to Development Code – Adoption or Amendment. Additionally, the proposed amendments have been initiated in accordance with the provisions of the City's acknowledged comprehensive plan and Development Code (SDC 5.6.105). Based on the above findings, the proposed Development Code text amendments are consistent with City ordinances, policies and procedures adopted to comply with Goal 2 requirements. Notice and coordination requirements "with those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area" that includes this proposal have been provided consistent with Goal 2.

Goal 3 – Agricultural Lands

Applicant's Findings:

"GOAL 3: Agricultural Lands- To preserve and maintain agricultural lands.

The Code amendments only apply to property in the Springfield Urban Growth Boundary and do not affect any land designated for agricultural use. Goal 3 is not applicable."

Goal 4 – Forest Lands

Applicant's Findings:

"GOAL 4: Forest Lands - To conserve forest lands by maintaining the forest and base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The Code amendments only apply to property in the Springfield Urban Growth Boundary and do not affect any land designated for forest use. Goal 4 is not applicable.”

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

Applicant’s Findings:

“GOAL 5: Open Spaces, Scenic and Historic Areas, and Natural Resources - To protect natural resources and conserve scenic and historic areas and open spaces.

Goal 5 requires the conservation of open space and the protection of numerous natural, cultural, historic and scenic resources. The goal applies to the following resources: riparian corridors, water and riparian areas and fish habitat, wetlands, wildlife habitat, mineral and aggregate resources, energy sources, natural areas, scenic views and sites, open space, groundwater resources, wilderness areas, historic resources, cultural areas, Oregon recreational trails, federal wild and scenic waterways and state scenic waterways. OAR 660- 023-0010 and 0020 include definitions, standards and specific rules applicable to each Goal 5 resource inventoried for conservation under the Goal.

Goal 5 resources listed above have been appropriately considered by the City of Springfield in the Plan. The code amendment does not propose a change to the City’s list of Goal 5 resources or propose a change to any regulatory measures related to Goal 5. The proposed request will not allow uses that could be in conflict with a significant Goal 5 resource site. Goal 5 is not applicable.”

Finding 18: Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources applies to more than a dozen natural and cultural resources, such as wildlife habitats and wetlands, and establishes a process for each resource to be inventoried and evaluated. The proposed Development Code text amendments do not affect historic resources listed in the City’s Register of Historic Sites, natural resources listed in the City’s adopted Natural Resources Study, or any open space resource in the adopted 2023 Willamalane Park & Recreation District Comprehensive Plan. Therefore, Goal 5 is not applicable.

Goal 6 – Air, Water and Land Resources Quality

Applicant’s Findings:

“GOAL 6: Air, Water and Land Resource Quality - To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 is generally implemented during the comprehensive planning process and local regulations. The City of Springfield’s Environmental Services Division (ESD) coordinates the City’s compliance with applicable state and federal environmental quality statutes. ESD manages multiple programs to maintain compliance with Goal 6 including: 1) Water Resources Programs, such as implementing the City’s National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit, 2) Industrial Pretreatment Program such as administering the Pollution Management Practice programs, and 3) Wastewater & Stormwater Programs.

As Goal 6 pertains to site-specific development, it requires that adequate protective measures are taken to ensure the maintenance of air, water and land quality. This code amendment will encourage economically viable uses within a Business Park and does not contain any specific proposed

development. Any new development must comply with applicable local, state, and federal air and water quality standards. Business Parks are only specifically listed as permitted in the CI District and these areas are generally served by adequate water and sanitation facilities. The Code amendments clarify and expand permitted uses in Business Parks and do not produce or discharge any product or by-product that would degrade the quality of the air, water, and land resources. The proposed code amendment does not alter the City's acknowledged compliance with Goal 6."

Finding 19: Goal 6 – Air, Water and Land Resources Quality applies to local comprehensive plans and the implementation of measures consistent with state and Federal regulations on matters such as clean air, clean water, and preventing groundwater pollution. The proposed Development Code text amendment does not affect City ordinances, policies, plans, and studies adopted to comply with Goal 6 requirements. Therefore, this action does not alter the City's acknowledged compliance with Goal 6.

Goal 7 – Areas Subject to Natural Hazards

Applicant's Findings:

"GOAL 7: Areas Subject to Natural Disasters or Hazards - To protect people and property from natural hazards.

