

SITE PLAN & ARCHITECTURAL COMMISSION STUDY SESSION AGENDA AUGUST 21, 2020



MEDFORD
OREGON

Commission Members

Jeff Bender, Chair

Bill Chmelir, Vice Chair

Jim Catt

David Culbertson

Paul McClay

Bob Neathamer

Marcy Pierce

Milo Smith

Chris Zelmer

Regular Commission meetings are held on
the first and third Fridays of every month

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380

**SITE PLAN & ARCHITECTURAL
COMMISSION
STUDY SESSION AGENDA**



MEDFORD
OREGON

August 21, 2020

Immediately following regular SPAC meeting
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. DCA-19-008 – Fuel Station and Car Wash Amendment

30. Adjournment

MEMORANDUM

Project Fuel Station and Car Wash Code Amendment
File no. DCA-19-008
To Site Plan & Architectural Commission *for study session August 21, 2020*
From Sarah Sousa, Planner IV
Date August 14, 2020

Project Overview

The Site Plan and Architectural Commission reviewed an application last year for a commercial development in a primarily residential area. The project included multiple commercial uses, including a car wash and fuel station. The Commission expressed concerns that the impact of car washes and fuel stations next to residential properties may be too intense and industrial. They also found that the conditions that can be imposed on those permitted uses are insufficient to mitigate anticipated impacts. As a result, the Commission requested the Planning Commission consider a code amendment to require such uses as conditional when adjacent to residential zones. In response to this request, the Planning Commission initiated a code amendment on September 26, 2019.

Existing Code

Section 10.337 of the Medford Municipal Code lists uses under each of the commercial and industrial zones. Uses are generally permitted, permitted with special use requirements, not permitted, or conditional based upon zoning. Fuel stations (listed under Standard Industrial Classification #5541) are allowed outright in all of the commercial and industrial zones. Car washes (listed under Standard Industrial Classification #7542) are not permitted in the Service Commercial and Professional Office zoning district and are listed as conditional in the Neighborhood Commercial district. They are permitted outright in all of the other commercial and industrial zoning districts. (See table below)

Existing Use by zone

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
SIC #	Use								
5541	Fuel Station	P	P	P	P	P	P	P	P
7542	Car Wash	X	C	P	P	P	P	P	P

X=Not Permitted

P=Permitted

C=Conditional Use Permit Required

PROPOSED CODE

The proposed code language would prohibit fuel station and car washes when adjacent to residential zones on two or more sides. This prevents these more intensive uses from going into established residential neighborhoods.

The second proposal is to add special regulations when car washes and fuel stations are adjacent to residential zones on one side. In those instances, the surrounding area would typically be more commercial, not within an established neighborhood. Special standards would apply unless the approving authority waives them as not necessary.

Special standards would include architectural requirements for the fuel station canopies and associated convenience store buildings. Other regulations would put a limit on hours of operation, merchandise for sale, truck deliveries, and vehicular access. It would also potentially limit the number of auto dependent uses on site (see attachment).

ANALYSIS

The Commission specifically requested to make car washes and fuel stations as a conditional use when adjacent to residential uses or zones. Staff reviewed this possibility but was unsure if this would address the Commission’s concerns. First, the criteria for a conditional use permit allows for the applicant to demonstrate that the proposal does not cause a significant adverse impact on the surrounding area when compared to the impacts of permitted development in that same zone, not classified as conditional. For example, the Community Commercial zoning district allows veterinary clinics, bus terminals, big box retail, car dealers, restaurants, bars, hotels, and auto repair. An applicant could make the finding that such uses cause an equal amount of impact to the surrounding neighborhood as a fuel station or car wash. Also, the conditions that the Site Plan & Architectural Commission can impose are

similar to those for a conditional use permit. The only condition not listed under the Site Plan & Architectural review list is one relating to limiting the hours of operation of a use. Other than that, the conditions are very similar.

FEEDBACK

Again, the proposal for the Commission to consider is prohibiting fuel stations and car washes when surrounded by residential zones on two or more sides **and** requiring special standards when they are adjacent to residential zones on one side.

Staff is seeking the Commission's feedback on the drafted proposal and clarification on what the Commission seeks to accomplish moving forward with a Development Code Amendment.

Options for the Commission to Consider Include:

- 1) Require a Conditional Use Permit if a fuel station or car wash is adjacent to a residential zone; or
- 2) Prohibit fuel stations or car wash facilities when adjacent to residential zones on two or more sides (not add any special standards); or
- 3) Create special standards for any fuel station or car wash adjacent to a residential zones (without prohibition).

ATTACHMENT

-Draft Code Language

FUEL STATIONS AND CAR WASHES AMENDMENT (DCA-19-008)

(Blue lettering = proposed addition / Red strikeout = words to be removed)

ARTICLE III - ZONING DISTRICTS

10.337 Uses Permitted in Commercial and Industrial Zoning Districts.

A. The uses allowed within each commercial and industrial zoning district are based on the Standard Industrial Classification (SIC) Manual, 1987 Edition. This chapter classifies uses by Industry Group Number (3 digits) of the SIC Manual. When necessary to resolve any ambiguity in defining a use classification as per this chapter the Industry Number (4 digit) classification contained in the SIC Manual shall be used as the acceptable reference source.

