CITY COUNCIL AGENDA

MEDFORD OREGON

February 20, 2020
6:00 P.M.
Medford City Hall, Medford Room
411 W. 8th Street, Medford, Oregon

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10. Roll Call

20. Recognitions, Community Group Reports

20.1 Employee Recognitions

20.2 Medford-Alba Sister City Committee Quarterly Report by Robin Snider

30. Oral Requests and Communications from the Audience

Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

40. Approval or Correction of the Minutes of the February 6, 2020 Regular Meeting

50. Consent Calendar

50.1 COUNCIL BILL 2020-17

A resolution authorizing the opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with House Bill 2415.

50.2 COUNCIL BILL 2020-18

A resolution approving the revised Jackson County Deadly Physical Force Plan.

50.3 COUNCIL BILL 2020-19

An ordinance approving an Intergovernmental Agreement concerning MURA's operational integration with the City of Medford for the purpose of insurance.

50.4 COUNCIL BILL 2020-20

A resolution setting the public hearing and initiating annexation to the City of Medford of approximately 33.68 acres of property located at the northwest corner of South Stage Road and Kings Highway and the full width of adjacent rights-of-way along the property. (ANNX-19-002)

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

80. Public Hearings

Comments are limited to a total of 30 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All others will be limited to 4 minutes. PLEASE SIGN IN.

80.1 COUNCIL BILL 2020-21

An ordinance amending the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan, and updating the Southeast Overlay District regulations in Sections 10.370-10.385, 10.426, and 10.462 of the Medford Land Development Code. (CP-19-002 and DCA-19-007) Land Use, Legislative

80.2 COUNCIL BILL 2020-22

An ordinance amending Sections 10.108 and 10.216 of the Medford Land Development Code in order to update the processes and approval criteria for the annexation of property into the city limits. (DCA-19-006) Land Use, Legislative

80.3 COUNCIL BILL 2020-23

An ordinance amending Sections 10.106, 10.108, 10.110, 10.124, 10.134, 10.140, 10.141, 10.168, 10.169A, 10.175A, 10.182, 10.200, 10.358, 10.714, 10.717, 10.719, and 10.790 of the Medford Municipal Code pertaining to land use. (DCA-19-002) Land Use, Legislative

90. Council Business

90.1 Proclamations issued:

Medal of Honor City – February 20, 2020

90.2 Committee Reports and Communications

a. Council Officers Update

100. City Manager and Staff Reports

110. Adjournment

DEPARTMENT: Finance
PHONE: (541) 774-2030
STAFF CONTACT: Ryan Martin, CFO/Deputy City Manager

AGENDA SECTION: Consent Calendar
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-17

A resolution authorizing the opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with House Bill 2415 (HB 2415).

SUMMARY AND BACKGROUND

Council is requested to approve the opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with HB 2415. In order to open additional bank accounts, Umpqua Bank requires City Council authorization.

On June 18, 2019, HB 2415 was passed which requires amounts withheld from contractors as retainage to be deposited into an interest-bearing escrow account for all public improvement contracts exceeding $500,000 awarded on or after January 1, 2020.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The City typically withholds retainage on public improvement contracts. Retainage is a portion of the agreed upon contract price that is deliberately withheld until the work is substantially complete to ensure the contractor will satisfy its obligations and complete a construction project. HB 2415 requires retainage to be held in an interest-bearing escrow account if the contract price exceeds $500,000, with interest accruing on each retainage deposit into the escrow account.

The City will open an interest bearing escrow account at Umpqua Bank for each public improvement contract greater than $500,000. Each account will be in the City of Medford's name. As retainage is withheld, it will be deposited into the appropriate escrow account. At the conclusion of the project, retainage and interest will be released to the contractor.

HB 2415 also includes language regarding timeliness of contractor payments. Overdue payments are subject to interest penalties in the amount of three times the discount rate on 90-day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve district that includes Oregon. At the current discount rate of 1.93%, this would equate to an interest rate of 5.79%.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None anticipated.

There are no fees associated with the escrow accounts. All interest earned will be paid to the contractors; the City will not receive any of the interest. HB 2415 does include interest penalties if

payments are late to the contractor; it is anticipated that payments will be paid in a timely manner, avoiding any penalties.

TIMING ISSUES
HB 2415 was effective January 1, 2020. While there are currently no contracts that require an escrow account, the City needs to be prepared for when such contracts are awarded.

COUNCIL OPTIONS
Approve the resolution as presented.
Modify the resolution as presented.
Deny the resolution as presented and provide direction to staff.

STAFF RECOMMENDATION
Staff recommends approval of the resolution.

SUGGESTED MOTION
I move to approve the resolution authorizing the opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with House Bill 2415 (HB 2415).

EXHIBITS
Resolution

RESOLUTION NO. 2020-17

A RESOLUTION authorizing the opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with House Bill 2415 (HB 2415).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that:

The opening of interest bearing escrow accounts at Umpqua Bank as necessary to comply with House Bill 2415 (HB 2415), is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this _____ day of February, 2020.

ATTEST: _____ _____

City Recorder Mayor

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Item No: 50.2

AGENDA ITEM COMMENTARY

DEPARTMENT: Police
PHONE: (541) 774-2209
STAFF CONTACT: Scott Clauson, Chief

AGENDA SECTION: Consent Calendar
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-18

A resolution approving the revised Jackson County Deadly Physical Force Plan.

SUMMARY AND BACKGROUND

The City Council is asked to approve amendments to the current Jackson County Deadly Physical Force Plan. The purpose of the plan is to provide a framework for a consistent response to an officer's use of deadly physical force and how the incident will be investigated. On June 22, 2018, the revised plan was reviewed by the Jackson County Deadly Force Planning Authority and approved by a unanimous vote. At that time, adjustments were made to the plan to keep with best practices of law enforcement when these incidents occur. At the request of the District Attorney the revised plan needs to be approved by the governing bodies for all law enforcement agencies in Jackson County before being submitted to the Attorney General's Office.

PREVIOUS COUNCIL ACTIONS

On April 17, 2008, City Council passed Resolution 2008-68 adopting a Deadly Physical Force Plan. This was pursuant to SB 111, which required the District Attorney and Sheriff in each county convene a Deadly Physical Force Planning Authority to draft a plan which addresses investigation and other aspects of situations in which a law enforcement officer uses deadly physical force in the line of duty.

ANALYSIS

This plan was revised and approved by the Jackson County Deadly Force Planning Authority on June 22, 2018. However, shortly after this date Jackson County District Attorney Beth Heckert contacted the Chief of Police asking to hold off with approval by council due to a procedural error on her part. DA Heckert advised per statue a public hearing was required prior to approval of the plan by council. On January 2, 2020, Chief Clauson was advised by email from DA Beth Heckert that the public hearing had taken place in August of 2019. DA Heckert advised the County Commissioners held the public hearing and approved the plan. DA Heckert apologized for the delay and now requested the amended plan be reviewed by the governing bodies for each municipality in Jackson County.

Amendments to the current plan include the following:

1. Added an additional assignment to the Companion Officer in Section 4 C. The change added "The companion officer should ensure the involved officer maintain his/her weapon in place, in the same condition as it was at the conclusion of the incident, until an ammunition count is conducted by an assigned MADIU (Major Assault and Death Investigation Unit) investigator, and in appropriate circumstances surrendered to the MADIU investigator."
2. In Section 5 C (5) the language was changed from audio and/or visually recorded to "recorded by stenographer, audio or video".

3. In Section 5 removed the provision on "Intoxicant Testing." If the need for intoxicant testing arose, investigators will seek a search warrant.
4. In Appendix B, Role of the "Companion Officer" the same language was added as listed above in #1.

Investigations involving the use of deadly physical force can be complex and come under public scrutiny. It is important to the Medford Police Department that there is a consistent model in which these incidents are investigated by law enforcement in Jackson County. This plan does not need to be reviewed by the Police Advisory Committee. This plan will replace the current plan and be in compliance with State Statue ORS 181A.780.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None

TIMING ISSUES

At the request of DA Beth Heckert and under 181A.780(8), a governing body shall approve or disapprove the plan submitted to it under section (7) of this plan within 60 days after receiving the plan. The governing body may not amend the plan.

COUNCIL OPTIONS

Approve the resolution as presented.
Deny the resolution and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to approve the resolution amending the Jackson County Deadly Physical Force Plan.

EXHIBITS

Resolution
Revised Jackson County Deadly Physical Force Plan on file with the City Recorder.

RESOLUTION NO. 2020-18

A RESOLUTION approving the revised Jackson County Deadly Physical Force Plan.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that:

The revised Jackson County Deadly Physical Force Plan, on file with the Medford Police Department, is hereby approved.

PASSED by the Council and signed by me in authentication of its passage this _____ day of February, 2020.

ATTEST: _____ _____

City Recorder Mayor

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Item No: 50.3

AGENDA ITEM COMMENTARY

DEPARTMENT: MURA & Legal
AGENDA SECTION: Consent Calendar
PHONE: (541) 774-270; (541) 774-2024
MEETING DATE: February 20, 2020
STAFF CONTACT: Harry Weiss, Executive Director, MURA; Eric Mitton, Interim City Attorney

COUNCIL BILL 2020-19

An ordinance approving an Intergovernmental Agreement concerning MURA's operational integration with the City of Medford for the purposes of insurance.

SUMMARY AND BACKGROUND

MURA and the City of Medford are separate legal entities. Integration of MURA operations with those of the City requires an Intergovernmental Agreement that provides for the inclusion of MURA under the insurance coverage of the City.

PREVIOUS COUNCIL ACTIONS

On April 15, 2010, the City Council by Resolution 2010-80 authorized an IGA with the City of Medford to provide personnel services for the agency.

On October 21, 2010, the City Council by Resolution 2010-233 amended the IGA to authorize administrative leave to designated staff.

ANALYSIS

On April 1, 2010, the Medford City Council by Ordinance 2010-70 transferred the powers of the Board to a new board comprised of the Mayor and Council. As part of this reorganization of MURA, the City took on the staffing functions of MURA per the IGAs referenced above

Following the acquisition of new properties by MURA in 2019, staff contacted the City's Risk Management coordinator to request that the properties be scheduled under the City's insurance coverage for liability and, where appropriate, casualty protection. Risk management advised that an IGA memorializing the operational integration of MURA with the City is required for the inclusion of the agency under the City's insurance.

In reviewing the documents related to MURA's absorption into City operations, it was determined that the IGA in place only addresses the matter of personnel services. The proposed IGA supplements the existing agreement to satisfy requirements for MURA's inclusion under the City of Medford's insurance coverage.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The IGA is an agreement between separate legal entities requiring consideration to be enforceable. MURA shall pay the City the amount of $1.00 (One Dollar) per year for the twenty year term of the agreement as consideration, payable in advance for the entire 20 year term.

The City's insurance expense is reviewed biennially and apportioned across departments. At the next biennial review MURA may incur a modest pro rata apportionment of the City's insurance expense.

TIMING ISSUES

Time is of the essence to address potential exposure to property and liability claims.

COUNCIL OPTIONS

Approve the ordinance.
Modify the ordinance.
Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance approving an Intergovernmental Agreement concerning MURA's operational integration with the City of Medford for the purposes of insurance.

EXHIBITS

Ordinance
Intergovernmental Agreement

ORDINANCE NO. 2020-19

AN ORDINANCE approving an Intergovernmental Agreement concerning MURA's operational integration with the City of Medford for the purposes of insurance.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That an Intergovernmental Agreement concerning MURA's operational integration with the City of Medford for the purposes of insurance, is hereby approved.

PASSED by the Council and signed by me in authentication of its passage this _____ day of February, 2020.

ATTEST: _____ _____

City Recorder Mayor

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT, made and entered into this ___ day of _____, 2020, is between the City of Medford (hereinafter CITY) and the Medford Urban Renewal Agency (hereinafter MURA).

Whereas CITY and MURA have similar interests but are two separate entities; and

Whereas MURA purchasing separate insurance at market rates would deplete funds which MURA could otherwise use to further its mission;

IT IS HEREBY AGREED:

Article 1. Indemnity

CITY hereby agrees to defend, indemnify, and hold harmless MURA, its officers, agents, and employees, from and against any and all liability, including but not limited to claims, damages, demands, expenses, fees, fines, penalties, suits, proceedings, actions, and costs of actions including, but not limited to, attorneys' fees for trial and on appeal, and for the preparation of same arising out of MURA's, its officers', agents', and employees' acts or omissions.

Article 2. Additional Insured

CITY shall name "The Medford Urban Renewal Agency and its officers, employees and agents while acting within the scope of their duties as such" as an Additional Insured by endorsement." In the alterative, CITY shall have coverage that automatically covers contractors as an Additional Insured when required by written contract.

Article 3. Term

This agreement shall last 20 years from the date of its execution.

Article 4. Consideration

MURA shall pay CITY $1 (one dollar) per year for the duration of this agreement. MURA may pay the full $20 in a single payment or may pay $1 annually. Should this agreement terminate early, MURA shall not be entitled to a prorated reimbursement of said payment.

Article 5. Termination

Either party may terminate this agreement with or without cause at any time with 60 days' prior written notice to the other party. However, such a termination does not eliminate the duties above for occurrences or claims made prior to the effective date of such a termination.

Article 6. No Integration or Merger

This agreement does not eliminate or supersede other intergovernmental agreements between CITY and MURA.

Article 7. Counterparts

This agreement may be entered into in counterparts.

IN WITNESS WHEREOF, CITY and CONTRACTOR have caused this contract to be executed for and on their behalf by their duly authorized officer(s) on the day and year first above written.

CITY OF MEDFORD, OREGON

By_____

ATTEST: _____
City Recorder

Title_____

MEDFORD URBAN RENEWAL AGENCY

By _____

Title_____

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Item No: 50.4

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director
AGENDA SECTION: Consent Calendar
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-20

A resolution setting the public hearing date and initiating annexation to the City of Medford of approximately 33.68 acres of property located at the northwest corner of South Stage Road and Kings Highway and the full width of adjacent rights-of-way along the properties. (ANNX 19-002)

SUMMARY AND BACKGROUND

Council is requested to consider a proposal to initiate the annexation to the City of Medford of approximately 33.68 acres of property located at the northwest corner of South Stage Road and Kings Highway and the full width of adjacent rights-of-way extending approximately 1,320 feet to the north along Kings Highway and approximately 1,380 feet to the west along South Stage Road. The County zoning designation of Exclusive Farm Use (EFU) will be changed to the City SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district. The properties will be removed from Medford Rural Fire Protection District #2. (File No. ANNX-19-002)

PREVIOUS COUNCIL ACTIONS

On August 18, 2016, Council Bill 2016-99 was approved adopting the urban growth boundary. The properties proposed for annexation were included in the 2016 UGB expansion.

ANALYSIS

The subject properties and rights-of-way are located within the City's Urban Growth Boundary and are contiguous with the city limits along the northern boundary of the property. The properties have a General Land Use Plan designation of Urban Residential (UR) and Commercial (CM). The SFR-00 zoning district is the appropriate transition zone for the properties. The application is filed in conjunction with an Urbanization Plan. The properties are identified as planning unit MD-7c in the Urbanization Planning section of the Neighborhood Element of the Comprehensive Plan. These parcels are the first properties proposed for annexation since the adoption of the Urban Growth Boundary.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Annexation of the full rights of way along Kings Highway and South Stage Road are outlined in the Urban Growth Management Agreement with the County. City Council will request surrender of these roads from the County upon annexation. The City collects fees for streets, parks, public safety, sewer, and storm drain maintenance. Property taxes are also adjusted based on annexation occurring. The 2019 taxes for the property was $4,177.34. An approximate estimate of taxes based solely on existing vacant land after annexation is $4,235.95. This number would change with development.

TIMING ISSUES

The final hearing for this matter is scheduled before City Council on Thursday, May 7, 2020.

COUNCIL OPTIONS

Approve the resolution as presented.
Modify the resolution as presented.
Deny the resolution as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the request to initiate the annexation.

SUGGESTED MOTION

I move to adopt the resolution to initiate the annexation and set the public hearing date of May 7, 2020.

EXHIBITS

Resolution
Legal Description with exhibit map
Vicinity Map

RESOLUTION NO. 2020-20

A RESOLUTION setting the public hearing date and initiating annexation to the City of Medford of approximately 33.68 acres of property located at the northwest corner of South Stage Road and Kings Highway and the full width of adjacent rights-of-way along the properties. (ANNX-19-002)

WHEREAS, the area situated in Jackson County, Oregon, described in Exhibit A attached hereto and incorporated herein, is contiguous to the City of Medford; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

SECTION 1. The City Council elects to dispense with submitting the question of the proposed annexation to the electors of the City.

SECTION 2. A public hearing on the annexation shall be held at the hour of 6:00 p.m. on the 7th day of May, 2020, before the City Council of the City of Medford, Oregon, in City Hall Council Chambers, 411 W. 8th Street, of said city. Following the hearing, the council will consider a proposed ordinance annexing approximately 33.68 acres of property located at the northwest corner of South Stage Road and Kings Highway and the full width of adjacent rights-of-way along the properties.

SECTION 3. The City Recorder is directed to give notice of the time, place, and purpose of the public hearing provided for in Section 2 hereof by publishing notice thereof once each week for two consecutive weeks prior to the date of said hearing in a newspaper of general circulation in the City of Medford and by causing notices thereof to be posted in four (4) public places in the city for the said period of time.

PASSED by the Council and signed by me in authentication of its passage this ___ day of February, 2020.