The Metro Plan and the SDC are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. The City of Springfield has existing programs, policies, zoning overlays, and development standards to regulate development in areas subject to natural disasters and hazards. There is no development proposed with this code amendment. Goal 7 is not applicable."

Finding 20: Goal 7 – Areas Subject to Natural Hazards applies to development in areas such as floodplains and potential landslide areas. Local jurisdictions are required to apply "appropriate safeguards" when planning for development in hazard areas. The City has inventoried areas subject to natural hazards such as the McKenzie and Willamette River floodplains and potential landslide areas on steeply sloping hillsides. The Campus Industrial District in the north Gateway area of Springfield contains mapped 100-year flood hazard areas of the McKenzie River. Any future development or redevelopment affecting Campus Industrial sites will be subject to the provisions of the City's Floodplain Overlay District (SDC 3.3.400) and the Site Plan Review processes described in SDC 5.17.100.

Finding 21: The proposed Development Code text amendment has no effect on City ordinances, policies, plans, and studies adopted to comply with Goal 7 requirements and siting standards for development within hillside areas or the mapped flood hazard area of the McKenzie and Willamette Rivers. Therefore, this action has no effect on the City's acknowledged compliance with Goal 7.

Goal 8 – Recreational Needs

Applicant's Findings:

"GOAL 8: Recreational Needs - To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 addresses the recreational needs of Oregon residents and visitors. Provisions of this goal are appropriately implemented by a legislative process as part of periodic review of the Plan. The City of Springfield evaluated projected population growth, changes in community demographics, and the recreational needs of citizens and visitors. In compliance with Goal 8, the Plan Diagram designates areas needed for Parks and Open Space.

The Code amendments will not affect the City's supply of land available for recreation areas or recreational facilities. The Code amendments will not have a direct impact on recreational needs and will continue to allow bicycle paths, pedestrian trails, and parks as allowed uses associated with Business Parks. Goal 8 is not applicable."

Finding 22: Goal 8 – Recreational Needs requires communities to evaluate their recreation areas and facilities and to develop plans to address current and projected demand. The provision of recreation services within Springfield is the responsibility of Willamalane Park & Recreation District. Willamalane has just adopted a new Comprehensive Plan for the provision of park, open space and recreation services for Springfield (2023 *Willamalane Comprehensive Plan*). The 2023 *Willamalane Comprehensive Plan* was co-adopted by the City of Springfield and Lane County. The *Willamalane Comprehensive Plan* provides current and updated information about the City's recreational needs under Goal 8. Because the proposed Development Code text amendments do not affect the *Willamalane Comprehensive Plan* specifically or recreational needs in general, Goal 8 is not applicable.

Goal 9 – Economic Development

Applicant's Findings:

"GOAL 9: Economy of the State - To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The purpose of Goal 9 is to diversify and improve the economy of the State and is primarily applicable to commercial and industrial development. In 2007 the Oregon legislature adopted House Bill 3337 establishing land use planning requirements for the Eugene-Springfield Metro area. ORS 197.304 established a mandate that Springfield and Eugene separately determine the projected 20-year need for housing and establish separate Urban Growth Boundaries to meet housing needs. Although ORS 197.304 only required separate UGBs for housing, it was implicit that the two cities independently plan for other land use needs including employment growth, as defined by Goal 9. Pursuant to Goal 9, in 2010, Lane County and the cities of Springfield and Eugene approved the Regional Prosperity Economic Development Plan providing a framework to better align regional economic growth with the area's assets and values.

Given the complexity involved with addressing ORS 197.304, the City of Springfield chose to phase adoption of various amendments to the Plan. To address OAR 660-009-0015(1) and (4), the City of Springfield prepared an Economic Opportunities Analysis (EOA) to review 'the types and amounts of industrial and other employment uses likely to occur in the planning area.' The EOA identified Target Industries including 'Medical Services' and 'Professional and Technical Services' suitable for Business Parks. Existing city approved Business Parks are on developed sites that were not included on the City of Springfield inventory of vacant Commercial Industrial Buildable Land (CIBL). The CIBL also concluded there were not enough large vacant sites within the City of Springfield UGB to

accommodate the projected economic growth. Relevant City of Springfield economic development strategies include:

