

ARTICLE I - GENERAL PROVISIONS

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10.012 Definitions, Specific.

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Environmental resources. This shall include, but not be limited to, the following:

- (a) Significant Trees
- (b) Riparian corridors, creeks and streams as defined by the Comprehensive Plan
- (c) Wetlands (Locally Significant wetlands as defined by the Comprehensive Plan or as defined by a qualified professional who has authority to indicate the presence of a wetland)
- (d) Special Flood Hazard Areas as determined by a licensed land surveyor, Professional Engineer or on the current Flood Insurance Rate Map (FIRM) maps
- (e) Topographic features
- (f) Other features or resources deemed significant by the Comprehensive Plan or qualified professional with the knowledge to determine the significance or value of said resource.

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Infill or Infill Development. See Section 10.704.~~[MHB1]~~

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Open Space. An area or portion of land (excluding off-street parking), either landscaped or essentially unimproved and which is used to meet human recreational, communal gathering, or spatial needs, and/or to protect water, air, or environmental resources

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Parapet. A low guarding wall that projects above the roof line.

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Pedestrian-friendly, Pedestrian-scale, Pedestrian-Oriented. Features and elements of a development that encourage walking by making it safe and convenient, which may include pedestrian amenities, such as plazas, outdoor seating, pedestrian-scale lighting and similar features. These features are all generally smaller in scale than those that are primarily intended to accommodate motor vehicle traffic.

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Significant Tree(s) Shall be any tree(s) or grouping of trees with a specific trunk diameter as measured four and a half feet above the ground (known as DBH, for “diameter at breast height”). Tree groupings shall have canopies that are connected or are within five feet of another significant tree.

Small groupings of trees, consisting of four or less, that measure:

1. Deciduous trees: DBH of 18 inches or greater
2. Coniferous trees: DBH of 20 inches or greater

Large groupings of trees of five or more that measure:

1. Deciduous trees: DBH of 8 inches or greater
2. Coniferous trees: DBH of 16 inches or greater

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Transit Oriented Development/Design. A development pattern that mixes residential, retail, office, and commercial uses with a supporting network of roads, bicycle and pedestrian facilities

to accommodate transit use and incorporation of pedestrian-friendly design.

Transit Oriented District (TOD). The districts, identified in the Transportation System Plan, the Transportation Element of the Medford Comprehensive Plan.

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Topographic features. Any existing butte, rock outcropping, or hillside in excess of 15% slope that is constraining to development.

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ARTICLE III - ZONING DISTRICTS

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10.327 Neighborhood Commercial, C-N.

The C-N district provides land for the development of small integrated commercial centers servicing the frequent and daily convenience requirements and service needs of adjacent residential neighborhoods. Development in this zone is intended to be pedestrian-oriented and compatible with the scale and character of surrounding residential areas. ~~All uses, except as noted in section 10.337, do not exceed 2,500 square feet of gross floor area.~~

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10.358 Central Business, C-B.

The C-B district is representative of the core downtown business, residential and retail area. The intent of the C-B district is to recognize the unique and historic character of the downtown area as an asset to the community and to provide standards and criteria necessary for its continued development and redevelopment as a vital part of this community.

(1) **Commercial and Industrial Development Standards.** All of the site development standards set forth in Article V, Section 10.721, Commercial and Industrial Site Development Standards, shall be waived in lieu of the following site development standards:

(2) **Residential Development Standards.** All ~~residential~~ development standards contained in Article III, Zoning Districts, and Article V, Site Development Standards, shall be waived in lieu of the following:

(a) Off-street parking and loading. All residential development shall be exempt from providing parking and loading spaces, except for bicycle parking spaces. Off-street parking and loading, when required or developed, shall conform to the following standards:

- (i) 10.744 Shared Parking
- (ii) 10.746 General Design Requirements for Parking
- (iii) 10.747 General Provisions, Bicycle Parking
- (iv) 10.748 – 10.751 Bicycle Parking Standards

~~shall be subject to the parking requirements of 10.741, Off Street Parking and Loading Requirements, through 10.746, General Design Requirements for Parking and Sections 10.747, Bicycle Parking and Storage Regulations, General Provisions, through 10.751, Exceptions to Bicycle Parking Standards.~~

(b) New residential development on vacant parcels. ~~New residential development on vacant parcels shall conform to the provisions of Article III, Section 10.306, Residential Land Use Classification, through 10.314, Residential Uses, and to the site development standards contained in Article V, Section 10.721.~~ The multi-family development standards

contained in Sections 10.715A through 10.719 shall apply for residential development within the C-B Overlay.

~~(c) Residential development which results from conversion or remodel of existing structures, or new residential construction which exceeds the residential density standard of the MFR 30 zone shall be subject only to the off street parking and loading requirements as provided in (a) above.~~

(cd) Lot coverage. When within the C-B Overlay, the maximum lot coverage of the underlying zoning district need not apply and may be one-hundred percent (100%).