ATTEST: _____ _____

City Recorder Mayor

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535

ljfriarandassociates@charter.net

LEGAL DESCRIPTION

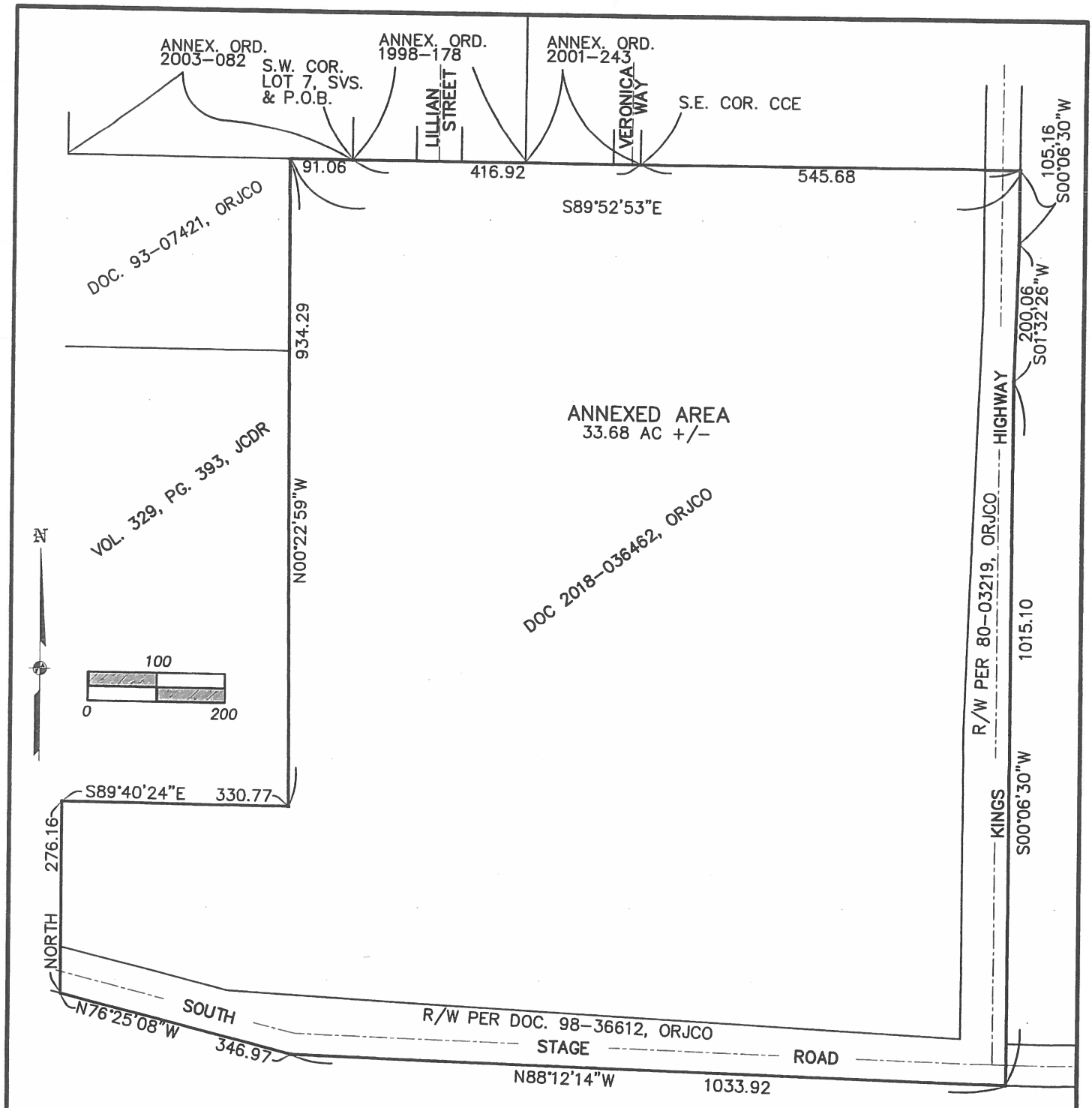
Beginning at the Southwest corner of Lot 7 of SHAFER VILLAGE SUBDIVISION, according to the official plat thereof, now of record, in Jackson County, Oregon, said point also being on the existing City of Medford Boundary at the Southwest corner of that property annexed per Ordinance No. 1999-178; thence along the South line of said SUBDIVISION, the South line of CROOKED CREEK ESTATES, according to the official plat thereof, now of record, in Jackson County, Oregon and along said City Boundary, South 89°52'53" East, 416.92 feet to the Southeast corner of said CROOKED CREEK ESTATES, said point also being the Southeast corner of that property annexed per Ordinance 2001-243; thence leaving said City boundary along the North line of that tract described in Document No. 2018-036462, Official Records of Jackson County, Oregon and its Easterly prolongation, South 89°52'53" East, 545.68 feet to the East line of Kings Highway; thence along said East line and Southerly prolongation the following three courses: South 00°06'30" West, 105.16 feet; thence South 01°32'26" West, 200.06 feet; thence South 00°06'30" West, 1015.10 feet to the South line of South Stage Road; thence along said South line the following two courses: North 88°12'14" West, 1033.92 feet; thence North 76°25'08" West, 346.97 feet to a point on the Southerly prolongation of the West line of that tract described in Document No. 2018-036462, said Official Records; thence along said West line and prolongation, NORTH, 276.16 feet to the Southerly Northwest corner thereof; thence along the South line thereof, South 89°40'24" East, 330.77 feet to the interior ell corner thereof; thence along the West line thereof, North 00°22'59" West, 934.29 feet to the Northerly Northwest corner of said tract, said point also being the existing City of Medford per Ordinance No. 2003-082; thence along the North line of that tract described in Document No. 2018-036462, said Official Records and also along said City Boundary, South 89°52'53" East, 91.06 feet to the point of beginning. Containing 33.68 acres, more or less.

TRACT TO BE ANNEXED & ZONE CHANGED
382W01AD TL1000/382W01D TL100
Ayala
19-157
September 10, 2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE : 6-30-21

EXHIBIT A



REGISTERED PROFESSIONAL LAND SURVEYOR

James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE: 6-30-21

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TITLE: ANNEXATION MAP

ASSESSOR'S MAP #: 382W01AD TL1000/382W01D TL100

FOR: KDA HOMES, INC.
604 FAIR OAKS CT.
ASHLAND, OR 97520

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. Box 1947, Phoenix, OR 97535
Phone: (541) 772-2782
ljfriarandassociates@charter.net

DATE: 12 JAN 2020

SCALE: 1 inch : 200 feet

DRAWN BY: JEH
CHK BY:

ORIGIN:

ROTATION: 0°
JOB#: 19157FM

Sheet 1 of 1.

EXHIBIT A

MEDFORD PLANNING

Vicinity Map

File Number:
UP19-003 & ANNX19-002

Project Name:

KDA Homes
Kings Hwy & S Stage Rd

Map/Taxlot:

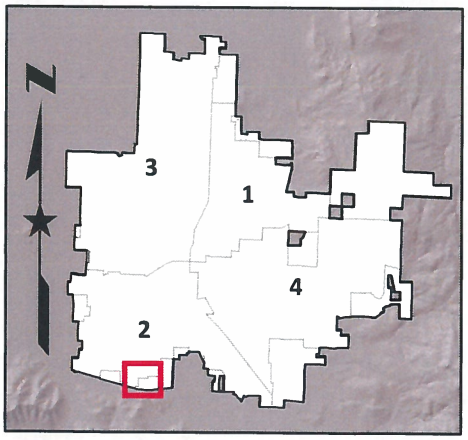
382W01AD TL 1000 &
382W01D TL 100

0 380 760 Feet

Legend

Tax Lots selection

Tax Lots



12/30/2019

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Item No: 80.1

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-21

An ordinance amending the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan, and updating the Southeast Overlay District regulations in Sections 10.370-10.385, 10.426, and 10.462 of the Medford Land Development Code. (CP-19-002 and DCA-19-007)

SUMMARY AND BACKGROUND

Council is requested to consider a legislative amendment to update the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan, and to make related updates to the Southeast Overlay District regulations in Sections 10.370-10.385, 10.426, and 10.462 of the Medford Land Development Code (MLDC).

The Planning Commission voted 7-0 in favor of adopting the amendments during its January 23, 2020, public hearing. (File Nos. CP-19-002 and DCA-19-007)

PREVIOUS COUNCIL ACTIONS

On December 17 and 19, 2019, the amendments were discussed with City Council members at G-3 meetings.

On March 7, 2013, Council adopted Council Bill 2013-41 approving a major amendment to the Neighborhood Element and Transportation Element of the Comprehensive Plan pertaining to the Commercial Center Core Area of the Southeast Plan.

On December 16, 2004, Council adopted Council Bills 2004-257 and 2004-258 amending the Medford Comprehensive Plan and revising the Southeast Overlay Zoning District.

ANALYSIS

The Southeast Plan covers an approximate 1,000 acre area that extends from the ridge above Cherry Lane south to Coal Mine Road. City Council originally adopted the Southeast Plan on April 2, 1998. Following additional planning efforts, the Council adopted the current Southeast Plan in 2004 as well as the Southeast Overlay District regulations located in the MLDC.

Both the Southeast Plan and Southeast Overlay District have been amended at various points in the past, but numerous subdivisions, streets, and a City park have been constructed in the Plan area since the last amendment was done in 2013. Additionally, one of the sites designated for single-family residential was rezoned last year for commercial use, and the adopted 2018 – 2038 Transportation System Plan (TSP) recommends that the alignment of East Barnett Road, as depicted in the Southeast Plan, be straightened out through an amendment to the Southeast Plan. While the maps and text of

the Southeast Plan need to be amended to reflect these facts, this also provides an opportunity to make general "housekeeping" updates to the text of the Southeast Plan and the Southeast Overlay regulations in the MLDC.

The following outline summarizes the substantive amendments that are proposed to be made to the Southeast Plan and the Southeast Overlay District.

- Removal of the requirement for new development to be approved through a Planned Unit Development (PUD) when the proposal is in conformance with the Southeast Overlay District standards.
- Updating of maps and tables to reflect previously approved land use changes.
- Updating of text and figures for consistency with the *2018 – 2038 Medford Transportation System Plan (TSP).*
- Straightening of the East Barnett Road alignment as recommended in the TSP.
- Transference of maps and cross-sections from the Southeast Plan into the Southeast Overlay District section of the MLDC.
- Establishment of maximum block lengths within the Southeast Plan Overlay District.
- Updating of the Greenway design and development standards for consistency with Article IV – Public Improvement Standards and Criteria of the MLDC.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

The future alignment of East Barnett Road in the Southeast Plan must be adjusted (i.e., straightened out) in order to be consistent with the adopted 2018-2038 Transportation System Plan (TSP). This consistency with the TSP is one of the approval criteria that will need to be met for the rezoning and future development of properties that are along East Barnett Road within the Commercial Center Core Area of the Southeast Plan.

COUNCIL OPTIONS

Approve the ordinance as presented.
Modify the ordinance as presented.
Decline to approve the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance to adopt the amendments to the Southeast Plan and the Southeast Overlay District.

SUGGESTED MOTION

I move to approve the ordinance authorizing the Major Comprehensive Plan Amendment and Land Development Code Amendment as described in the Council Report dated February 13, 2020.

EXHIBITS

Ordinance
Council Report, including Exhibits A through L
Vicinity Map

ORDINANCE NO. 2020-21

AN ORDINANCE amending the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan, and updating the Southeast Overlay District regulations in Sections 10.370- 10.385, 10.426, and 10.462 of the Medford Land Development Code (MLDC). (CP-19-002) and DCA-19-007)

Section 1. Section 10.106 of the Medford Municipal Code is amended to read as follows:

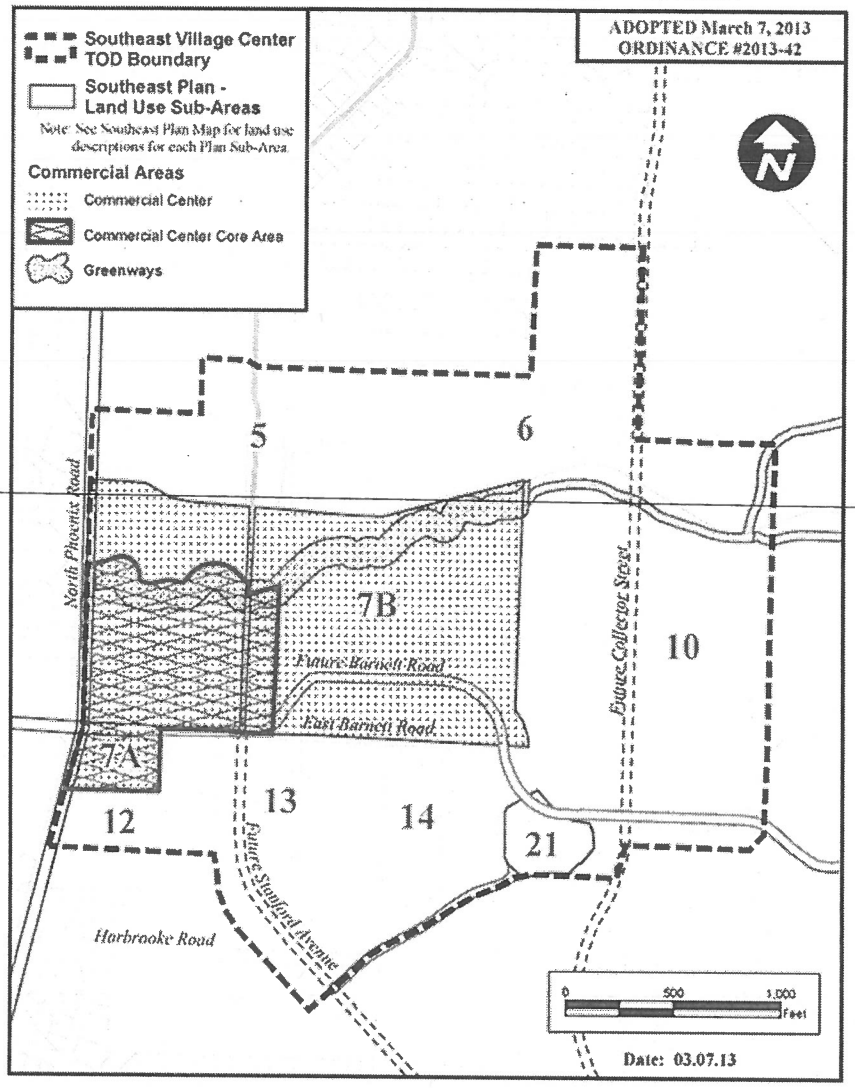
SOUTHEAST OVERLAY DISTRICT

10.370 Objectives of the Southeast (S-E) Overlay District.
The Southeast (S-E) Overlay District is intended to:
A. Assure that land use and development occur in accordance with the Medford Comprehensive Plan – Southeast Plan section;
B. Establish land use patterns and development design that emphasizes transportation connectivity and promotes viability for many modes of transportation;
C. Establish a Southeast Village Center with commercial, institutional, and residential uses, and provide standards and incentives for compact, pedestrian-oriented, mixed-use development in the Southeast Village Center;
D. Require coordinated planning of the Southeast Plan Area, and encourage the development of neighborhoods with a cohesive design character;
E. Establish special design and development standards for streetscapes, building orientation, setbacks, building height, access, lot coverage and density, and the use of greenways, alleys, street trees, and pedestrian street lighting;
F. Provide a mix of compatible housing types at planned densities~~, including in Planned Unit Developments (PUDS)~~;
G. Preserve natural waterways and other natural resources while providing routes for pedestrian and bicycle travel;
~~H. Require approval of most development through the Planned Unit Development (PUD) regulations in order to coordinate planning of designated areas of the Southeast Plan Area, including the Southeast Village Center.~~

Section 2. Section 10.372 of the Medford Municipal Code is amended to read as follows:

10.372 General Land Use Plan Map and Southeast Plan Map Consistency, S-E.
Within the S-E Overlay District, the Medford General Land Use Plan (GLUP) Map is further refined by the Southeast Plan Map adopted as part of the *Medford Comprehensive Plan*. Within the S-E Overlay District, the Southeast Plan Map shall determine GLUP Map consistency for purposes of zoning and zone changes. ~~See Figure 10.372 for the location of the Southeast Village Center, the Commercial Center (Areas 7A and 7B), and the Commercial Center Core Area (Area 7A).~~ The zoning district(s) with which each Southeast Plan land use category is consistent, and their permitted residential density ranges, are set forth in Section 10.373.

FIG. 10.372 - SOUTHEAST VILLAGE CENTER



Section 3. Section 10.373 of the Medford Municipal Code is amended to read as follows:

10.373 General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density, S-E.

A. The sub-areas, General Land Use Plan Map designations, Southeast Plan Map land use categories, zoning, and residential densities permitted in the S-E Overlay District are provided in Table 10.373. See Figures 10.373**(A) and 10.373(B)** for the location of Southeast Plan Map sub-areas.

B. Special Residential Density Provisions for the S-E Overlay District.

1. Minimum permitted residential density is 5.0 units per acre in SFR-10 for the portion(s) of a development where dwellings receive sole vehicular access from an alley.
2. Maximum permitted residential density is 36.0 units per acre in MFR-30.~~, plus the 20%~~

~~density bonus permitted in a PUD.~~ Within Area 7A, residential development shall conform to Section 10.378(3).

3. When development is proposed as a PUD larger than five acres, the residential may be increased by up to 20% in accordance with Section 10.192(G)(2).