- Provide sites with a variety of site characteristics to meet both commercial and industrial economic opportunities, including sites that are available for relatively fast development. This includes large sites for major employers.*
- Support and assist existing businesses within Springfield by assessing what kind of assistance businesses need and developing programs to meet that need.*
- Attract and develop new businesses, especially those related to regional business clusters. The City would like to build on the developing health care cluster, promote development of high- tech businesses, and attract sustainable businesses.*
- Maintain flexibility in planning through providing efficient planning services and developing planning policies to respond to the changing needs of businesses.*

On December 5, 2016, the City of Springfield adopted Ordinance No. 6361 amending the Springfield Urban Growth Boundary and adopting the Springfield 2030 Comprehensive Plan (2030 Plan) Economic and Urbanization Policy Elements. The 2030 Economic Element provides policy direction to address the community's commercial, industrial, and other employment development needs and supplants the Economic Element in the Metro Plan.

The Code amendments will increase the uses permitted in Business Parks while retaining existing standards requiring landscaping, pedestrian amenities, and other site features. The Code amendments will help meet a key economic goal to support the health care cluster. Since the existing Business Parks are located within a block of frequent transit service and are on a major bike route, the code amendment will also support City policies encouraging multi-modal transportation corridors. The Code amendments will implement the City goal to diversify the local economy and will respond to changing economic conditions described above in Part II [see application materials presented as Exhibit C]. The Code amendments will not have an adverse impact on the availability of suitable sites for a variety of economic activities. The Code amendments will provide the following economic benefits:

- 1. Provide more diverse uses supporting new employment opportunities that result in both direct and indirect benefits to the local economy.*
- 2. Strengthen City of Springfield target industries of "Medical Services" and Professional and Technical Services."*
- 3. Stimulate economic viability of the existing Business Parks.*

For further information regarding the Code amendments compliance with the City of Springfield 2030 Economic Element, please refer to the analysis above regarding SDC 5.6.115(A)(1)."

Finding 23: Under Goal 9 – Economic Development, the proposed legislative amendment must ensure that there is enough serviceable land within the Springfield UGB to meet the industrial and commercial site needs identified in the *Economic Element* and the City's acknowledged *Commercial and Industrial Buildable Lands Inventory and Economic Opportunities Analysis* (CIBL-EOA). The

CIBL identifies the City's needed sites for employment uses based on use categories and site size ranges, rather than by cumulative area needed within the UGB.

Finding 24: The proposed Development Code text amendments do not affect the City's inventory of buildable land but would provide enhanced opportunities for existing and future business parks within the Campus Industrial District. Additionally, the proposed text amendments target key industries that are gravitating to the north Gateway area due to the proximity of the Sacred Heart Medical Center at Riverbend and other employers.

Conclusion: The proposal does not have an impact on the City's CIBL and would have the effect of clarifying and expanding upon the allowable uses for business park offices in the CI District. Based on the above findings, this proposal is consistent with Goal 9.

Goal 10 - Housing

Applicant's Findings:

“GOAL 10: Housing - To provide for the housing needs of citizens of the state.

Goal 10 is intended to provide for the housing needs of the citizens of the State. The Code amendments do not impact the buildable land supply for housing. Goal 10 is not applicable.”

Finding 25: Goal 10 – Housing applies to the planning for – and provision of – needed housing types, including multi-family and manufactured housing. Goal 10 requires the City to evaluate and maintain a sufficient buildable land base for projected housing needs over the forecast period. The City monitors and updates the calculated acreage of residential buildable lands when redesignation and rezoning actions affect the net acreage attributed to Low-, Medium-, and High-Density Residential uses.

Finding 26: The proposed legislative amendment to the Development Code does not affect the City's inventory of residential land. Because there is an existing surplus of residential land in the City, the proposed Development Code text amendment does not have an effect on the City's Goal 10 compliance. Therefore, Goal 10 is not applicable.

Goal 11 – Public Facilities and Services

Applicant's Findings:

“GOAL 11: Public Facilities and Services - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The Code amendments will not affect the City or other service providers' ability to provide public facilities and services.”