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ARTICLE IV -- PUBLIC IMPROVEMENT STANDARDS AND CRITERIA

10.426 Street Circulation Design and Connectivity.

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MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH		
Table 10.426-1		
Zone or District	Block Length	Block Perimeter Length
a. Residential Zones	660'	2,100'
b. Central Business Overlay District	600'	1,800'
c. Transit Oriented Districts (Except SE Plan Area)	600'	1,800'
d. Neighborhood, Community, and Heavy Commercial Zones; and Service Commercial-Professional Office Zones	720'	2,880'
e. Regional Commercial and Industrial Zones	940'	3,760'

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2. The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:

- a. Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10.426 C.1.,
- b. Environmental constraints including the presence of a wetland or other body of water,
- c. The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet,
- d. Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more

directions impractical,

- e. The subject site is in SFR-2 zoning district,
- f. Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,
- g. The proposed use is a public or private school, college or other large institution,
- h. The proposed use is a public or private convention center, community center or arena,
- i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.
- j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section; or-
- k. Development defined as infill, per Section 10.704.

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ARTICLE V - SITE DEVELOPMENT STANDARDS

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10.702 Lot Area and Dimensions.

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

- (1) Within a planned unit development, a condominium project, as defined by ORS 100.005, or a pad lot development, as defined herein, the approving authority (Planning Commission) may permit tax lots and common areas to be of an area, width, frontage, or depth different from such prescribed minimum or maximum lot area or dimensions.
- (2) For a condominium project, as defined by ORS 100.005, the minimum lot area and dimensions shall apply to the parent parcel only.
- (3) A new residential lot may exceed the maximum lot area only under the following circumstances:
 - (a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,
 - (b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.

(4) The approving authority shall approve a reduction from the required lot dimensions of a parcel (i.e. lot area, lot width, depth and frontage) by up to twenty percent (20%^[MHB2]^[KWK3]).and reductions shall be permitted upon determination that the below conditions exist. These reductions shall be permitted at the option of the applicant for land use review. If a reduced dimension lot is created as a flag lot, the pole width of the flag lot shall be no less than 20 feet. The conditions for lot dimension reductions are as follows:

- (a) The parcel proposed for land division is considered infill per 10.704; or
- (b) The parcel proposed for land division is a subdivision, per the MLDC;
 - (i) When reductions in lot dimensions are proposed for a subdivision, reductions may only be permitted on ^[MHB4]^[KWK5] twenty-five percent (25%) of the total number of proposed parcels.
 - (ii) Reductions in lot dimensions, for a land division, may exceed 25% of the proposed number of parcels to the extent necessary to preserve or restore

environmental resources.

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10.704 Through Lots Types.

(A) Infill Lot. A lot shall be considered infill if it meets one of the below criteria:

(1) For SFR-10, MFR or Commercial Zones only: A subject parcel shall be considered infill when the parcel is vacant or when a single-family home is removed and/or redeveloped to create two or more dwellings, excluding ADUs, but including mixed-use buildings.

(2) If the lot is proposed as a mixed-use building or residential development and the subject parcel is not large enough to be split into four or more lots, consistent with the underlying zoning district[MHB6][KWK7];

(B) Through Lot. A through lot contains both a front and rear lot line abutting a street. Through lots shall be permitted in all zones when one of the abutting streets is a collector or arterial street. The property owner shall designate one frontage as the front yard and the other shall be the street side yard. Those yards shall be subject to required yard standards in Sections 10.710-10.723.

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10.705 Building Height and Side-Yard Determination.

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B. Exemptions – Building height limitations shall not apply to:

(1) Chimneys, church spires, belfries, cupolas, flag poles, antennas, support structures and antennas for amateur radio operations (as per ORS 221.295), and other similar projections that are accessory to the permitted use.

(2) Wireless communication transmission towers, which are subject to the Special Use Standards contained in Section 10.824.

(3) Public utility service facilities, which are subject to the Special Use Standards contained in Section 10.830.

(4) Parapets may be erected up to five feet above the height limit specified in the underlying zoning district.

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10.707 Exceptions to Yard Requirements.

(A) General Exceptions. The following projections shall be permitted within the required yard area:

(1) Cornices, eaves, fireplaces, canopies, mechanical (heating and cooling equipment – not located in a residential zone), or other similar architectural features may extend a maximum of one foot into a required yard. In residential zones, mechanical (heating and cooling equipment) is exempt from the yard requirements but shall meet Building Code standards.

(2) Open uncovered accessory structures such as fire escapes, porches, balconies, or outside stairways may extend a maximum of one foot into the required side and rear yard and a maximum of five feet into a required front yard. Porches, decks or stoops which are

open and uncovered and not exceeding 18 inches in height may be located within 18 inches of any lot line.