TABLE 10.373: Southeast Sub-Area, General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density

Sub-Area	General Land Use Plan Map Designation	Southeast Plan Map Land Use Category[1]	Permitted Zoning	Permitted Residential Density Range Du/Ac[3] ~~PUD Du/Ac)4 Permitted Residential Density Range Du/Ac3~~
1	UR	Estate Lot	SFR-2	0.8 to 2.0
***				
8 and 18	**UR** ~~Parks and Schools (UR Underlying)~~	School	SFR-4 or SFR-6	Not Applicable
9, and 19, and 21	**UR** ~~Parks and Schools (UR Underlying)~~	Park	SFR-4 or SFR-6	Not Applicable
21	UH	Park	MFR-20 or MFR-30	Not Applicable
22	Commercial	Commercial	C-C	20.0 to no limit See 10.708(c)
23	Parks and Schools	Park	P-1	Not Applicable
24	Parks and Schools	Park	P-1	Not Applicable

Table Footnotes:

[1] Southeast Plan Map land use categories are derived from the study entitled *Southeast Medford Circulation & Development Plan*, August 1995, as amended.

[2] Special density provisions for SFR- 10. [3] Du/Ac = Dwelling units per acre.

[3] Du/Ac = Dwelling units per acre.

FIG. 10.373 - SOUTHEAST PLAN MAP SUB AREAS

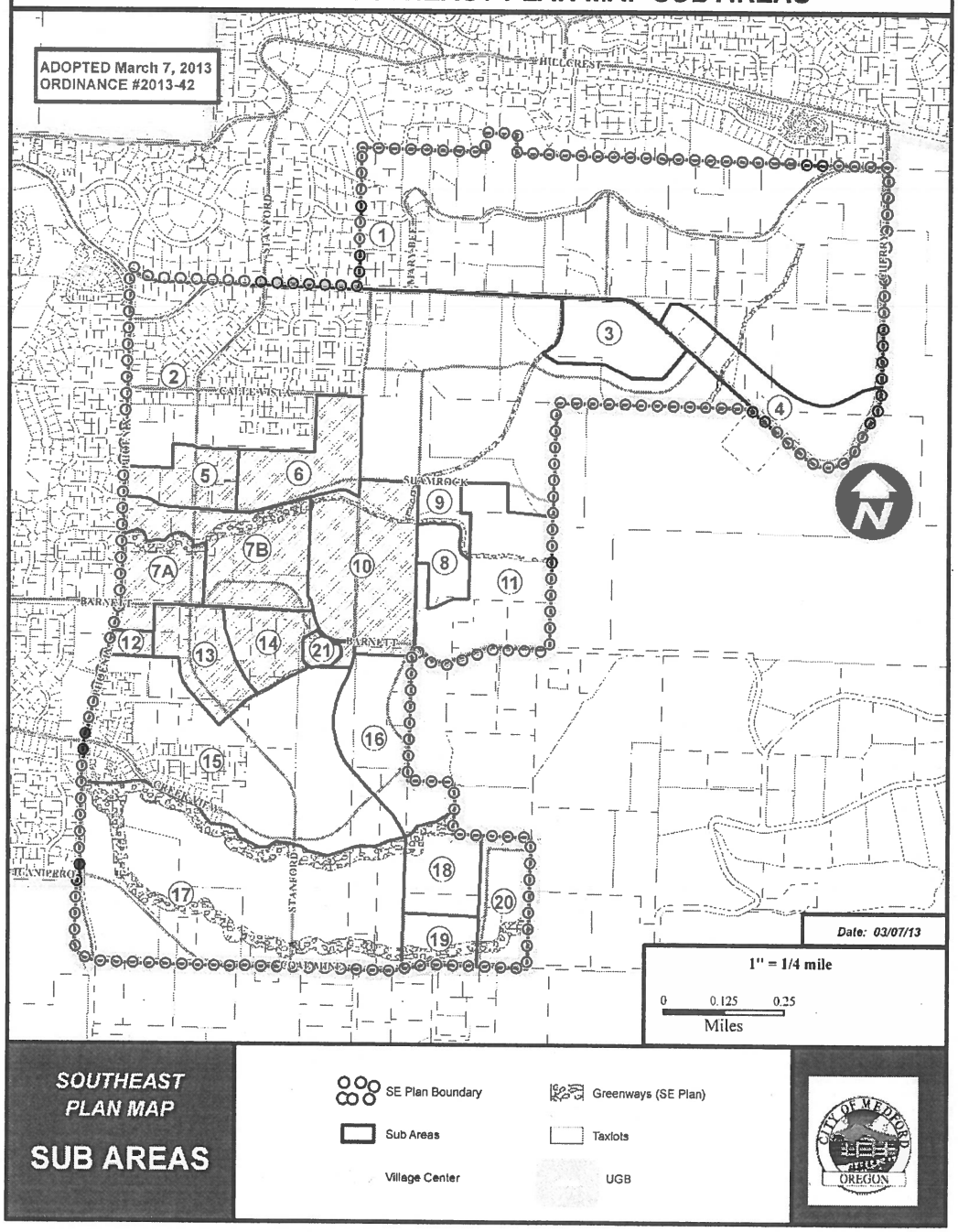


Fig. 10.373(A)

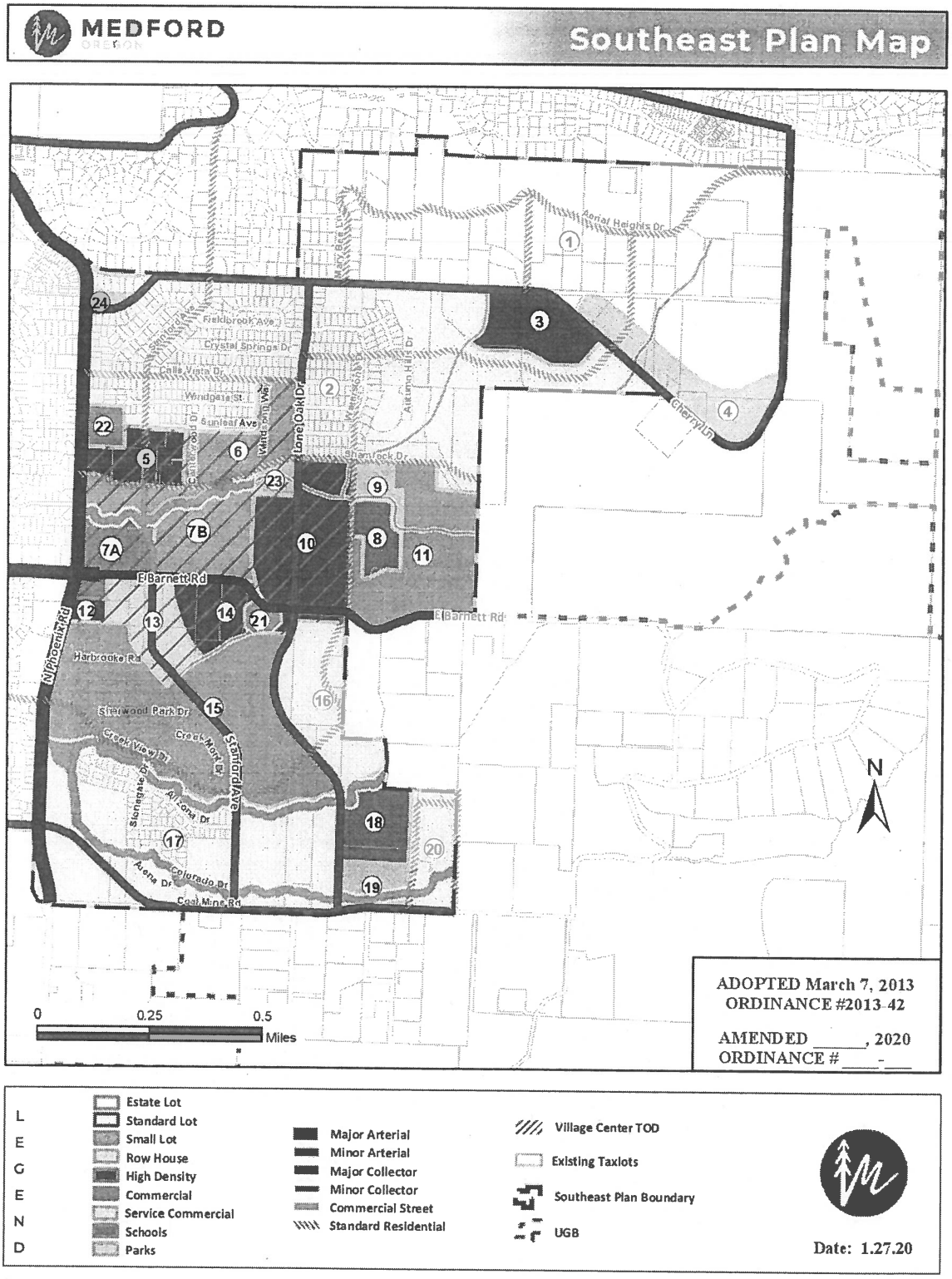
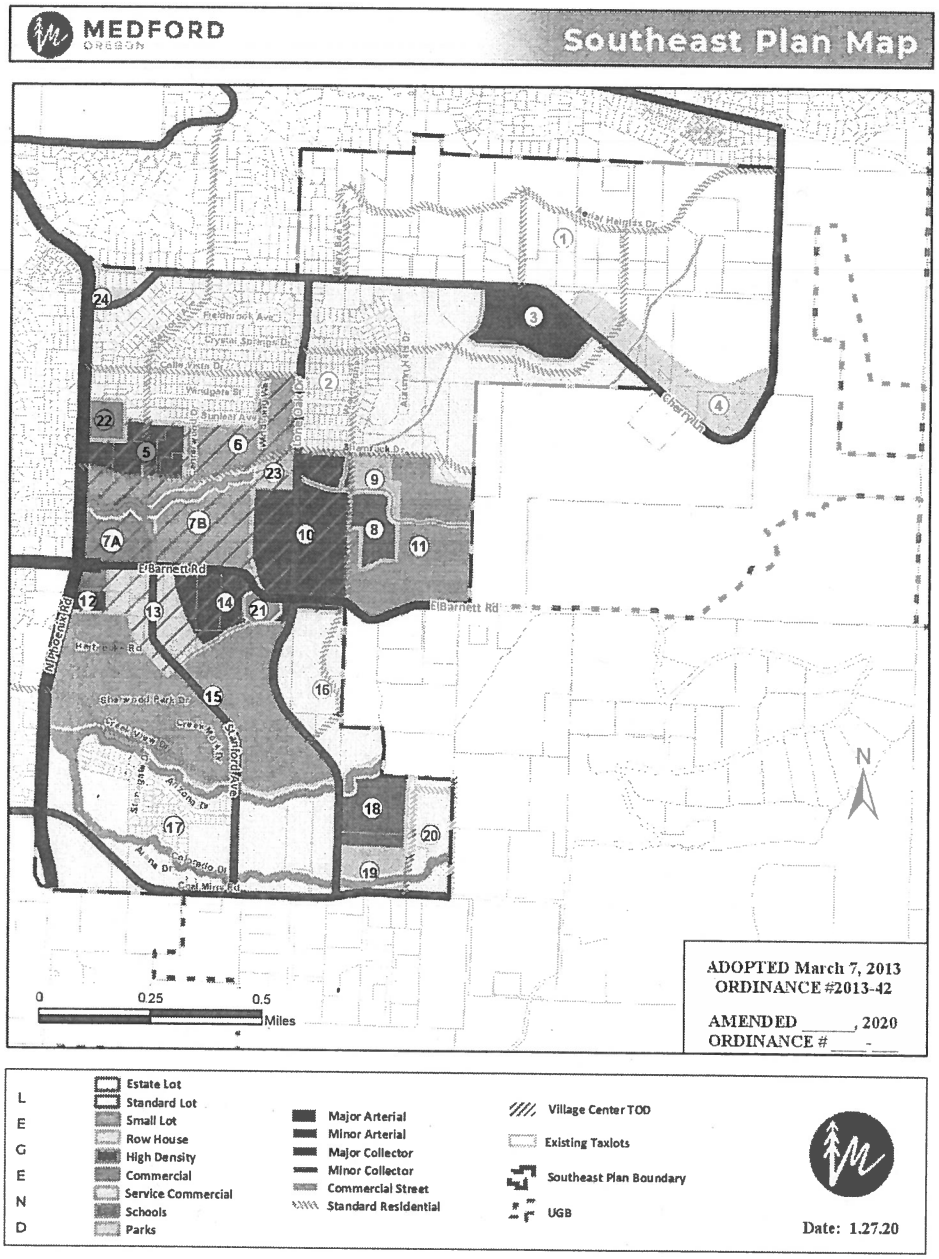

MEDFORD
OREGON
Southeast Plan Map
Aerial Heights Dr
Fieldbrook Ave
Crystal Springs Dr
Calle Vista Dr
Windgate St
Sunleaf Ave
Lone Oak Dr
Autumn Hills Dr
Shamrock Dr
Cherry Ln
E Barnett Rd
Harbrooke Rd
N Phoenix Rd
Sherwood Park Dr
Creek View Pl
Creek Park Ln
Stanford Ave
Stonegate Dr
Altona Dr
Avena Dr
Colorado Dr
Coal Mine Rd
N
0
0.25
0.5
Miles
ADOPTED March 7, 2013
ORDINANCE #2013-42
AMENDED _____, 2020
ORDINANCE # ____-___
LEGEND
Estate Lot
Standard Lot
Small Lot
Row House
High Density
Commercial
Service Commercial
Schools
Parks
Major Arterial
Minor Arterial
Major Collector
Minor Collector
Commercial Street
Standard Residential
Village Center TOD
Existing Taxlots
Southeast Plan Boundary
UGB
Date: 1.27.20

Figure 10.373(B)



Section 4. Section 10.374 of the Medford Municipal Code is amended to read as follows:

10.374 ~~Planned Unit~~**New** Development and **Commercial Center Core Area (Area 7A)** Master Plan Requirements, S-E.

A. New Development.

1. Requirements.

All new development within the S-E Overlay District shall be approved by the approving authority if it can be found to be consistent with all of the applicable provisions in Sections 10.375 through 10.385. Development within Area 7A shall also be consistent with the adopted Southeast Village Commercial Center Core Area Master Plan. Proposals for new development that deviates from any of the applicable provisions in Sections 10.375 through 10.385, and/or the Southeast Village Commercial Center Core Area Master Plan, shall require approval of a Planned Unit Development (PUD) pursuant to Sections 10.190 through 10.198.

~~All new developments consisting of one or more acres shall require approval of a Planned Unit Development pursuant to Sections 10.190 through 10.198 and all applicable provisions of the S-E Overlay District. Regardless of the size of the property or number of dwellings, all zone change applications for projects in the Commercial Center (Area 7B) shall be accompanied by a Preliminary PUD Plan application.~~

~~2. Exemptions. The following shall not require a PUD:~~

~~a. Projects less than one acre,~~

~~b. Mixed-use residential projects of fewer than four dwellings, or~~

~~c. Projects that lie within the Southeast Plan land use areas 1, 2, 7A, 16, 17, 18, 19, or 20; or~~

~~d. Institutional uses that require a Conditional Use Permit; or~~

~~e. Projects that are otherwise exempted by the S-E Overlay District.~~

~~3~~2. Approvals.

In approving ~~PUD~~ applications for projects within the S-E Overlay District, the **approving authority** ~~Planning Commission~~ shall find that the application conforms to the SE Overlay District standards. **In approving PUD applications for projects within the S-E Overlay District,** ~~T~~the Planning Commission may grant modifications of City standards, including provisions of the S-E Overlay District, under Section 10.192(B), except for height standards in Section 10.375(3) and the prohibited uses in Section 10.378(4).

B. Master Plan.

1. Commercial Center Core Area (Area 7A) Master Plan.

The adopted Southeast Village Commercial Center Core Area Master Plan governs design and development within the area designated 7A (Commercial Center Core Area) on the Southeast Plan Map (see Figure 10.372). All zone changes, **Site Plan and Architectural Reviews,** PUDs, other land use actions, and permits within Area 7A shall conform to the Master Plan. ~~The Master Plan, at a minimum, shall contain the following elements:~~

~~a. Provision for retail commercial uses on both sides of Stanford Avenue.~~

~~b. Pedestrian and bicycle circulation plan.~~

~~c. Barnett Road shall be developed to Major Arterial street standards from North Phoenix Road east 250 feet. From 250 feet east of the intersection of North Phoenix~~

~~Road and Barnett Road, to the easterly boundary of the Commercial Center Core Area (7A), Barnett Road shall be developed to Minor Arterial street standards.~~

~~d. Special street design standards for the main street, Stanford Avenue, that include on-street parking, sidewalks of at least 12 feet in width on both sides of Stanford Avenue, street trees, and no planter strips.~~

~~e. Required architectural design standards and unique architectural themes for each sector of development. All applicants shall incorporate neo-traditional design elements into the development.~~

~~f. Required "pedestrian friendly" design through the use of:~~

~~(1) Building facades set nearer the sidewalk.~~

~~(2) De-emphasis of automobile access and storage; avoiding an uninterrupted expanse of asphalt; and provision of large shade trees on the interior and perimeter of parking lots.~~

~~(3) Interesting and varied landscape designs including hardscapes.~~

~~(4) Common streetlights that are architecturally appropriate.~~

~~(5) Street furniture, such as benches, lights, raised flowerpots, drinking fountains, and public art.~~

~~(6) Weather protection for pedestrians.~~

~~(7) Design that discourages use of fencing.~~

~~(8) At least three operating building entrances per block and at least one per building on streets where on-street parking is permitted.~~

~~(9) All buildings along Stanford Avenue shall be two-story buildings, or have the appearance of a two-story building.~~

~~g. Lighting plan that avoids lighting adjacent properties and the night sky. The master plan shall require that applicants for development within Area 7A include a photometric data and illumination plan consistent with Section 10.764 at the time development permit applications are submitted to the City for review and approval.~~

~~h. Master signage plan that encourages monument signs, discourages retail signage that lists tenants, and discourages rooftop lights.~~

~~i. Covered bicycle parking areas.~~

~~j. Public restrooms.~~

~~k. Usable exterior spaces and outdoor gathering and eating areas open to the public.~~

~~l. Shopping cart storage incorporated into building design to screen stored carts.~~

~~m. Separated truck delivery and circulation from customer circulation.~~

***

Section 5. Section 10.375 of the Medford Municipal Code is amended to read as follows:

10.375 Special Lot Coverage, Building Setbacks, Building Height Standards, S-E.

A. Lot Coverage.

The S-E Overlay District modifies the lot coverage standards of the underlying zones as follows.