Finding 27: Goal 11 – Public Facilities and Services addresses the efficient planning and provision of public services such as sewer, water, law enforcement, and fire protection. In accordance with OAR 660-011-0005(5), public facilities include water, sewer and transportation facilities, but do not include buildings, structures or equipment incidental to the operation of those facilities. The proposed

Development Code text amendments cannot result in permitted uses that will have an adverse effect on the demand for public facilities and services provided to properties within the Campus Industrial District. The CI District area of Springfield is already planned for a variety of manufacturing, corporate headquarter, business park and research and development uses and the public facilities serving this area have been designed accordingly.

Finding 28: Goal 11 compatibility is typically determined at the time of initial property annexation. Sites that are outside the current City limits but within the Urban Growth Boundary must demonstrate that urban utilities and services can be provided in an orderly and efficient fashion. The City and utility providers typically employ a 20-year development horizon for the Campus Industrial district in sizing facilities and infrastructure to serve this area of Springfield. Once urban development is initiated on a property, the developer must demonstrate through land use and building permitting, the physical construction of improvements, and installation of connections to urban utilities and services that these Goal 11 requirements have been met. Changes to building tenancies and allowable secondary uses do not typically change the serviceability of these properties to be adequately provided with the full suite of urban services and utilities, including police and emergency response. Major changes to on-site uses or wholesale site redevelopment requires review by the City and service providers to ensure the existing facilities are adequate to meet the needs of the new use. Where deficiencies are identified the onus is on the developer, not the City, to ensure the necessary services and facilities are available and installed to accommodate the new or modified use. Because the proposed text amendments do not appreciably change the types or impacts of allowable uses in Business Parks from what is currently allowed and urban services and utilities already serve the Campus Industrial district there is no extensive Goal 11 analysis required for this proposal. The respondents' argument that the proposal requires additional Goal 11 and 12 analysis is found to have no merit.

Finding 29: The proposed amendments to the CI District affect business parks exclusively. Existing and future business parks in the CI District will need to demonstrate that sufficient public facilities and services exist or can be extended in an orderly and efficient manner to allow for the full range of office uses allowed by the amended provisions of the zoning district. Review of available public facilities and services is typically done through the Site Plan Review process for properties already in the City limits.

Conclusion: The proposed Development Code text amendments do not have an effect on the City's Goal 11 compliance.

Goal 12 – Transportation

Applicant's Findings:

“GOAL 12: Transportation - To provide and encourage a safe, convenient and economic transportation system.

Goal 12 is implemented through the provisions of the State Transportation Planning Rule (TPR) OAR 660, Division 12) which was adopted by LCDC in 1991. OAR 660-012-0060(1) requires that amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.

To determine whether the Code amendments will significantly affect a transportation facility, the TPR lists specific criteria against which the Code amendments are to be evaluated. The TPR provides that a land use regulation amendment significantly affects a transportation facility if it:

- a) Changes the functional classification of an existing or planned transportation facility;*
- b) Changes standards implementing a functional classification system;*
- c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or,*
- d) Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP (Transportation System Plan).*

Sandow Engineering conducted the required TPR analysis of the Code amendments and concluded:

- The addition of development trips does not trigger any intersections to not meet the LOS standards.*
- The intersection of Gateway St at Beltline Rd currently operates at LOS F during the PM peak hour. The City has identified improvements at this intersection, which are reasonably assumed to be constructed within the 20-year planning horizon. With these improvements, the intersection will meet the mobility standards.*
- The addition of development traffic does not substantially increase queuing conditions.*
- There is no off-site mitigation needed for the proposed impacts.*
- TPR findings are demonstrated to be met.*

For a complete analysis of how the application meets Goal 12 and the TPR, please see Exhibit C.”

Finding 30: The Transportation Planning Rule (TPR), Oregon Administrative Rule OAR 660-12-0060, requires local governments to put in place mitigation measures as provided in the TPR whenever an amendment to a functional plan, an acknowledged comprehensive plan, or land use regulation (including an amendment to the Development Code) would “significantly affect” an existing or planned transportation facility. The subject application proposes to amend the Springfield Development Code regulations for Business Parks in the Campus Industrial zoning district.