(3) Within the commercial districts awnings shall be allowed to extend a maximum of six feet into the required front yard.

(4) Established Neighborhoods: On a parcel where the abutting lots, adjoining the same street, contain legally constructed buildings whose setbacks are equal to or less than that required by the underlying zone, the front yard setback may be reduced to a distance equal to the average setback of the abutting parcels. ~~If one of the adjoining lots is vacant, the minimum setback of the underlying zone shall be utilized to determine the average.~~

(5) An approving authority shall approve an encroachment into the required setbacks, as set forth in Article V, by up to twenty percent (20%), for setbacks of ten (10) feet or greater. Reductions shall not be permitted when the parcel is within the Wildfire Risk Area, when a structure is placed on slopes greater than 15%, or when the Hillside Ordinance applies. The requested reduction shall be compliant with applicable building, fire and life-safety codes. These reductions shall be available at the option of the applicant for land use review or building permit review. Reductions shall be permitted upon determination that one or more of the following conditions exist:

(a) The encroachment, through placement of a structure, will allow the preservation or restoration of existing environmental resources; or

(b) The proposal is an infill lot per section 10.704.

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10.708 Residential Density.

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C. General Exceptions to Residential Density Calculations.

(1) Multiple-Family Dwelling Units in Commercial Zoning Districts, ~~Except Neighborhood Commercial (C-N).~~ The minimum density factor shall be the same as the MFR-30 zoning district, found in Sections 10.710 – 10.714~~3~~; there is no maximum density restriction.

(2) Mixed-Use Buildings. For mixed-use buildings as defined herein, in commercial zoning districts ~~(save for C-N),~~ there shall be no minimum or maximum number of dwelling units required. In the Neighborhood Commercial (C-N) zoning district, dwelling units must be located in a mixed-use building, ~~and conform to Section 10.837.~~

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10.721 Commercial and Industrial Site Development Standards.

The following standards apply to commercial and industrial development. See Article III, Sections 10.326 through 10.332 for detailed descriptions of each zoning district, and Section 10.337 for conditional, special, and permitted uses.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
Minimum & Maximum Area for Zoning District (Acres)	0.5 -3.0	None						

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
Residential Standards (See 10.837)	N/A Dwelling units allowed subject to the density standards for housing within the MFR-30 district. Site development standards shall follow the MFR-30 zone except for the maximum building height and setbacks, which shall follow the underlying commercial zoning in which the property is located. <u>See section 10.837 for additional standards for the C-N zone</u>					N/A		
Minimum Lot Area (Square Feet)	7,000	15,000			7,000	20,000	10,000	
Maximum Coverage Factor (See 10.706)	30 50%	40 60%			60 70% ^[KWK8]	50%	90%	
Minimum Lot Width	70 feet							
Minimum Lot Depth	100 feet							
Minimum Lot Frontage	70 feet	30 feet	70 feet		30 feet	70 feet		
Minimum Front & Street Side Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports							
Minimum Side and Rear Yard Building Setback	None EXCEPT 1/2 foot for each foot in building height over 20 feet							
Maximum Building Height (See 10.705)	35 feet	85 feet EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.			35 feet	85 feet EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.		

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
Maximum Building Height (See 10.705)	35[MHB9] feet	85 feet EXCEPT 35 feet for the portions of a structure within 150[MHB10] feet of a residential zoning district (See Note 4).						
Maximum Gross Floor Area Per Business (Square Feet) Except as noted in 10.337	2,5005,000	None	50,000	None				
Permitted Outdoor Uses	See Note 1	See Note 2				See Note 3		
Note 1: All uses must be located completely within an enclosed building or behind a sight-obscuring fence.								
Note 2: All uses, EXCEPT those customarily conducted outdoors, must be located completely within an enclosed building.								
Note 3: All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence.								
Note 4: When proposed development is adjacent to a lot with the SFR-00 zoning and the overlying General Land Use Plan designation of the lot is Commercial (CM) or Service Commercial (SC) the above building height restrictions shall not apply.								
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>								

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10.741 Parking and Loading, General Provisions.

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B. Change/Expansion of Use Parking and Loading Requirements.

The number of parking and loading spaces provided shall be increased when a change of use of either a structure or of land requires additional parking and loading spaces in compliance with this Code, except as provided below. Parking and loading spaces may be decreased when a change of use requires fewer spaces than originally provided.

A principal use which ~~is not deficient in~~ **does not include** the number of parking and loading spaces ~~required per Section 10.741 – 10.743 provided~~ **may, at the option of the applicant, expand without having to provide additional parking and loading spaces under the following certain circumstances:** ~~Such circumstances are:~~

- (1) When, after the expansion or change in use, the number of parking and loading spaces provided still meets or exceeds the required minimum or,
- (2) If the expansion of use, or change in use, requires an increase in required off-street parking and loading areas of fifty percent (50%) or less, there shall be no additional parking spaces or loading areas are required. If multiple uses are proposed, each use

shall be reviewed individually.