~~(1) Maximum lot coverage by roofed structures is 40% for lots in the SFR-2 zone, 45% for lots in the SFR-4 and SFR-6 zones, and 50% for lots containing single-family residences in the SFR-10 zone. These percentages may be exceeded if the footprints of the structures on a lot do not exceed 2,000 square feet.~~

~~(2) Maximum lot coverage by structures is increased by 10% for single-family lots that contain an accessory dwelling unit (ADU).~~

(~~3~~**1**) Front porches, canopies, awnings, porticos, arcades, and similar pedestrian weather protection features, when adjacent to a street or abutting a public plaza, as defined herein, and measuring not less than six feet in depth and six feet in width are exempt from maximum lot coverage calculations.

(~~4~~**2**) For commercial zones there is no restriction on lot coverage.

B. Building Setbacks.

The S-E Overlay District modifies the building setback standards of the underlying zones as follows:

(1) ~~The minimum front yard setbacks in all residential zones are 15 feet for building walls and 20 feet for garage entrances, except that side-loaded garages (where the garage door is perpendicular to the street) may be set back 15 feet.~~ Front porches, canopies, awnings, porticos, arcades, patio walls (if the patio wall is constructed of stucco, brick, stone/faux stone, or a similar finish and does not exceed 5½ feet in height), and similar architectural projections may be placed within 9 feet of the front property line, provided that they do not encroach onto any public utility easement.

(2) The minimum rear yard setbacks for garage entrances having alley access are as follows:

(a) Twenty-four feet from the garage door to the opposite side of the alley;

(b) Four feet for a side-loaded garage (where the garage door is perpendicular to the ~~street~~**alley**);

(c) Eight feet for a garage having parallel parking only or no parking between the garage entrance and the alley.

(3) Setbacks of the underlying zones are also modified by the following sections of the S-E Overlay District:

(a) Special design standards for attached housing (Section 10.376);

(b) Special design standards for Southeast Village Center (Section 10.377);

(c) Special fencing standards (Section 10.382);~~.~~

(d) Standards for development abutting Arterial or Collector streets (Section 10.383);

(e) Standards for development in or adjacent to Greenways (Section 10.384);

~~(e) Standards for development abutting Arterial or Collector streets (Section 10.383).~~

***

Section 6. Section 10.376 of the Medford Municipal Code is amended to read as follows:

10.376 Special Design Standards for Attached Housing, S-E.

***

2. Garages.

Every attached dwelling unit shall be provided with at least one parking space in an enclosed garage. ~~There shall be recorded a restrictive covenant that runs with the land to assure that garages shall be maintained in such a way that they can and will be used for vehicular parking in numbers they were designed to serve.~~

***

Section 7. Section 10.377 of the Medford Municipal Code is amended to read as follows:

10.377 Special Design Standards for Southeast Village Center.
The following design standards apply to the Southeast Village Center. See Figure 10.37~~82~~ for the location of the Southeast Village Center, the Commercial Center (Areas 7A and 7B), and the Commercial Center Core Area (Area 7A).
1. Building Orientation (Build-to Lines).
At least 50% of the length of the ground-level street-facing façade of a building must be located at the minimum street setback line or abut a public plaza, as defined herein, that adjoins a street. No structure, driveway, or motor vehicle parking area may be closer than the minimum street setback line, except where provided for direct vehicle access to the street, and except for fences and patio walls under Section 10.375(2)(a) and Section 10.382.
2. Building Setbacks.
~~The S-E Overlay District modifies the building setback standards of the underlying zones in the Southeast Village Center.~~ Commercial Center Core Area (Area 7A) contains special setback standards provided by the Commercial Center Core Area Master Plan. **Within the Southeast Village Center, the maximum street or public plaza setback shall be 20 feet within the SFR-10 zone, and 15 feet within the MFR and C-S/P zones.**

~~**Table 10.337-1**~~
~~**Building Setbacks for Southeast Village Center**~~

~~**Setback Standards**~~	~~**SFR-10**~~	~~**MFR**~~	~~**C-S/P**~~
~~Minimum Front Yard Building Setback~~	~~15 feet~~	~~NA~~	~~NA~~
~~Minimum Street Side Yard Building Setback~~	~~10 feet~~	~~NA~~	~~NA~~
~~Maximum Street or Public Plaza Setback~~	~~20 feet~~	~~15 feet~~	~~15 feet~~

***

Section 8. Section 10.378 of the Medford Municipal Code is amended to read as follows:

10.378 Special Standards for Commercial Center (Areas 7A and 7B), S-E.

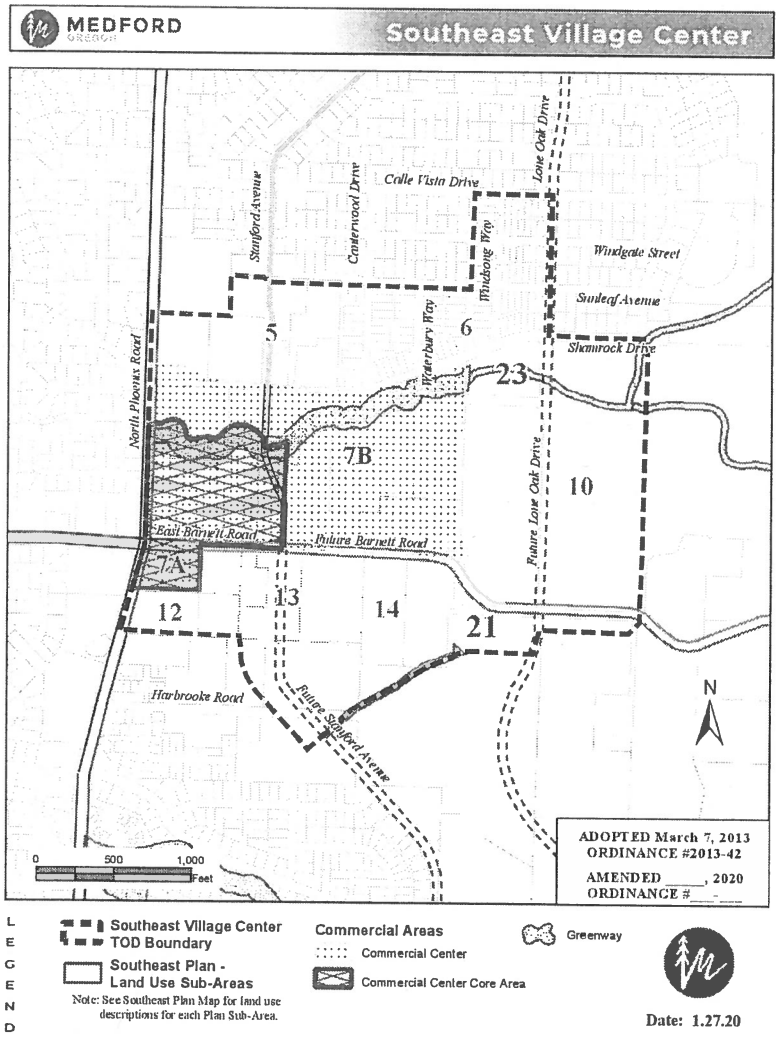
***

4. Prohibited Uses. Notwithstanding Section 10.337, the following uses are not permitted in the Commercial Center (Areas 7A and 7B) and cannot be permitted through a PUD approval:

SIC No. *	Commercial Center Prohibited Uses
NA	Drive-through retail and service windows except as permitted per Section 10.378(2).
551, 552, 555, 556, 557, 559, 751, 753, 754	Motor vehicle sales and repair
271	Newspaper Printing Facilities
5541	Gasoline Service Stations, Fueling Stations, and Charging Stations~~, and Charging Stations~~

***

Figure 10.378



Section 9. Section 10.379 of the Medford Municipal Code is amended to read as follows:

10.379 Streetscape, Planter Strip, and Street Tree Standards, S-E.

***

b. Landscaping Installation and Continued Maintenance. Except for planter strips and medians in Arterial streets, and for medians in Collector streets, installation and maintenance of the approved landscaping, including street trees, shall be a continuing responsibility of the owners of the abutting property ~~or another responsible entity and shall be assured through CC&Rs, property owner association agreements, or the conditions of approval for PUDs, Site Plan and Architectural Reviews, or Conditional Use Permits.~~

***

Section 10. Section 10.381 of the Medford Municipal Code is amended to read as follows:

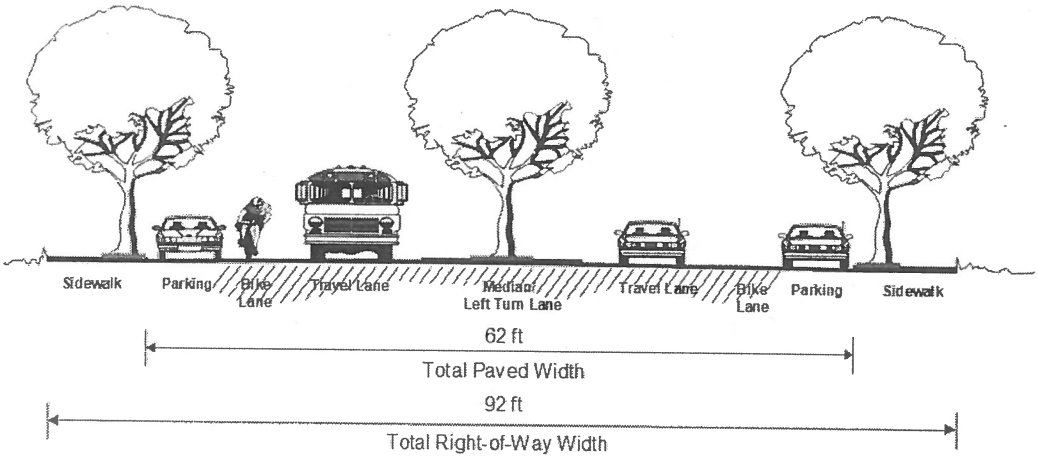
10.381 Special Street Design and Vehicle Access Standards, S-E.

1. Design. Streets, streetscapes, and vehicle access to individual properties within the S-E Overlay District shall be located, designed, and constructed consistent with the Code and adopted *City of Medford Engineering Standards and Specifications*, except as modified by any adopted Neighborhood Circulation Plan and, as applicable, the Commercial Center Core Master Plan. ~~Maximum block length and perimeter length standards found in Section 10.426.C.1 are not applicable to the S-E Overlay District.~~

2. Vehicle Access to Narrow Lots. Residential lots with 50 feet or less width and 50 feet or less street frontage shall receive vehicular access from an alley or minimum access easement.

3. East Barnett Road within the Commercial Center (Areas 7A and 7B). Beginning at the intersection of Stanford Avenue with East Barnett Road, the right-of-way cross section shall be as depicted in Figure 10.381(A), and extending to the easterly edge of Area 7B.

Figure 10.381(A). East Barnett Road Cross Section in Southeast Commercial Center Beginning at Intersection with Stanford Avenue



Section 11. Section 10.382 of the Medford Municipal Code is amended to read as follows:

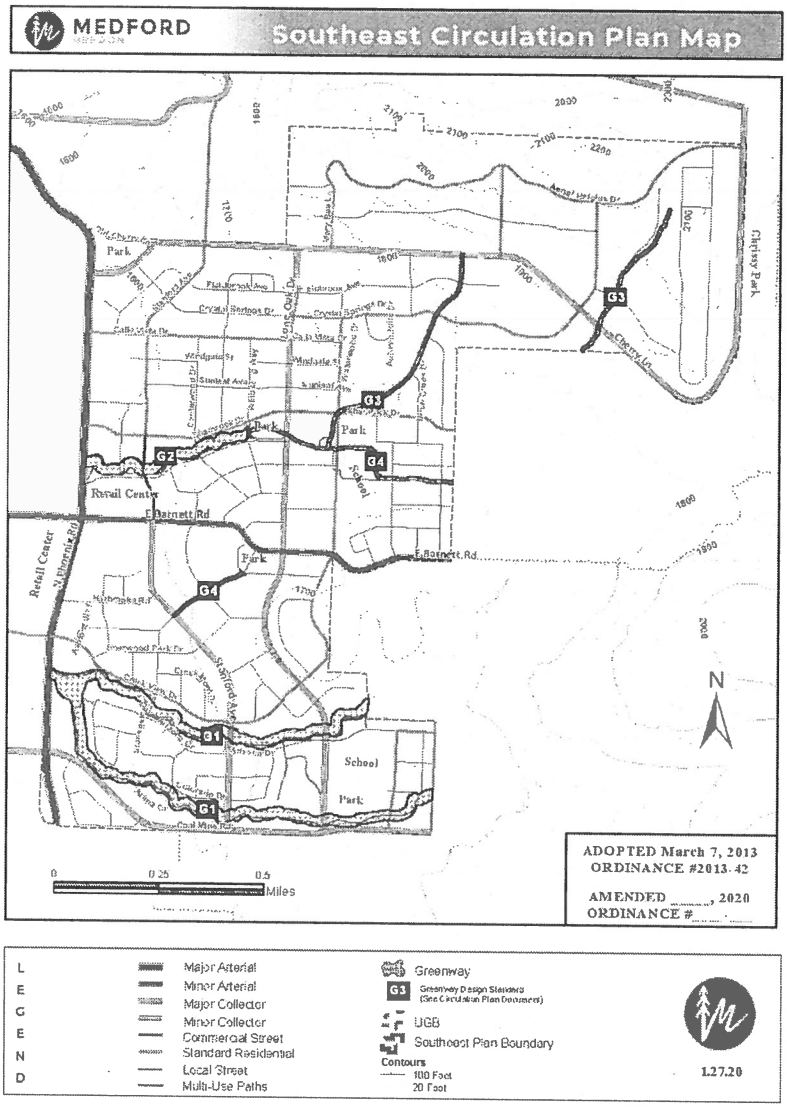
10.382 Special Fencing Standards, S-E.

1. Fences Abutting Rights-of-Way, Front Yard.
Notwithstanding Section 10.732 and except as provided for patio walls in Section 10.375~~(2)(a)~~**(B)(1)**, the maximum wall or fence height within a front yard abutting a street right-of-way is three feet, provided that the wall or fence shall be located on private property and no closer than two feet from the sidewalk. The fence setback area between any fencing and the sidewalk shall be landscaped, irrigated, and maintained with a combination of perennial ground cover plants and low growing (less than three [3] feet in height) shrub plantings.
2. Fences Abutting Rights-of-Way, Side or Rear Yard.
Notwithstanding Section 10.732, and except as provided for patio walls in Section 10.375~~(2)(a)~~**(B)(1)** and for Major Arterial street frontages, the maximum wall or fence height within a rear or side yard abutting a street right-of-way is six feet, provided that the wall or fence shall be located on private property, no closer than 10 feet from the sidewalk, and must be of a consistent design and color within a single block. Open fencing having a picket design within a rear or side yard abutting a street right-of-way can be located within three feet of the sidewalk, if not exceeding five and a half feet in height, provided that the wall or fence shall be located on private property and must be of a consistent design and color within a single block. The fence setback area between any fencing and the sidewalk shall be landscaped, irrigated, and maintained by the abutting property owner, a property owners' association, or other responsible entity.

Section 12. Section 10.383 of the Medford Municipal Code is amended to read as follows:

10.383 Standards for Development Abutting Arterial or Collector Streets, S-E.
1. Purpose.
This section is intended to protect the functionality of Collector and Arterial streets **as shown on the Southeast Circulation Plan Map (see Figure 10.383(A)**, which must serve multiple modes of traffic while meeting the need for access to neighborhoods and individual uses. This section is also intended to promote an attractive and safe streetscape by orienting buildings toward the street for natural surveillance, rather than orienting backyard fences to the street.

Figure 10.383(A)



***

3. Through-Lots.

***

c. Residential through-lots abutting the east side of the North Phoenix Road right-of-way shall install a vertical separation feature. The type of vertical separation feature shall be as follows, depending on the location in relation to Barnett Road.

(1) For through-lots north of Barnett Road, the typical street frontage treatment is five feet of wrought iron fencing atop a three-foot stucco wall, engineered to stand straight, with landscaping behind, to complete a total of eight feet in height to buffer the adjacent residential lots. For illustration, see Figure

10.383(B).

(2) For through-lots south of Barnett Road, the typical street frontage treatment is a landscaped strip 20 feet in width outside the right-of-way, consisting of a four-foot berm with landscaping on top totaling at least eight feet in height. Any fencing is to be located entirely on private property beyond the 20-foot area. For illustration, see Figure 10.383(C).