Finding 31: To address the proposal’s compliance with Goal 12, the applicant has submitted a TPR Analysis addressing potential vehicle trip generation and traffic impacts associated with the proposed Development Code amendments to show compliance with the TPR at OAR 660-012-0060. The applicant’s TPR Analysis can be found in Exhibit C with the application materials submitted for the proposed Development Code text amendment. The City’s Transportation Planning Engineer has reviewed the TPR Analysis and concurs with the applicant’s trip generation methodology, findings and conclusions, which are adopted as findings herein. The applicant’s TPR Analysis provides Trip Generation, traffic queuing and intersection performance scenarios for the existing and uses in Business Parks within the Campus Industrial District. The trips generated by the existing Campus Industrial District were compared to the proposed amended Campus Industrial District under “reasonable most traffic-generating use” conditions.

Finding 32: Under the TPR, a land use regulation amendment may result in a “significant affect” under OAR 660-012-0060(2)(a) and (b) by changing the functional classification of an existing or planned transportation facility or by changing the standards implementing a functional classification system.

Finding 33: The applicant’s TPR Analysis shows that the anticipated mix and levels of traffic are consistent with that found in the vicinity (i.e. the “study area”) and therefore the proposed Development Code text amendments would not require a change in functional classification of any planned or existing facility.

Finding 34: The applicant’s TPR Analysis shows that the standards for implementing the functional classification system are found in the City’s adopted *Transportation System Plan* (TSP). The standards are based on street connectivity and spacing; types and amounts of travel modes; and mobility. The proposed Development Code text amendments do not require a modification to the standards for the street functional classification system detailed in the City’s TSP. Because the proposed amendments do not alter the functional classification of any facility or change any standards for implementing the functional classification system they do not result in a “significant affect” under OAR 660-012-0060(1)(a) or (b).

Finding 35: Under the TPR, an amendment to a land use regulation may also result in a “significant affect” if it would result in any of the effects listed under OAR 660-012-0060(1)(c) “based on projected conditions measured at the end of the planning period identified in the adopted TSP.”

Finding 36: Under subsection (1)(c) of the TPR, a “significant affect” occurs if the proposed amendment(s) would result in types or levels of travel or access that are inconsistent with the identified functional classification of the existing or planned transportation facilities, that degrade the performance of an existing or planned transportation facility such that it would not meet performance standards identified in the TSP, or that degrade the performance of an existing or planned transportation facility that is otherwise not projected to meet the performance standards identified in the TSP.

Finding 37: The applicant’s TPR Analysis concludes that Gateway Street and Beltline intersection already operates a Level of Service (LOS) F during the PM Peak Hour. The intersection is projected to have mitigation measures constructed within the 20-year planning horizon, which ensures that the intersection improves its LOS to meet mobility standards. The added trips from the proposed Development Code text amendment would not worsen the degraded performance standard.

Conclusion: The applicant’s narrative, findings and submitted TPR Analysis along with staff findings above are adopted herein as findings and conclusions in support of the proposal’s conformance with Goal 12. Therefore, the proposal complies with Goal 12.

Goal 13 – Energy Conservation

Applicant’s Findings:

“GOAL 13: Energy Conservation - To conserve energy.

The Code amendments will not amend or affect any land use regulations enacted to implement Goal 13. All new development will be required to comply with local, state and federal codes related to energy conservation. Goal 13 is not applicable.”

Finding 38: The proposed Development Code text amendment does not affect the City's ordinances, policies, plans, or studies adopted to comply with Goal 13 requirements. Future applicants for Business Park development within the Campus Industrial District will have an opportunity to incorporate suitable energy conservation measures when detailed construction plans are prepared for the projects. The City's building codes comply with all Oregon State Building Codes Agency standards for energy efficiency in commercial and industrial building design. The City's conservation measures applicable to storm water management, temporary storage, filtration and discharge would apply to any campus industrial uses developed within the CI zoning district; therefore, this action has no effect on the City's acknowledged compliance with Goal 13.

Goal 14 - Urbanization

Applicant's Findings:

“GOAL 14: Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The Code amendments do not propose to expand the Urban Growth Boundary thus does not require a review of the transition of rural to urban land uses. Therefore, the provisions of Goal 14 and OAR Chapter 660, Division 24 (Urban Growth Boundaries) are not applicable.”