B. There are four classifications in the following tables that do not appear in the SIC Manual; “Business Offices,” (001); Parks, Recreation, and Leisure Facilities” (002); “Marijuana-related businesses” (003); and “Dwelling Units” (881). “Dwelling Units” is in the Services group, but this is not intended to suggest any relationship to the SIC classification scheme. In this context the use classification “Dwelling Units”, includes housing types that are allowed in the MFR-30 zoning district.

C. All uses have been identified by zoning district as either permitted, permitted subject to special use standards, conditional, or not permitted.

"P" = Permitted Uses.

“Ps” = Special Use (see Special Use Regulations).

"C" = Conditional uses - permitted subject to approval of a Conditional Use Permit.

“Cs” = Conditional uses permitted subject to approval of a Conditional Use Permit and the applicable Special Use Regulations.

"X" = Uses specifically prohibited.

"*" = Permitted when within an EA overlay district.

“PXs”= Permitted outright except when adjacent to zoning. If adjacent to residential zone, special standards exist. Not permitted when adjacent to residential zoning on two or more sides.

nec = not elsewhere classified

55 AUTOMOTIVE DEALERS & STATIONS. This major group includes retail dealers selling new and used automobiles, boats, recreational and utility trailers, and motorcycles including those selling new automobile parts and accessories; and gasoline service stations.

	C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
551 New and Used Car Dealers	X	X	P	P	P	P	X	X
552 Used Car Dealers	X	X	P	P	P	P	X	X
553 Auto and Home Supply	X	P	P	P	P	X	X	X
554 Fueling Stations (including Gasoline Service Stations)	P							
554 Fueling Stations (including Gasoline Service Stations)	PXs							

“PXs”= Permitted outright except when adjacent to residential zoning. If adjacent to residential zone, special standards exist in Section 10.810. Not permitted when adjacent to residential zoning on two or more sides.

75 AUTO REPAIR, SERVICES, AND GARAGES. This major group includes establishments primarily engaged in furnishing automotive repair, rental, leasing and parking services to the general public. Similar facilities owned and operated by concerns for their own use and not for the general public are treated as auxiliary establishments and are not included in this group.

	C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
751 Automotive Rentals, Without Drivers	X	X	P	P	P	P	X	X
752 Automobile Parking	P	X	P	P	P	P	P	P
753 Automotive Repair Shops	X	C	P	P	P	P	P	P
754 Automotive Services Except Repair	X	C	P	P	P	P	P	P

7542 Car Washes X PXs PXs PXs PXs PXs PXs PXs

“PXs”= Permitted outright except when adjacent to residential zoning. If adjacent to residential zone, special standards exist in Section 10.810. Not permitted when adjacent to residential zoning on two or more sides.

ARTICLE V - SITE DEVELOPMENT STANDARDS

SPECIAL USE REGULATIONS. (~~10.811~~ 10.810- 10.839)

10.810 Fuel Station and Car Wash Facilities Near Residential Zoning.

A. Fuel stations and car wash facilities are allowed per the table listed in Section 10.337. When the use is permitted but adjacent to a residential zone on one side, special standards listed in Section 10.810(B) apply. Fuel stations or car wash facilities are not permitted when the subject property is adjacent to residential zones on two or more sides, unless one of the following exists, reducing the adjacent number of residential uses to one.

- 1) The adjacent residential zone is occupied by an institutional or commercial use.
- 2) The adjacent residential zone is occupied by group quarters as listed in Section 10.314(5).
- 3) The adjacent residential zone is separated by a collector or arterial street of at least 60-feet in width.
- 4) The fuel station or car wash facility will be located 300 feet or more from a property line abutting or adjacent to a residential zone.

B. The following special standards shall apply to car washes and fuel stations when adjacent to a residential zone unless the approving authority determines otherwise.

- 1) Fuel station canopies/pumps and car wash buildings must be a minimum of 50 feet from any residential property line.
- 2) No storage of vehicles shall be allowed, including the display of vehicles for sale.
- 3) No outdoor display of merchandise for sale.
- 4) No vehicle repair shall be allowed in conjunction with the fuel station.
- 5) Hours of operation are limited to daytime, no 24-hour facilities allowed. The approving authority may further specify the hours of operation.
- 6) Truck deliveries are limited to daytime and access shall be via the commercial street, not from a residential street.
- 7) Vehicular access shall be limited to commercial streets and not from any residential street unless allowed by the City Traffic Engineer through the review of a traffic study.
- 8) Outdoor vacuums associated with car washes are prohibited.

- 9) Air pumps for tires must be located 50 feet from any residential zoned property and be located within a walled enclosure.
- 10) Convenience stores associated with fuel stations or car wash facilities:
 - a. Shall be limited to 1,200 square feet.
 - b. Shall have pitched roofs, unless the approving authority finds a different style roof if more compatible with the surrounding architecture.
- 11) Fuel station canopies:
 - a. Must match the color and texture of the primary building on the site.
 - b. Must not exceed 25 feet in height.
 - c. Must not be internally illuminated. Light fixtures shall be completely recessed into the canopy so the light source is concealed.
- 12) A maximum of two auto dependent uses are allowed per site. Auto dependent uses include drive-through businesses, auto sales, car washes, and fuel stations.