Figure 10.383(B)
North Phoenix Road Street Frontage Landscaping and Vertical Separation Feature (North of Barnett Road)

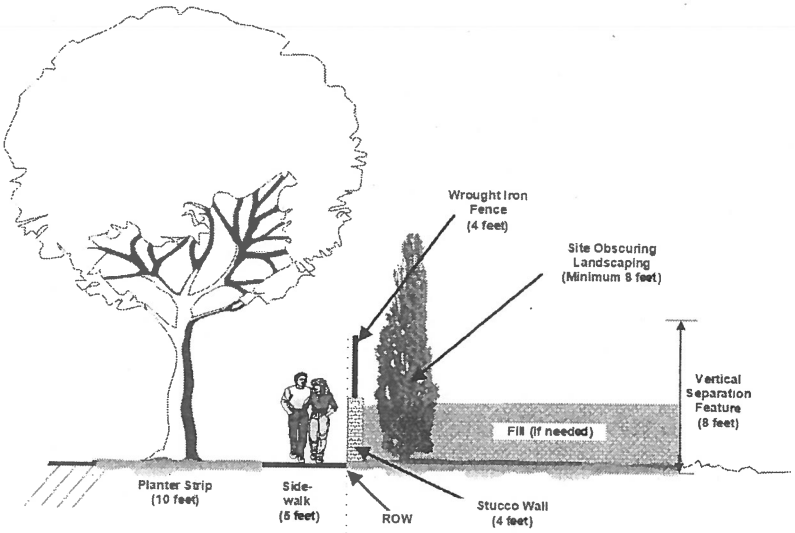
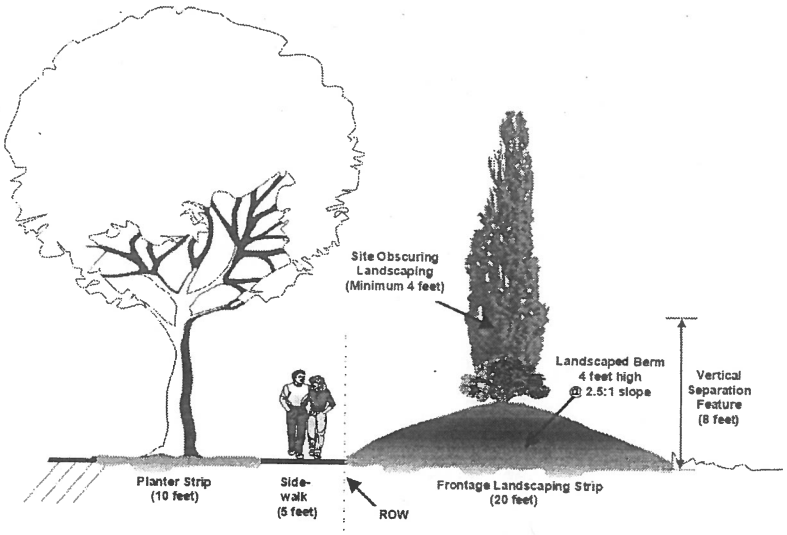


Figure 10.383(C)
North Phoenix Road Street Frontage Landscaping and Vertical Separation Feature (South of Barnett Road)

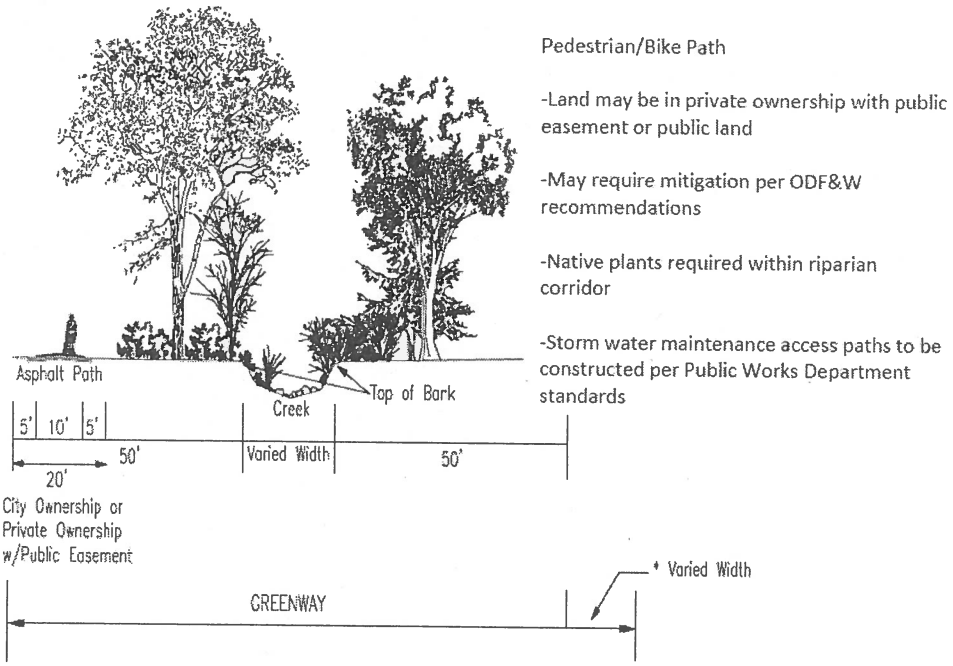


Section 13. Section 10.384 of the Medford Municipal Code is amended to read as follows:

10.384 Greenways - Special Design and Development Standards, S-E.
Within the S-E Overlay District, development within or adjacent to the areas designated as Greenways in this Chapter and the Comprehensive Plan shall be consistent with the following regulations~~, and such regulations shall be required through the PUD and/or Site Plan and Architectural Review processes~~. For those areas within an adopted riparian corridor, the regulations of Sections 10.920 through 10.928 shall take precedence.
A. Location and Extent of Greenway Designation.
Within the S-E Overlay District, the general location of Greenways ~~shall be~~ **are** depicted on both the General Land Use Plan Map,and the Southeast Circulation Plan Map, ~~Appendix A, of the Comprehensive Plan Neighborhood Element~~ provided that a more precise location shall be established as follows:

1. Major Greenways. The Greenway designation shall extend not less than 50 feet from the top of the bank on each side of the channel along Larson Creek, North Fork Larson Creek, and in the Village Center. The top of the bank shall be as defined in Section 10.012. These greenways are identified as Major Greenways in the Southeast Circulation Plan of the Comprehensive Plan.

<u>Major Greenway, Riparian Corridor (corresponds to G-1 on the SE Circulation Plan Map)</u>



Major Greenway, Non-Riparian (corresponds to G-2 on the SE Circulation Plan Map)

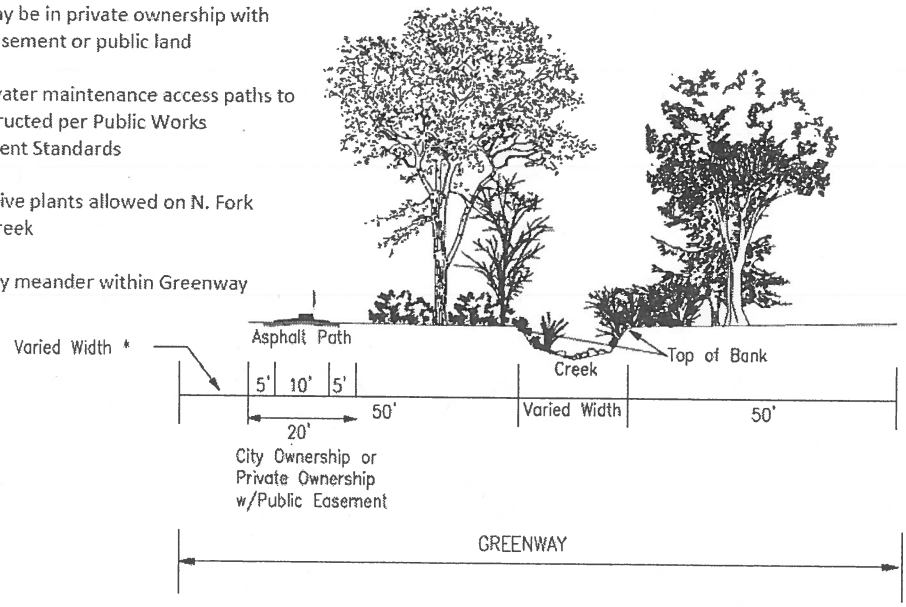
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-Storm water maintenance access paths to be constructed per Public Works Department Standards

-Non-native plants allowed on N. Fork Larson Creek

-Path may meander within Greenway



Major Greenway, Path In-Lieu of Sidewalk (alternate option when approved by City)

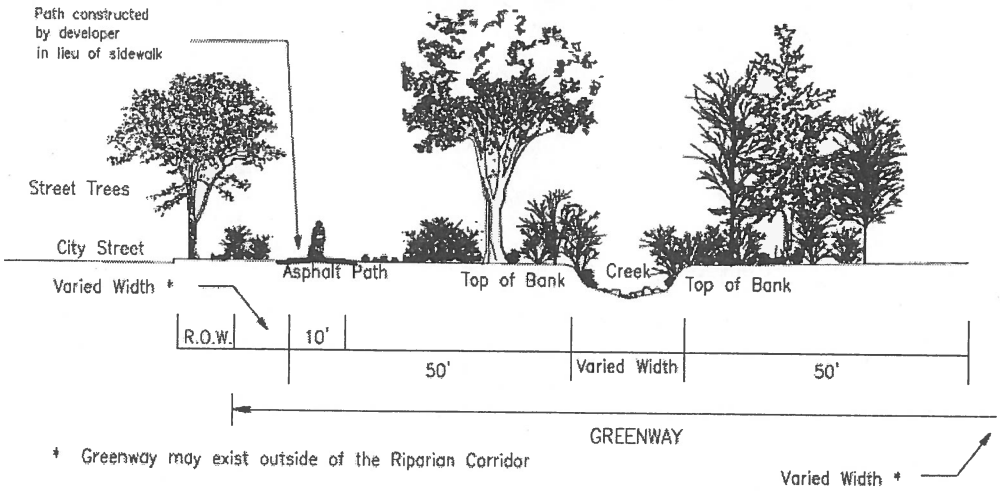
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-May meander adjacent to right-of-way or up to 10' intrusion in Greenway

-May require mitigation with ODF&W recommendations

-Path to be constructed per the Public Works Standards



* Greenway may exist outside of the Riparian Corridor

***

Minor Greenway with surface drainage (G-3 on SE Circulation Plan Map)

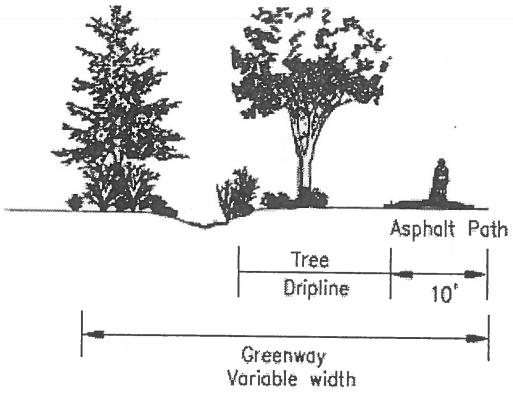
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-Native planting recommended

-Erosion control per Public Works Department

-Construct path out from existing tree's drip line



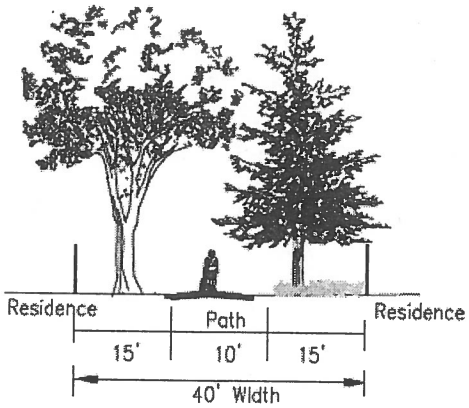
Minor Greenway without surface drainage (G-4 on SE Circulation Plan Map)

Pedestrian/Bike Path

-No surface drainage pre-existing

-All new trees to be planted close enough to eventually grow over the asphalt path

-Native or non-native plantings



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2. Responsibility for Greenway Improvements.

Required improvements in Greenways shall serve two principal purposes as explained in the *Medford Comprehensive Plan*: 1) for storm drainage **and sanitary sewer** ~~**based on the** ***Comprehensive Medford Area Drainage Master Plan (1996)***~~**;** or 2) **for non-motorized** ~~pedestrian and bicycle~~ circulation. Pedestrian and bicycle circulation are essential to the success of the transit-oriented development. The Southeast Circulation Plan denotes the **appropriate cross sections for each greenway typology** ~~principal purpose for the required improvements in each Greenway~~. The responsibility for installing Greenway improvements to the standards in this Section shall be based on the following:

a. Greenway Improvements for Storm Drainage. Open space for stormwater quality and detention facilities required by Section 10.486 and Section 10.729 may be provided in Greenways rather than on site. The installation of improvements that provide required access to storm drainage facilities in Greenways based on the Southeast Circulation Plan ~~and the *Comprehensive Medford Area Drainage Master Plan (1996)*~~ shall be by, and at the sole expense of, the owners of the land adjacent to either side of the Greenway, or segment thereof, unless otherwise approved **in writing** by the City **in advance of a development permit application being submitted to the Planning Department**. Consistent with the adopted Greenway design plan in the Southeast Circulation Plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide access for storm drainage maintenance, and any other required or proposed **utility** improvements. ~~The City may require all or any part of the Greenway to be dedicat3ed for public use and/or ownership following the installation of the required improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee simple land dedication.~~

b. Greenway Improvements Exclusively for Pedestrian and Bicycle Circulation. The installation of a surfaced path in Greenways, ~~other than those for storm drainage,~~ shall be by and at the sole expense of the **owners of the land adjacent to either side of the Greenway, or segment thereof,** ~~City~~ unless otherwise **approved in writing by the City in advance of a development permit application being submitted to the Planning Department.** ~~agreed upon.~~ Consistent with the adopted Greenway design plan in the Southeast Circulation Plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide pedestrian and bicycle circulation, and any other required improvements. ~~All or part of Greenways improved exclusively for pedestrian and bicycle circulation may be acquired by the City through dedication or purchase of the land in fee simple or through the acquisition of easements.~~

***

d. The City may require all or any part of the Greenway to be dedicated for public use and/or ownership following the installation of the required improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.

~~d~~**e**. Section 10.668 (Limitation of Exactions) shall be considered in relation to the above requirements.

***

Section 14. Section 10.426 of the Medford Municipal Code is amended to read as follows:

10.426 Street Circulation Design and Connectivity.
***
C. Maximum Block Length and Block Perimeter Length.
1. Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.

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'

***

Section 15. Section 10.462 of the Medford Municipal Code is amended to read as follows:

10.462 Mobility Targets.
(A) Adopted Mobility Targets. Whenever Level of Service (LOS) is determined to be below the mobility target listed below for arterials or collectors, development is not permitted unless the developer makes the roadway or other improvements necessary to maintain the mobility target. LOS criteria shall be based on the latest edition of the Highway Capacity Manual (Federal Transportation Research Board) for the motorized vehicle mode. The following are the level of service standards for intersections in the City of Medford:

Level of Service Minimum	Intersection
D	Citywide (unless otherwise listed)
E	Barnett Road & Highland Drive South Pacific Highway (Hwy. 99) & Stewart Avenue
F	**Stanford Avenue & Barnett Road**

***

PASSED by the Council and signed by me in authentication of its passage this ___ day of February, 2020.

ATTEST: _____
City Recorder

_____
Mayor

APPROVED _____, 2020.

_____
Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

MEDFORD
PLANNING

COUNCIL REPORT

for a Type-IV legislative decision: **Major Comprehensive Plan & Development Code Amendments**

Project	Southeast Plan Amendments	
Applicant	City of Medford	
File nos.	CP-19-002 & DCA-19-007	
To	Mayor & City Council	*for 02/20/2020 hearing*
From	Planning Commission via Seth Adams, AICP, Planner III	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	February 13, 2020	

BACKGROUND

Proposal

An amendment (Exhibit A) to update the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan, and to make related updates to the Southeast Overlay District regulations in Sections 10.370 – 10.385, 10.426, and 10.462 of the Medford Land Development Code (MLDC).

Authority

This proposed legislative land use action is a Type IV Major Comprehensive Plan Amendment, as well as a legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.220. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.214 and 10.218.

Study Sessions and Hearings

Staff reviewed the proposal with the Planning Commission at its December 9, 2019, study session (Exhibit B), and with City Councilmembers at G-3 meetings on December 17 and 19, 2019. The Planning Commission and City Councilmembers were supportive of the proposed amendments.

On January 23, 2020, the Planning Commission met at a regularly scheduled hearing to review the proposed amendments, and voted 7-0 to recommend adoption of CP-19-002 and DCA-19-007 with direction to improve the proposed text regarding maximum block lengths and to adjust the alignment of the future Stanford Avenue to be consistent with the alignment shown in the Southeast Village Commercial Center Core Area Master Plan (Exhibit C). Staff has made both of the modifications recommended by the Planning Commission.

At the January 23, 2020, Planning Commission hearing, the Commission heard public testimony from a number of residents that expressed concern over the intersections of Calle Vista Drive and Shamrock Drive with North Phoenix Road. Written correspondence was also received on the same topic. The Southeast Plan specifies that a center median is to be installed in North Phoenix Road at both of these intersections, resulting in right-in/right-out only turning movements. The construction of these medians was specified in the Conditions of Approval to a residential subdivision within the Southeast Plan area that received Planning Commission approval last year.