Finding 39: Goal 14 – Urbanization requires cities to estimate future growth rates and patterns, and to incorporate, plan, and zone enough land to meet the projected demands. When completing its Commercial and Industrial Buildable Land (CIBL) inventory the properties designated for Campus Industrial use were classified as vacant, partially developed or developed based on current development patterns and uses at the time of the inventory. The City has since expanded the Urban Growth Boundary to incorporate needed employment lands and there is no longer a deficit of large (20+ acre) industrial parcels in the City's employment lands inventory. The proposed Development Code text amendment does not affect the City's adopted ordinances, policies, plans, or studies adopted to satisfy the compliance requirements of Goal 14.

Goal 15 – Willamette River Greenway

Applicant's Findings:

“GOALS 15-19: Goals 15 through 19 are inapplicable to this application as they are geographically oriented and only apply to the Willamette River Greenway and coastal resources.”

Finding 40: Goal 15 – Willamette River Greenway establishes procedures for administering the 300 miles of greenway that borders the Willamette River, including portions that are inside the City limits and UGB of Springfield. The Campus Industrial Zoning District is specific to the north Gateway area of Springfield and is not within the adopted Willamette River Greenway Boundary area. Therefore, this goal is not applicable and this proposed action has no effect on the City's acknowledged compliance with Goal 15.

Goal 16 – Estuarine Resources

Goal 17 – Coastal Shorelands

Goal 18 – Beaches and Dunes

Goal 19 – Ocean Resources

Finding 41: As stated in the applicant’s findings, Goals 16-19 are not applicable to this proposal.

Conclusion: The proposal meets Criterion 3.

(B) Applications specified in SDC 5.6.105 may require co-adoption by the Lane County Board of Commissioners.

Finding 42: The proposed Development Code text amendments affect the entire Campus Industrial zoning district, which includes properties both inside and outside the current City limits. Therefore, co-adoption by the Lane County Board of Commissioners is necessary.

Finding 43: The Lane County Planning Director stated that initial review of the proposed Development Code text amendments by the County Planning Commission is not necessary under the provisions of the 1986 *Urban Transition Agreement* with Springfield. Therefore, the initial public hearing was held with the Springfield Planning Commission only.

Finding 44: Staff has looked at projected meeting schedules for 2025 and anticipates that the Springfield City Council and Lane County Board of Commissioners will conduct a joint public hearing for the proposed Development Code text amendments in early 2025.

Conclusion: The proposed Development Code text amendment public hearing schedule and adoption process anticipates co-adoption by the Lane County Board of Commissioners. Therefore, this criterion is met.

Applicant’s Summary:

“The 2022 SDC updates were intended to be ‘policy neutral’ with the purpose of modernizing the Industrial District code and expanding flexibility to include Target Industries, such as medical services. However, Business Park uses were not specifically addressed in the SDC 2022 updates and some uses were removed. Therefore, the proposed Code amendments:

- 1) Continue to permit all primary, secondary, and accessory uses allowed in the CI District,*
- 2) Reinstates the limit of Business Parks to 40% of the gross acres of the CI District,*
- 3) Expand uses to include Target Industries such as ‘Medical Services,’ ‘Professional and Technical Services,’ ‘Educational Services,’ and ‘Health Services for Seniors’,*
- 4) Removes requirement to serve on-site uses/employees and allows uses to serve the public, and*
- 5) No longer limits each secondary use to a maximum of 2,500 square feet and allows secondary uses to occupy a maximum of 40 percent of the total gross floor area of the Business Park.*

The Code amendments further address the intent of the 2022 SDC updates by clarifying the existing Industrial Use Category of Corporate or Regional Headquarters and adding a new Industrial Use Category for Business Parks. This written narrative, including Findings of Fact, exhibits, and technical reports, offer substantial evidence to support approval of the Code amendments in compliance with SDC 5.6.115.”

Conclusion

The applicant’s submitted narrative, supporting TPR Analysis and findings of fact are incorporated herein by reference and are adopted as findings and conclusions herein. Responses have been provided to opposing testimony submitted at the November 5, 2024 public hearing meeting, on November 18 and during the November 19 public hearing meeting. The issues raised by respondents in their testimony have been acknowledged and addressed herein. The applicant and staff have responded to the submitted testimony by further amending the proposed Development Code text amendments as presented in the final legislative version found in Attachment 1, Exhibit A. Based on the findings and conclusions herein, the proposed Development Code text amendments comply with the criteria found in SDC 5.6.115.