(3) These provisions shall not exempt conformance with parking required under the Americans with Disabilities Act (ADA).

~~or change in use results in the need to provide no greater than twenty fivepercent (25%) additional parking and/or loading spaces in order to meet the minimum number of required spaces, these additional spaces are waived~~

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10.743 Off-Street Parking Standards.

(1) Vehicle Parking – Minimum and Maximum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1 or other applicable provisions of this code that reduce the parking requirement.

Where a use is not specifically listed in Table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

[For non-residential uses, there is no minimum number of off-street parking spaces required in the Downtown Parking District, per Section 10.358(1)(a); and the Southeast (S-E) Overlay District, Commercial Center, per Section 10.378(6).]

(2) Number of Required Parking Spaces. Off-street vehicle parking spaces shall be provided as follows:

(a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) Parking Categories.

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

(3) ~~Exceptions-Reductions to Required Off-Street Parking for Non-Residential Uses.~~ These reductions shall be available at the option of the applicant for land use review or building permit review. The approving authority ~~may~~ shall allow ~~exceptions-reductions~~ to the number of parking spaces in Table 10.743-1 for specific uses without complying with Section 10.186 if they find that ~~the applicant's detailed description of the proposed use demonstrates that the number of needed parking spaces is less than the minimum required or more than the maximum allowable based upon one or both of the following:~~ any of the below provisions apply. No more than two proposed reductions outlined in this subsection may be used for parking and shall, cumulatively, only allow a total reduction in off-street parking of 50% or less. Reductions in parking spaces, may exceed 50% to the extent possible needed to preserve environmental resources. The allowable reductions are as follows:

- ~~(a) An explanation why the characteristics of the proposed use require a different off-street parking standard than what is otherwise required.~~
- ~~(b) An analysis providing parking data for the same business or a similar use within the city that demonstrates a need for a different off street parking standard than what is otherwise required.~~
- (a) On-street parking credit. A reduction of one off-street parking space shall be approved for each 24 feet of linear roadway ~~of~~with on-street parking directly abutting the proposed development
 - (i) The 24 feet of linear roadway shall exclude from the measurement on-street ADA spaces, driveway widths/throats and roadway within 20 feet measured along the curb of any corner or intersection of an alley or street; or
- (b) Bicycle and Transit Proximity. The off-street parking requirement shall be reduced by twenty-five percent (25%) when a subject use or parcel is within:
 - (i) A quarter (1/4) mile radius of an existing transit stop; or
 - (ii) A half (1/2) mile radius of a bicycle lane, a shared-use path, or a neighborhood bikeway/sharrows not located on an arterial or collector roadway; or
- (c) Residential in Transit Oriented Districts (TOD). When within a TOD, residential uses may use a parking standard of one space per dwelling unit (1:1); or
- (d) Environmental Resource Preservation. Reductions up to fifty percent (50%) of off-street parking spaces shall be approved to preserve environmental resources.
- (e) In lieu of (a-d) in this subsection, reductions of off-street parking, of any number, may be approved when an applicant for land use review has submitted a parking needs analysis for the proposed use that demonstrates that a lower parking requirement can adequately serves the parking needs of the use. At a minimum, parking analysis shall include:
 - (i) A finding as to why the characteristics of the proposed use/development require a different off-street parking standard than what is otherwise required; and
 - (ii) An analysis providing parking data for the same business or a similar use/development within the city that demonstrates a need for a different off-street parking standard than what is otherwise required.

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10.837 Dwelling Units in Commercial Districts.

Dwelling Units shall be allowed in all commercial districts ~~except the Neighborhood Commercial (C-N) zone~~ subject to the following:

- (A) Minimum density standards for housing within the MFR-30 district, per section 10.708;
- (B) Site development standards shall follow those for the MFR-30 zone, except for the maximum building height and setbacks, which shall follow the underlying zone; and commercial zoning in which the property is located.
- (C) The multi-family development standards contained in Sections 10.715A through 10.719.
- (D) In addition, a single family dwelling units shall be allowed in all commercial districts when attached to or in conjunction with ~~to~~ a commercial ~~building use~~ and approved by the applicable approving authority.
- (E) C-N Zoning District. Residential development shall be in a mixed-use building or in conjunction with a commercial use. ~~Site Plan and Architectural Commission or Landmarks and~~

~~Historic Preservation Commission as applicable.~~

~~In the Neighborhood Commercial (C-N) district single family and multiple family residential uses are permitted only when the total residential use is attached, accessory, and subordinate to the primary commercial use.~~