Public concern over these intersections focused on current and future traffic volumes, safety, and convenience. The medians have been included in the Southeast Plan since 2004 and are not a part of the proposed amendment. Since there has been no analysis done on potential alternatives to the center medians, it is staff's opinion that they should remain in the Southeast Plan for the time being. If this is an issue that the City Council feels warrants study and discussion, then the Council could direct staff to include this project on its work plan and evaluate if there are other possible alternatives for these intersections.

ISSUES AND ANALYSIS

Background

The Southeast Plan covers an approximate 1,000 acre area that extends from the ridge above Cherry Lane south to Coal Mine Road. The Plan specifies a neo-traditional circulation and development pattern that includes low, medium, and high-density residential areas, as well as sites designated for commercial, public parks, and schools. The Plan also places importance on the preservation of the natural features and resources spread throughout the area.

City Council originally adopted the Southeast Plan on April 2, 1998 in the form of amendments to the Comprehensive Plan and Municipal Code. Following additional planning efforts, Council adopted changes to the Southeast Plan and created the Southeast Overlay District in 2004. Further amendments have been made to the Southeast Plan in the intervening years since then, with the most recent occurring in 2013. Amendments have also been made to the Southeast Overlay District at various points in time.

There have been numerous subdivisions and streets constructed over the past several years in accordance with the Southeast Plan, as well as a recently completed city park. In addition, one of the sites designated for single-family residential was reclassified this summer for commercial use to reflect its historic and continued use as a private recreational facility, and the 2018 – 2038 Transportation System Plan recommends that the alignment of East Barnett Road be straightened out. At this time, the maps and text of the Southeast Plan need to be amended to accurately reflect these facts, and it also provides an opportunity to make general "housekeeping" updates to the text of the Southeast Plan and the Southeast Overlay District regulations.

Proposed Amendment

The following outline summarizes the substantive amendments that are proposed to be made to the Southeast Plan sections of the Neighborhood Element, Chapter 10 of the Medford Comprehensive Plan, and to the Southeast Overlay District regulations of Sections 10.370 – 10.384 of the Medford Land Development Code (MLDC).

Neighborhood Element, Chapter 10, Medford Comprehensive Plan

- Removal of the requirement for new development to be approved through a Planned Unit Development (PUD) when the proposal is in conformance with the standards of the Southeast Overlay District.
- Updating of maps and tables to reflect approved land use changes (e.g. residential to commercial, new City Park, etc.).
- Updating of text and figures for consistency with the *2018-2038 Medford Transportation System Plan (TSP).*
- Straightening of the East Barnett Road alignment as recommended in the TSP.
- Transference of street and greenway cross-sections into the Southeast Overlay District section of the MLDC.

Southeast Overlay District, MLDC Sections 10.370 – 10.384

- Removal of the requirement for new development to be approved through a PUD when the proposal is in conformance with the standards of the Southeast Overlay District.
- New development consistent with the standards of the Southeast Overlay District to be approved by the Site Plan and Architectural Commission (SPAC), with development

proposals that deviate from the standards requiring PUD approval by the Planning Commission (PC).

- Updating of tables to reflect approved land use changes (e.g. residential to commercial, new City Park, etc.).
- Inclusion of Southeast Plan maps from the Comprehensive Plan in order to eliminate the need for cross-referencing between two documents.
- Removal of unnecessary, inaccurate, and/or out-of-date text (e.g., special development standards such as setbacks and lot coverage percentages that were once unique to the SE Overlay, but are now applicable city-wide).
- Establishment of maximum block lengths as called for in the Southeast Plan and as specified in MLDC Section 10.426.
- Inclusion of street and greenway cross-sections from the Comprehensive Plan.
- Update of Greenway design and development standards for consistency with Article IV – Public Improvement Standards and Criteria of the MLDC.

FINDINGS AND CONCLUSIONS

The applicable criteria for a Major Comprehensive Plan Amendment are in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for Goals and Policies. The amendment does include updates to the Implementation Strategies for the Southeast Plan; however, the updates simply change the name and numbers of each Strategy to match the adopted text already in the Conclusions, Goals, Policies, and Implementation Strategies chapter of the Comprehensive Plan. The Strategies themselves have not been changed in any manner. Similarly, the amendment also updates the Southeast Plan Map and Southeast Circulation Plan Map to reflect land use changes and road alignments that were previously adopted into the General Land Use Plan Map and the Transportation System Plan Element, respectively. The applicable criteria are rendered in *italics* below; findings and conclusions in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1-6]:

1. *A significant change in one or more Conclusion.*

   Findings

   There have been numerous subdivisions and streets constructed over the past several years in accordance with the Southeast Plan, as well as a recently completed

city park. In addition, one of the sites designated for single-family residential was reclassified this summer for commercial use, and the 2018 – 2038 Transportation System Plan (TSP) recommends that the alignment of East Barnett Road be straightened. The proposed Comprehensive Plan amendment updates the Southeast Plan and Southeast Circulation Plan to accurately reflect these changes, and also includes minor text edits to improve the usability of the Plan.

Conclusions

Although the text and maps of the Southeast Plan section of the Comprehensive Plan are being amended to better reflect the current physical state of the Plan area, as well as to be consistent with the recommendations and policies of the 2018-2038 Transportation System Plan, the Conclusions section of the Plan is not being changed. This criterion is found to be not applicable.

2. *Information reflecting new or previously undisclosed public need.*

Findings

The proposed amendment is a product of the City's requirement that all Elements of the Comprehensive Plan are consistent, and that zone changes and other development proposals are consistent with both the Comprehensive Plan and the Transportation System Plan. The amendment updates the Southeast Plan text and maps to be consistent with the all other elements of the Comprehensive Plan and the Transportation System Plan.

Conclusions

The amendment updates the Southeast Plan map and the Southeast Circulation Plan to be consistent with the General Land Use Plan map and 2018-2038 Transportation System Plan Element. This criterion is found to be satisfied.

3. *A significant change in community attitudes or priorities.*

Findings

The amendments to the Comprehensive Plan do not result from a change in community attitudes or priorities. The amendment serves to update the Southeast Plan to accurately reflect the current physical state of the Southeast Plan area, as well as to be consistent with the recommendations and policies of the 2018-2038 Transportation System Plan.

Conclusions

This criterion is found to be not applicable.

4. *Demonstrable inconsistency with another Plan provision.*

Findings

The proposed amendment updates the Southeast Plan to be consistent with the General Land Use Plan map and the 2018-2038 Transportation System Plan. In 2019, City Council approved a General Land Use Plan amendment to reclassify 5.07 acres within the Southeast Plan area from Urban Residential (UR) to Commercial (CM) and the General Land Use Plan map was updated to reflect the reclassification.

The amendment updates the Southeast Plan map to also reflect that land use reclassification. In December 2018, City Council adopted the 2018-2038 Transportation System Plan (TSP) Element of the Comprehensive Plan, which recommended that the alignment of East Barnett Road be straightened out through an amendment to the Southeast Plan. The amendment updates the Southeast Plan map and Southeast Circulation Plan to match the straighter alignment recommended in the TSP.

Conclusions

The amendment updates the Southeast Plan map and the Southeast Circulation Plan to be consistent with the General Land Use Plan map and 2018-2038 Transportation System Plan Element. This criterion is found to be satisfied.

5. *Statutory changes affecting the Plan.*

Findings

The proposed amendment is a product of the City's requirement that all Elements of the Comprehensive Plan are consistent, and that zone changes and other development applications be consistent with the Comprehensive Plan and the Transportation System Plan; however, there are no statutory changes that affect the Plan or this amendment.

Conclusions

This criterion is found to be not applicable as no statutory changes affect the Plan.

6. All applicable Statewide Planning Goals.

Goal 1 – Citizen Involvement

Findings

The City has an adopted Citizen Involvement Element in compliance with Statewide Planning Goal 1. Notice of the amendment was provided to the Department of Land Conservation and Development for review and comment, and notice of the amendment and public meetings was mailed to all owners of property within the Southeast Plan area. As a result of the public notification mailing, staff spoke and/or met with more than two dozen individuals that own or represent properties within the Southeast Plan area.

Furthermore, the draft language was distributed to a list of citizens, developers, business owners, land use consultants, and non-profit representatives who have requested notification of code amendment projects. Written comments were received from Mr. Jay Harland and Mr. Raul Woerner of CSA Planning, Mr. Brad Earl of the Medford School District, Mr. Robert Bierma, Ms. Deborah Vincent, and Mr. Dan Mahar (Exhibits E – L). Some modifications to the amendment have been made based on the written comments that were received.

In addition to written comments, several residents spoke at the Planning Commission hearing on January 23, 2020 (Exhibit C). Finally, the Planning Commission and City Council will consider and vote on the proposed amendment during televised public hearings, providing an additional forum to discuss the proposal.

Conclusions

Based on the public outreach efforts that were conducted and the feedback received from property owners and interested parties, it is found that Goal 1 is satisfied.

Goal 2 – Land Use Planning

Findings

The proposed amendment has been coordinated with applicable agencies, property owners, and other interested parties. The changes will ensure that the Southeast Plan is up to date and consistent with the General Land Use Plan map and the 2018-2038 Transportation System Plan.

Conclusions

The proposal is found to satisfy Goal 2.

Goal 3 – Agricultural Lands does not apply in this case.

Goal 4 – Forest Lands does not apply in this case.

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

Findings

The proposed amendment updates the Greenway sections of the Southeast Plan, and recognizes the recent development of a new City park within the Plan area.

Conclusions

The amendment addresses the sections of the Southeast Plan related to Greenways and public parks. The proposal is found to satisfy Goal 5.

Goal 6 – Air, Water, and Land Resources Quality is not applicable in this case.

Goal 7 – Areas Subject to Natural Hazards is not applicable in this case.

Goal 8 – Recreation Needs

Findings

The Southeast Plan recognizes the importance of public recreation areas, and the Plan identifies several locations and specifications for such areas, including parks, greenways, and shared use paths.

Conclusions

The recreational needs of residents within the Southeast Plan area is accounted for in the Plan. The proposal is found to satisfy Goal 8.

Goal 9 – Economic Development

Findings

The Southeast Plan includes lands designated for commercial uses, and contains an adopted Master Plan with design guidelines for development of the commercial center.

Conclusions

Opportunities for economic development are accounted for in the Southeast Plan through the designation of lands for commercial uses. The proposal is found to satisfy Goal 9.

Goal 10 – Housing

Findings

The Southeast Plan includes lands designated for low, medium, and high-density residential development.

Conclusions

Opportunities for housing are accounted for in the Southeast Plan through the designation of lands for residential development. The proposal is found to satisfy Goal 10.

Goal 11 – Public Facilities and Services does not apply in this case.

Goal 12 – Transportation

Findings

The Southeast Plan includes a comprehensive transportation network, including streets and shared use paths, and the proposed amendment updates the alignment of the future East Barnett Road to be consistent with the recommendations of the 2018-2038 Transportation System Plan.

Conclusions

The amendment will bring the Southeast Circulation Plan into conformance with the recommendations of the 2018-2038 Transportation System Plan. The proposal is found to satisfy Goal 12.

Goal 13 – Energy Conservation does not apply in this case.

Goal 14 – Urbanization does not apply in this case.

Goals 15 – 19 are not applicable to this region of the state.

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The applicable criteria are rendered in *italics* below; findings and conclusions in roman type.

The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

10.218(A). Explanation of the public benefit of the amendment.

Findings

The proposed code amendment is intended to benefit the public by clarifying, updating, and improving the Southeast Plan Overlay District regulations. The amendment updates the regulations to remove special development standards that are no longer exclusive to the Southeast Plan area and are now applicable city-wide, and it updates and relocates all of the Southeast Plan land use and circulation maps to the Land Development Code where they can be more easily referenced.

Additionally, the amendment proposes to remove the requirement that all development within the Southeast Plan area be approved through the Planned Unit Development process, thereby making the review and approval process more expedient and less costly when development proposals are in conformance with all of the development standards.

Conclusions

The proposed amendment serves to update and help clarify the code provisions surrounding development of the Southeast Plan area. These changes help make understanding and administering the code easier for both staff and the general public. Criterion 10.218(A) is found to be satisfied.

10.218(B). The justification for the amendment with respect to the following factors:

1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The following goals, policies, and implementation measures are from the Parks section of the Public Facilities Element:

Implementation 1-C-1: Provide park and recreation facilities to support community programming needs.

Policy 1-D: The City of Medford shall provide and acquire parklands necessary to adequately serve the City's current and future population based on adopted service levels.

Implementation 1-D-5: Implement the Southeast Medford Area Plan Map with regard to greenway paths/trails, parks, and recreation facilities.

The following goals, policies, and implementation measures are from the Bicycle & Pedestrian Opportunities section of the Public Facilities Element:

Implementation 3-A-4: Develop the Southeast Area greenway paths shown in the adopted SE Area Neighborhood Circulation Plan Map.

The following goals, policies, and implementation measures are from the Southeast Plan section of the Neighborhood Element:

Goal 1: To assure that development in the SE Area occurs in a manner that reduces reliance on automobile travel within the area and promotes multi-modal travel, including pedestrian, bicycle and transit.

Policy 1-A: The City of Medford shall assure that circulation and development design in the SE Area emphasizes connectivity and promotes multi-modal transportation viability.

Policy 1-B: The City of Medford shall assure that the Village Center is developed as a pedestrian-oriented, mixed use, higher density central core (Transit Oriented District) for the SE Area.

Goal 2: To assure that development in the SE Area occurs in a manner that preserves its abundant natural features and resources.

Policy 2-A: The City of Medford shall strive to provide a system of interconnected open spaces in the SE Area utilizing drainage ways and stream corridors open to public view and access.

Goal 3: To provide for the implementation of the Southeast Plan.

Policy 3-A: The City of Medford shall use zone change procedures as the timing mechanism to control development within the SE Area, based upon the availability and adequacy of public facilities and services, as required by the Medford Comprehensive Plan and Medford Land Development Code. However, future zone changes in the City will be exempt from meeting the minimum transportation LOS standard for Stanford Avenue and the alternatively-designed section of Barnett Road east of Stanford Avenue located within the Southeast Commercial Center because Stanford Avenue within the Commercial Center is desired to have a high level of slow moving traffic.

Policy 3-C: The City of Medford shall pursue the future adoption of regulations and design criteria that promote transportation oriented design in the SE Area pursuant to the recommendations of the Rogue Valley Regional Transportation Plan, the Medford Transportation System Plan, and other plans as adopted.

The following goals, policies, and implementation measures are from the Transportation System Plan Element:

Action Item 10-e: Ensure implementation of the Southeast Medford Area Plan with regard to greenways, land use, paths, trails, roadways, and other transportation related facilities.

Conclusions

The amendment, while primarily an update of the Southeast Plan to remove outdated text and reflect physical changes that have occurred in accordance with the Plan, also makes the Southeast Plan section of the Neighborhood Element consistent with the other elements of the Comprehensive Plan and the Transportation System Plan. Criterion 10.218(B) is found to be satisfied.

2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

The proposed development code amendment was distributed to internal and external agencies for review and comments. Comments on the Comprehensive Plan amendment were received from the Public Works Department (Exhibit D), and

modifications to the amendment were made based on those comments; however, no comments were received regarding the code amendment portion of the proposal.

Conclusions

No comments on the Land Development Code Amendment were received from internal or external agencies. This criterion is found to be satisfied.

3) Public comments.

Findings

A draft of the proposed text was e-mailed in December to a list of citizens, developers, business owners, land use consultants, and non-profit representatives who have requested notification of code amendment projects. Written comments on the Land Development Code amendment were received from Raul Woerner of CSA Planning (Exhibits F, I, and J). Draft language is made available, with the staff report, to the public on the City's webpage seven days prior to the hearing and two public hearings will be provided to allow for public testimony.

Conclusions

The language was provided to members of the public interested in reviewing code amendments proposed by the City. This criterion is found to be satisfied.

4. Applicable governmental agreements.

Findings

There are no governmental agreements that apply to the proposed code amendment.

Conclusions

This criterion is not applicable.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied, adopt the ordinance for approval of CP-19-002 & DCA-19-007 per the Council Report dated February 13, 2020, including Exhibits A – L.

EXHIBITS

A Proposed Amendments
B Planning Commission Study Session Minutes – December 9, 2019
C Planning Commission Hearing Minutes – January 23, 2020
D Public Works Staff Report
E Email from Jay Harland – October 15, 2019
F Email from Raul Woerner – October 15, 2019
G Email from Brad Earl, MSD – October 31, 2019
H Email from Robert Bierma – December 31, 2019
I Emails from Raul Warner – January 2, 2020
J Email from Raul Woerner – January 22, 2020
K Letter from Deborah K. Vincent – January 22, 2020
L Letter from Dan Mahar – January 21, 2020

CITY COUNCIL AGENDA: FEBRUARY 20, 2020

Medford Comprehensive Plan
Chapter 10

Neighborhood Element

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. One plan is incorporated by reference; two others are incorporated into this document.

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10.4 Urbanization Planning 50

EXHIBIT A

10.1 Southeast Plan

Adopted by Medford City Council on March 7, 2013
Ordinance no. 2013-41

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5. Southeast Plan Overlay Zoning District and Map 7
6. Conclusions 13
7. Goals, Policies, and Implementation Strategies 13
8. Southeast Plan Map 17
9. Southeast Village Center Map 19

1. PREFACE

When looking east from the intersection of Barnett and North Phoenix Roads at the tranquil setting of oak-studded rolling hills and grazing cattle, imagining a future community of more than 10,000 people may be hard. The southeast area of Medford, 1,000 acres extending from the ridge above Cherry Lane south to Coal Mine Road, is poised for urban development, but not just ordinary urban development. In 1990, the site was identified as Medford's primary future growth area and included within the Urban Growth Boundary (UGB). Since then, extensive planning studies have created a plan for an out-of-the-ordinary community.

The primary purpose of the planning studies, partially funded by state transportation grants, was to find ways to reduce future auto traffic within the area. The resulting Southeast Plan has many features intended to help achieve that goal and create a more livable community. It represents the collaborative efforts of many, including property owners, city staff, consultants, interest groups, and appointed and elected officials. Recognizing that land uses directly affect traffic, the plan situates different land uses so that many auto trips will be unnecessary and necessary ones will be shorter.

The Southeast Plan provides for a centrally located commercial area near the intersection of Barnett and North Phoenix Roads surrounded by an area of denser housing and institutional uses, such as a park, church, community center, and fire station. This TOD (Transit-Oriented District), the Southeast Village Center, will allow many residents—children, adults, seniors—to live within a five-minute walk of services for their daily needs. The Southeast Village Center places at least 40 percent of the Southeast Area's future housing units within one-quarter mile of the commercial area. Elsewhere in the Southeast Area, a variety of housing is planned, including large, standard, and small single-family lots, rowhouses, multiple-family dwellings, and retirement housing.

Other features that will help ease traffic congestion include having a gridded street and alley pattern so that walkers, bicyclists, and drivers have many options for reaching destinations. The plan proposes to preserve the area's abundant natural features and vegetation, and adds amenities, such as street trees, to promote a desirable walking and bicycling environment. Creek side greenways, while supplying natural storm drainage and protecting native habitat, will furnish locations for pedestrian and bicycle paths along the forks of Larson Creek and other waterways.

The Southeast Plan was originally approved by the Medford City Council on April 2, 1998, in the form of amendments to the City's Comprehensive Plan and Municipal Code. Changes to the Southeast Plan, including the Comprehensive Plan and Municipal Code, which were the result of even more detailed planning efforts, have been subsequently adopted.

2. INTRODUCTION

This section of the Neighborhood Element of the Medford Comprehensive Plan, entitled Southeast Plan, is a special land use plan for the southeast area of the community (SE Area). Extensive planning studies for the SE Area, described below, led to the adoption of this section and its implementing provisions in the Medford Municipal Code. The Southeast Plan Map included within this plan element is the implementing map governing land use in the SE Area.

This mostly undeveloped area of approximately 1,000 acres lies within the Urban Growth Boundary (UGB) east of North Phoenix Road, north of Coal Mine Road, and generally south of Hillcrest Road. The location and boundaries of the area are depicted on the Medford General Land Use Plan (GLUP) Map. The area has slopes that range from moderate to nearly level, with some steep slopes, although rolling terrain predominates. It is characterized by south and west facing slopes which produce magnificent vistas and a near-perfect orientation for solar energy utilization. The SE Area also contains Medford's primary undisturbed natural areas, including stream corridors, wetlands, hilltops, and oak woodlands.

Much of the SE Area was historically devoted to fruit and cattle production, and some portions are still used for those purposes, although previous agricultural uses have diminished. The irrigated soils in the area are not classified as excessively productive for agriculture.[1] Besides dwellings on large home sites, the area previously contained a

[1] The USDA Soil Conservation Service classifies soils within the area as falling generally within the Class 4 category. Agricultural soils are ranked for agricultural productivity between Class 1 and Class 8, with 1 being the best, and 8 being the worst. Statewide Planning Goals 3 and 14 require the preservation of farm lands having a 1 through 4 agricultural capability.

tennis club and two fraternal lodges on North Phoenix Road, riding stables, and a radio tower.

In 1988, the City undertook studies to determine whether additional land was required in the Medford UGB to satisfy future urbanization needs for a 20-year planning period. The City's work resulted in a documented need for additional land, and the SE Area was among several areas proposed for inclusion in the UGB. The amended UGB was adopted in October 1990 by the Medford City Council and Jackson County Board of Commissioners, and was later acknowledged by the Oregon Land Conservation and Development Commission (LCDC). The acknowledgment was not appealed. The entire SE Area was then designated for Urban Residential (UR) use on the GLUP Map, permitting single-family residential uses at a density of two to ten dwelling units per acre.

3. SPECIAL CIRCULATION AND LAND USE PLANNING STUDIES

3.1 Studies: Phase I

Following inclusion of the SE Area in the UGB, there were serious concerns that development of the SE Area might overwhelm Medford's already stressed transportation system. In 1992, the City undertook the first special planning study (See the Southeast Medford Land Use and Transportation Study, 1993) to compare the future traffic impacts produced by two different land use schemes in the SE Area. This study was funded through the State of Oregon's Transportation Growth Management (TGM) grant program.

The first scheme considered in the study was a "contemporary plan" that used single-use zoning and a circulation system that fed all traffic onto collector and arterial streets. This type of development pattern with segregated land uses usually results in almost complete dependence upon auto travel for daily activities, such as shopping, education, recreation, etc. The second scheme was a "neo-traditional" development pattern facilitated by mixed-use zoning and an interconnected street system—a street system that distributed peak period (7–9 a.m. and 4–6 p.m.) traffic to all streets, not just collectors and arterials.

The analysis indicated that, during peak periods, both land use schemes would generate similar traffic levels due to employment locations outside the area. However, the neo-traditional development pattern would reduce off-peak traffic within the area, and produce trips of shorter length. Additionally, it could increase pedestrian and bicycle trips within the area by as much as 60 percent.

3.2 Studies: Phase II

Based upon the findings of this first phase of the special land use planning for the area, the City began the second phase in 1994, again funded through a state

TGM grant. The phase 2 study used the conceptual assumptions developed in the neo-traditional development scheme to prepare a generalized circulation and land use plan for the area (See the Southeast Medford Circulation & Development Plan Project Report, August 1995). Neo-traditional development design includes features such as narrow streets with short blocks in a grid pattern, alleys, housing of different types in the same blocks, accessory dwelling units, narrow building setbacks from streets, prominent public buildings and places, and mixed land uses. It places higher density housing near compact commercial centers and transit, and gives neighborhoods well-defined centers and edges.

The phase 2 plan was used to guide the preparation of amendments to the Medford Comprehensive Plan and Municipal Code for the SE Area. The City worked closely with all interested parties in the preparation of the plan, including public facility and utility providers, Medford and Jackson County Planning Department staff, property owners, school districts, developers, and members of the Medford Planning Commission. The study included a market analysis that verified the marketability and potential absorption rate of the recommended type of development.

3.3 Implementation: Land Use Actions

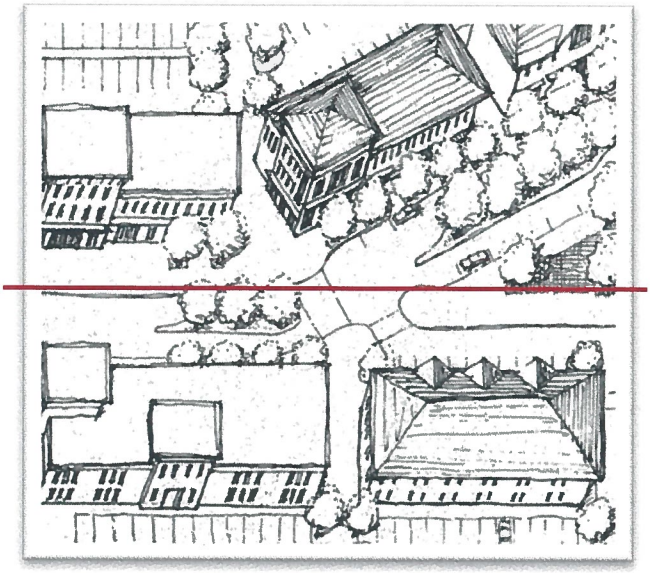
To facilitate future implementation of the phase 2 plan, the City then undertook several land use actions. One was the adoption of a new GLUP designation of Urban Medium Density Residential (UMDR) and corresponding zoning district of MFR-15 (Multiple-Family Residential - 15 units per acre) which permit a density range of 10 to 15 dwelling units per acre. The UMDR designation was needed to allow more specific placement of a rowhouse land use type in the SE Area. The Commercial GLUP designation and commercial zoning districts were then amended to limit the size of businesses in the Community Commercial (C-C) zoning district to 50,000 square feet, and to create a new Regional Commercial (C-R) zoning district. This action was needed to allow the use of C-C zoning in the SE Area without permitting large regional retail uses. Finally, changes to the Medford Street Classification Map were adopted which set a circulation pattern for the arterial, collector, and standard residential streets in the SE Area.

This section of the "Neighborhood Element~~,~~" of the Southeast Plan~~,~~ represents the latest phases of the special planning efforts in the SE Area. The intent of these extensive planning efforts is to create an area that is much less reliant on automobile travel, and that preserves the natural environment, incorporating it into a desirable, livable community. The principal function of the Southeast Plan is to apply detailed land use planning and implementation techniques to a geographical area of the community that has important and unique physical qualities, including having a large tract of undeveloped land, rolling terrain, the

general availability of public facilities and services, and few ownerships to divide the tract.

3.4 Commercial Center Planning

The Commercial Center area, including the abutting Greenway, encompasses approximately 53 acres located east of North Phoenix Road and north of Barnett Road. A detailed planning effort for this site was undertaken in 2000 through an Oregon Transportation and Growth Management (TGM) Program "Quick Response Grant" (See the SE Medford Village Center Plan – Medford, Oregon, November 2000). The plan, prepared by Lennertz Coyle and Associates, recommended realigning Barnett Road, a Minor Arterial street, east of its intersection with North Phoenix Road to create a pedestrian-friendly retail "main street" with commercial buildings on both sides. For the retail uses to be viable, a high level of slow moving traffic with on-street parking, similar to a traditional main street, was deemed necessary. Subsequently, through the planning process to adopt the Commercial Center Core Area (7A) Master Plan, the point of realignment was shifted to initiate East Barnett Road's intersection with Stanford Avenue.



The plan included a market study by Robert Gibbs to determine the amount and types of commercial businesses that would serve the area and which would be economically feasible. The preferred alternative recommended approximately 100,000 square feet of retail commercial uses and up to 50,000 square feet for a grocery store, with the remainder of the commercial area utilized for civic, office, service, and high-density residential uses, including mixed uses. Based on the recommendations of this study, the retail core area, approximately 18 acres in

size, located between North Phoenix Road and Stanford Avenue along Barnett Road, has been designated as the "Commercial Center Core Area (7A)."

The Southeast Plan and its implementing Municipal Code provisions also aid the City in meeting the requirements of Oregon's Transportation Planning Rule (TPR). The TPR requires cities to implement measures that reduce reliance on automobile travel. It requires the planned land use patterns and transportation system to promote an increase in the number of trips accomplished through walking, bicycling, and transit use. This can be achieved if safe and convenient opportunities are provided, and if land use types and density are appropriate. The Southeast Plan translates neo-traditional land uses developed in the phase 2 study into special categories to guide zone change and development approvals in the SE Area. As explained below, the special categories have been established to address the uses, needs, and issues specific to the SE Area.

4. PRIMARY PURPOSE OF THE SOUTHEAST PLAN

The primary purposes of the Southeast Plan include:

4.1 To establish land use patterns and development design that emphasizes transportation connectivity and promotes viability for many modes of transportation;

4.2 To require coordinated planning and encourage the development of neighborhoods with a cohesive design character;

4.3 To provide a mix of compatible housing types at planned densities;

4.4 To establish a special central core—the Southeast Village Center as a Transit Oriented District (TOD) with compact, pedestrian-oriented commercial, institutional, and residential uses;

4.5 To preserve natural waterways while providing routes for pedestrian and bicycle travel;

~~4.6 To require the approval of much of the development through the Planned Unit Development (PUD) ordinance in order to coordinate planning of designated areas. The Southeast Village Center (Area 7A) may be approved through a Master Plan rather than a PUD process; and~~

~~4.7~~4.6 To establish special design and development standards for streetscapes, building orientation, setbacks, building height, access, lot coverage and density, and the use of pedestrian street lighting, greenways, alleys, and street trees.

5. SOUTHEAST PLAN OVERLAY ZONING DISTRICT AND MAP

The Southeast (S-E) Overlay Zoning District is a primary tool to carry out the Southeast Plan, and establishes special standards and criteria for planning and development approvals. The Southeast Overlay Zoning District ~~requires much of the development in the SE Area to be approved through the PUD process, and~~ lays out regulations for design features such as pedestrian-friendly site design, streetscapes, greenways, alleys and street trees.

An Oregon Transportation and Growth Management (TGM) Program Code Assistance Grant was utilized to update the S-E Overlay Zoning District. In addition, the Medford City Council appointed the Southeast Plan Implementation Advisory Committee to oversee the update of the S-E Overlay District as well as the development of the Neighborhood Circulation Plan. The Committee consisted of two City Council members, two Planning Commissioners, a community member, and five stakeholders. Over a period of two years, the Committee developed recommendations, through unanimous consensus, regarding the detailed planning efforts. The Committee also facilitated implementation review efforts, including coordination of the Commercial Center Core Area (7A) Master Plan.

5.1 Southeast Plan Map

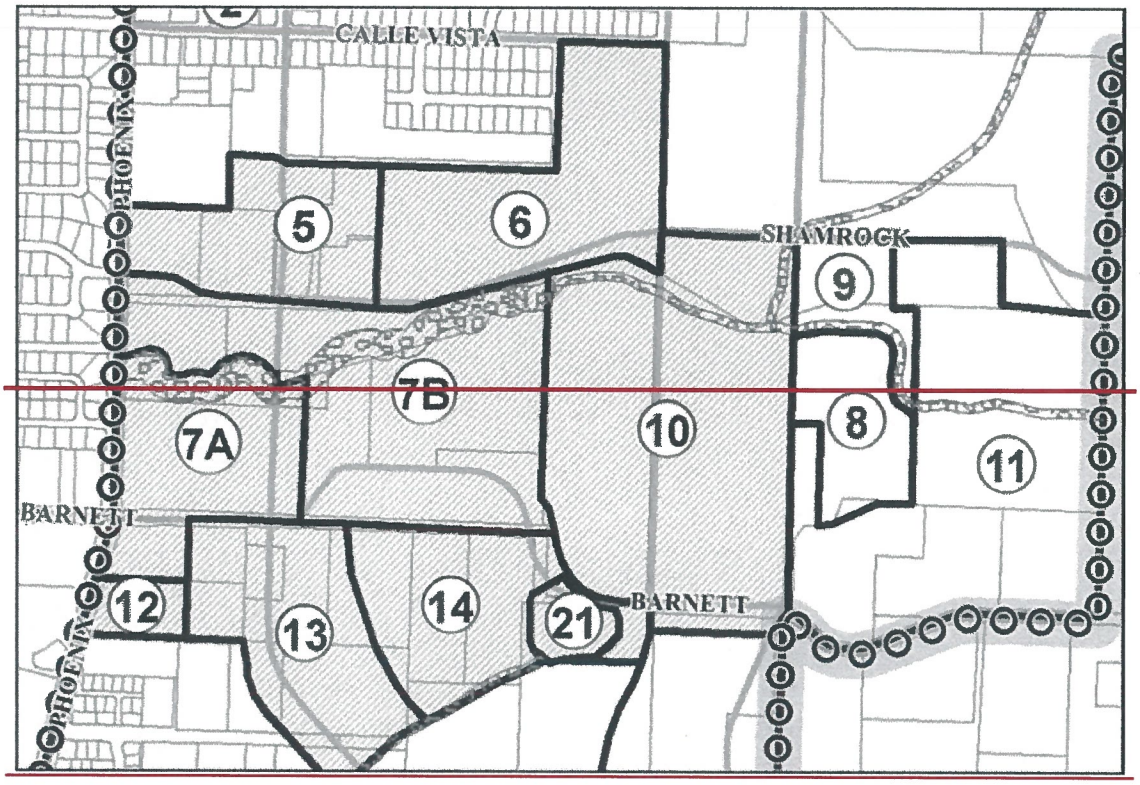
In 1990, when the SE Area was included in Medford's UGB, all of the land was placed under the "Urban Residential" GLUP Map designation. The phase 2 study created other land use categories to produce an environment of mixed land uses, housing types, and densities. The different land uses, identified in the study as estate lot, standard lot, small lot, rowhouse, high density residential, commercial center, greenway, park and school, were applied to specific sub-areas.

The existing GLUP Map designations that are most similar to each land use category have been applied to the SE Area on the GLUP Map, while the *Southeast Plan Map* (Figure 1) applies the special land use categories to each of ~~21~~ 24 ~~consecutively~~ numbered sub-areas. Additionally, the boundaries of the phase 2 sub-areas have been adjusted to better accommodate existing parcel boundaries, existing and planned land uses, and planned street locations. Regulations specific to the *Southeast Plan Map* land use categories are set forth in the Southeast Overlay Zoning District of the Medford Municipal Code. The approximate acreage and target dwelling unit range in each sub-area is set forth in Table 5.2-1.

5.2 Southeast Plan Map subareas

The implementing provisions in the Southeast Overlay Zoning District ensure that the target housing densities anticipated for each residential land use category will be met at the time development approvals are granted by the City. A key difference between the SE Area and other parts of the community is that the sub-areas are restricted to specific zoning districts to meet the density

targets, rather than having a wide range of zones.[2] The overlay zone establishes permissible density ranges and one or two zoning districts for each of the special land use categories. Additional restrictions, discussed below, regulate the permitted uses within the SE Area's central Transit Oriented District (TOD), the Southeast Village Center, which encompasses several sub-areas. The amendment procedures for the *Southeast Plan Map* are the same as for a minor or major GLUP Map amendment.



[2] For example, the City's Urban Residential GLUP Map designation permits the application of four different zoning districts: SFR-2, SFR-4, SFR-6 and SFR-10. Under the regulatory scheme for the SE Area, each sub-area is permitted to develop under only one or two zones that best approximate the development types and densities recommended in the Phase 2 study.

Table 5.2-1 Southeast Plan Map Subareas
Targeted land use, zoning, density, and estimated dwelling unit range

Sub Area	Land Use Category	GLUP Map	Corresponding Zoning	Density Range D.U./gross acre (*PUD*)**	Gross Acres	Dwelling Unit Range (*PUD*)**
1	Estate Lot	UR	SFR-2	0.8 to 2 (*2.4*)	237	190-474 (*569*)
2	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6 (*7.2*)	~~219~~ 211	~~548–1,314 (1,577)~~538-1,266 (1,519)
3	High Density	UH	MFR-20 or MFR-30	15 to 36 (*43.2*)	20	300–720 (*864*)
4	Rowhouse	UM	MFR-15	10 to 15 (*18.0*)	28	280–420 (*504*)
5	High Density	UH	MFR-20 or MFR-30	15 to 36 (*43.2*)	15*	225–540 (*648*)
6	Small Lot	UR	SFR-10	6 to 10 (*12.0*)	~~23~~22*	~~138–230 (276)~~132-220 (264)
7A	Commercial Center – Core	CM	C-C	Mixed-use buildings only	18*	n/a
7B	Commercial Center – Service/Office	SC	C-S/P	20 to 36 (*43.2*)	35*	n/a
8	School	~~PS (~~UR~~)~~	SFR-4 to SFR-6	NA	9	n/a
9	Park	~~PS (~~UR~~)~~	SFR-4 to SFR-6	NA	6	n/a
10	High Density	UH	MFR-20 or MFR-30	15 to 36 (*43.2*)	~~46~~44*	~~690–1,656 (1,987)~~660-1,584 (1,901)
11	Small Lot	UR	SFR-10	6 to 10 (*12.0*)	43	258–430 (*516*)
12	~~Commercial Center – Service/Office~~ High Density	~~SC~~ UH	~~C-S/P~~ MFR-20 or MFR-30	~~20~~15 to 36 (*43.2*)	3*	~~n/a~~ 45-108 (130)
13	Rowhouse	UM	MFR-15	10 to 15 (*18.0*)	19*	190–285 (*342*)
14	High Density	UH	MFR-20 or MFR-30	15 to 36 (*43.2*)	16*	240–576 (*691*)
15	Small Lot	UR	SFR-10	6 to 10 (*12.0*)	102	612–1,020 (*1,224*)
16	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6 (*7.2*)	31	78–186 (*223*)
17	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6 (*7.2*)	124	310–744 (*893*)

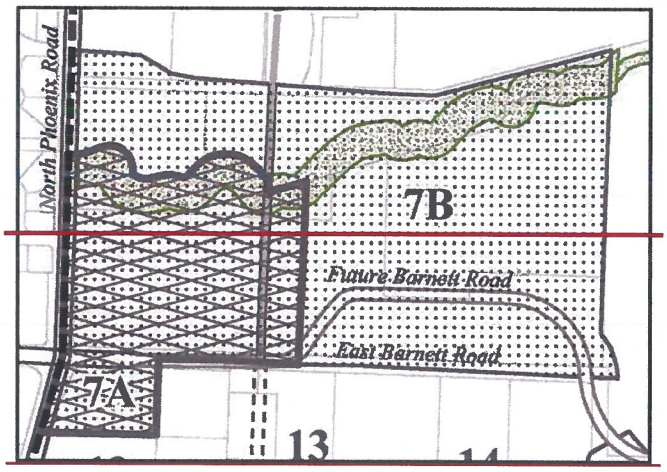
Sub Area	Land Use Category	GLUP Map	Corresponding Zoning	Density Range D.U./gross acre (*PUD*)**	Gross Acres	Dwelling Unit Range (*PUD*)**
18	School	~~PS (~~UR~~)~~	SFR-4 or SFR-6	NA	17	n/a
19	Park	~~PS (~~UR~~)~~	SFR-4 or SFR-6	NA	10	n/a
20	Standard Lot	UR	SFR-4 to SFR-6	2.5 to 6 (*7.2*)	17	43–102 (*122*)
21	Park	~~PS (~~UH~~)~~	MFR-20 or MFR-30	NA	3*	n/a
22	Commercial	CM	C-C	20-36 *(43.2)*	6	n/a
23	Park	PS	P-1	NA	3*	n/a
24	Park	PS	P-1	NA	2	n/a
~~Totals~~				~~4 to 8.5 (*10.2*)~~	~~1,041~~	~~4,102–8,697~~
*Area is within						
Totals				**4.1-8.5**(*10.2*)	**1,041**	**4,221-8,891**

the Southeast Village Center TOD (178 acres)
**Medford's Planned Unit Development process allows up to a 20% density increase

5.3 Southeast Village Center

Several Southeast Plan Map sub-areas in the central part of the SE Area have been combined to form the Southeast Village Center, which is one of the City's four adopted Transit-Oriented Districts (TODs) (~~S~~see the Transportation System Plan for more detailed information about Medford's TODs). The land uses proposed for the Village Center include commercial, institutional, medium and high density residential, and a greenway/park. The Southeast Village Center TOD consists of three concentric areas nestled within one another. The Village Center of approximately 178 acres contains sub-areas 5, 6, 7A, 7B, 10, 12, 13, and 14. Sub-areas 7A and 7B make up the 53-acre Commercial Center.

The Commercial Center Core Area (7A) of approximately 18 acres is the primary retail center located along Barnett Road extending from North Phoenix Road to a point east of Stanford Avenue. The Commercial Center Core Area (7A) will contain retail and commercial businesses with residential uses allowable above ground floor level in mixed use buildings. A portion of the Greenway is also located within the Core Area (7A) boundary. These areas are depicted in the Southeast Village Center Map~~ (Appendix B)~~.



The Village Center's Commercial Center area is surrounded by medium and high density residential uses to assure that many residents are within a five-minute walking distance. The Village Center is intended to be the main neighborhood activity center for the SE Area, and may also include a church, park, community center, and fire station (already constructed), besides locally-oriented shopping and services. Providing higher residential densities within one-quarter mile of shopping and employment areas, along with safe and convenient pedestrian and bicycle circulation, will also foster future transit viability. Specific Village Center regulations have been developed in the Southeast Overlay Zoning District.

5.3.1 Purpose. The purpose of having a Village Center with special regulations is to:

a. Foster a clear sense of place by establishing a geographical focal point, central area, and gathering place for the social, cultural, political, and recreational interaction of people living and working in the SE Area;
b. Provide convenient opportunities for shopping accessible by all modes of transportation to reduce traffic congestion, and facilitate greater convenience and community livability;
c. Provide a development design that produces a pedestrian-oriented central core (Transit Oriented District) that endeavors to reduce reliance on the automobile;
d. Provide a design that incorporates and promotes the existing waterway and wetland areas into the Commercial Center; and
e. Fulfill the *Rogue Valley Regional Transportation Plan's* Land Use Element and the City of Medford Transportation System Plan as one of the designated areas of mixed land use and denser residential development that increases future transit opportunities (Transit Oriented Districts).

6. CONCLUSIONS

6.1 Special planning studies for the SE Area have determined that a neo-traditional circulation and development pattern could reduce the number and length of motor vehicle trips within the area.

6.2 The SE Area is the only area of the community where streams and waterways remain in a mostly natural state.

6.3 During the preparation of the special planning studies for the SE Area, the property owners indicated a very strong desire to preserve the natural resources, especially the streams, wetlands, and woodlands.

6.4 The creation of a Village Center Transit Oriented District in the SE Area with denser mixed land uses will be a primary means of reducing traffic within the SE area by serving the daily needs of residents through walking, bicycling, transit, and shortened motor vehicle trips.

6.5 Assuring that the minimum densities and housing types are achieved and located as proposed, particularly in the Village Center, is essential in carrying out the purposes of the *Southeast Plan*.

6.6 Steeper slopes in the SE Area will require expertise in hillside development techniques, particularly regarding storm drainage retention/detention and street design.

6.7 Residential design features such as placing garages on alleys, providing front porches, park strips with street trees, sidewalks, and pedestrian-scale lighting, etc., promotes alternative forms of transportation such as walking.

7. GOALS, POLICIES, AND IMPLEMENTATION STRATEGIES

~~7.1~~ ***Goal 1. To assure that development in the SE Area occurs in a manner that reduces reliance on automobile travel within the area and promotes multi-modal travel, including pedestrian, bicycle and transit.***

~~7.1.1~~ **Policy 1-A:~~.~~** The City of Medford shall assure that circulation and development design in the SE Area emphasizes connectivity and promotes multi-modal transportation viability.

> ~~a.~~ ~~*Strategy*~~ **Implementation 1-A(1):** Do not allow private streets to prevent vehicular or pedestrian connectivity or public access to greenways, parks, schools, or other activity centers.

~~b. *Strategy.*~~Implementation 1-A(2): Discourage gated or dead-end developments because they prevent connectivity and neighborhood formation. Require adjacent developments to integrate with one another.

~~c. *Strategy.*~~ Implementation 1-A(3): Assure that development design and street improvements on North Phoenix Road promote non-vehicular access across this major arterial at intersections.

~~d. *Strategy.*~~Implementation 1-A(4): Discourage development site design along collector and arterial streets from creating a walled effect near the sidewalk.

~~e. *Strategy.*~~Implementation 1-A(5): Encourage the Rogue Valley Transportation District (RVTD) to serve the SE Area with transit service as soon as feasible.

~~7.1.2~~ **Policy** 1-B:~~.~~ The City of Medford shall assure that the Village Center is developed as a pedestrian-oriented, mixed use, higher density central core (Transit Oriented District) for the SE Area.

~~a. *Strategy.*~~Implementation 1-B(1): Require special design for development within the Village Center, affecting such elements as building location and orientation, lighting, signage, parking, outdoor storage and display, greenway/wetlands treatment, etc.

~~b. *Strategy.*~~Implementation 1-B(2): Limit the commercial zoning districts and permitted uses within the commercial portion of the Village Center to assure pedestrian-oriented development.

~~c. *Strategy.*~~Implementation 1-B(3): Require master planning of the entire Commercial Center Core Area of the Village Center prior to development approval.

~~d. *Strategy.*~~Implementation 1-B(4): Promote the location of public and quasi-public uses within the Village Center, such as a fire station, day care center, community center, church, park, public plaza, etc.

~~7.1.3~~ **Policy** 1-C:~~.~~ The City of Medford shall support the location of small neighborhood commercial sites in the SE Area outside the Village Center.

~~7.2~~ ***Goal 2. To assure that development in the SE Area occurs in a manner that preserves its abundant natural features and resources.***

~~7.2.1~~ **Policy** 2-A:~~.~~ The City of Medford shall strive to provide a system of interconnected open spaces in the SE Area utilizing drainage ways and stream corridors open to public view and access.

~~a. *Strategy.*~~Implementation 2-A(1): Accentuate drainage ways and stream corridors by locating street rights-of-way collinear and adjacent to them in order to open them for public view and access. Such placement should be

outside the Greenway, should not disturb the riparian area, and should be in conjunction with enhancement and/or restoration. Creekview Drive in particular should be so located in relation to the North Fork of Larson Creek.

~~7.2.2~~ **Policy 2-B:**. The City of Medford shall strive to protect natural features and resources in the SE Area, including restoration when necessary.

~~a.~~ ~~*Strategy.*~~**Implementation 2-B(1):** Encourage clustered development to avoid alteration of important natural features.
~~b.~~ ~~*Strategy.*~~**Implementation 2-B(2):** Apply best management practices for private and public development activities that affect streams, drainage ways, and wetlands, including reducing impervious surfaces so that runoff is slowed and filtered.
~~c.~~ ~~*Strategy.*~~**Implementation 2-B(3):** Require hillside development to meet stringent standards limiting grading and vegetation disturbance, and minimizing visual intrusion.
~~d.~~ ~~*Strategy.*~~**Implementation 2-B(4):** Require tree preservation plans indicating existing trees of more than six inches in diameter, in conjunction with development applications.

~~7.2.3~~ **Policy 2-C:**~~.~~ The City of Medford shall pursue the continuing evaluation of the SE Area's natural resources to determine which should be protected by permanent use restrictions or public ownership, and which can be included in environmentally sensitive development.

~~7.3~~ ***Goal 3:***~~.~~ **To provide for the implementation of the Southeast Plan.**

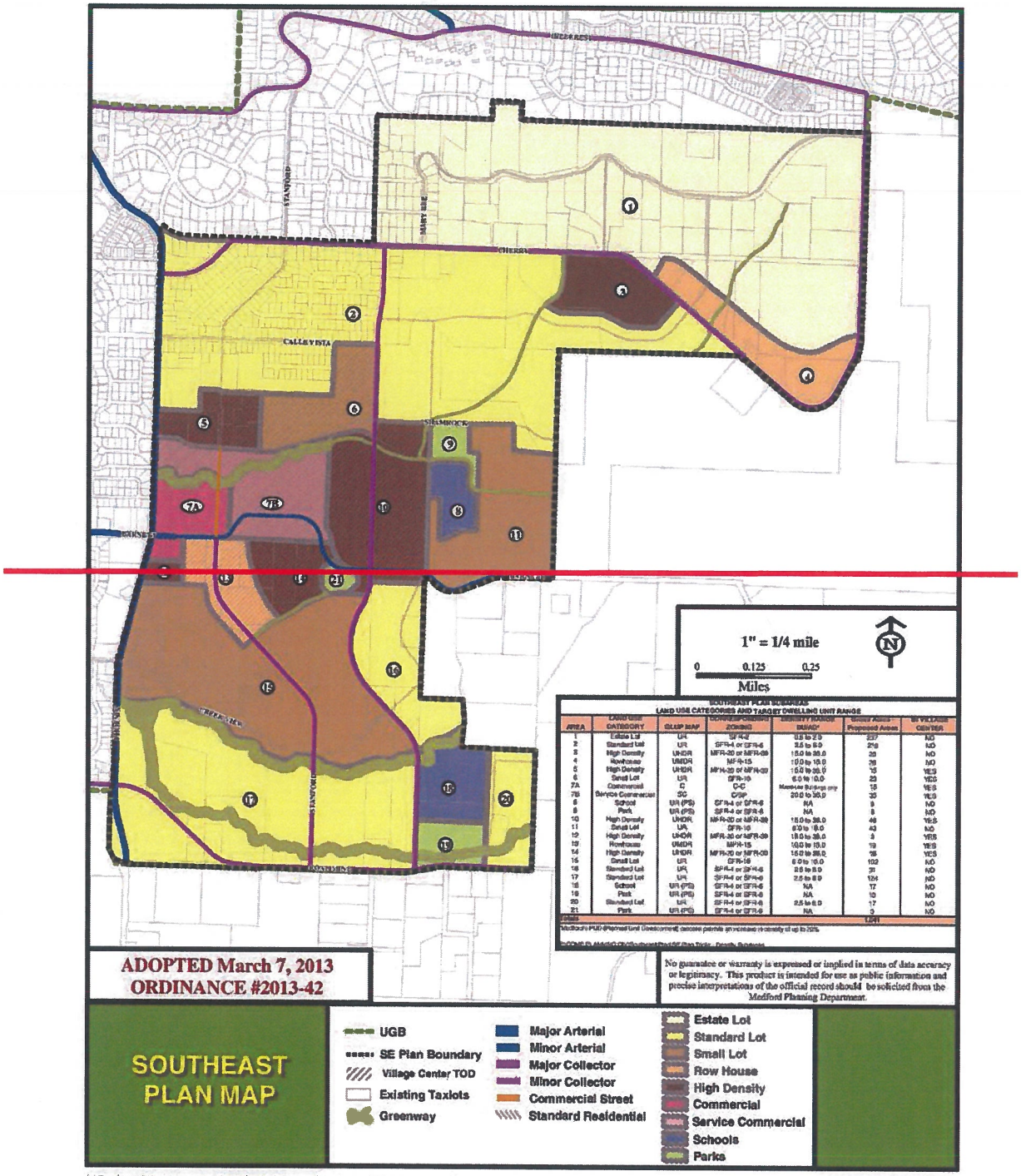
~~7.3.1~~ **Policy 3-A:**~~.~~ The City of Medford shall use zone change procedures as the timing mechanism to control development within the SE Area, based upon the availability and adequacy of public facilities and services, as required by the Medford Comprehensive Plan and Medford Municipal Code. However, future zone changes in the City will be exempt from meeting the minimum transportation LOS standard for the intersection of Stanford Avenue and ~~the alternatively designed section of~~ Barnett Road, ~~east of Stanford Avenue located within the Southeast Commercial Center~~ because Stanford Avenue within the Commercial Center is desired to have a high level of slow moving traffic.
~~7.3.2~~ **Policy 3-B:**~~.~~ Where a street functions as the boundary separating two land use designations or categories in the SE Area, changes to the street location resulting from planning actions shall shift the designations or categories accordingly. Encourage similar land use types to be located facing one another across streets with changes in land use types occurring at the backs of lots where possible.
~~7.3.3~~ **Policy 3-C:**~~.~~ The City of Medford shall pursue the future adoption of regulations and design criteria that promote transportation oriented design in the SE Area

pursuant to the recommendations of the *Rogue Valley Regional Transportation Plan, the Medford Transportation System Plan,* and other plans as adopted.

~~7.3.4~~ **Policy 3-D:**~~.~~ The City of Medford shall assure that notice is provided to the Medford and Phoenix-Talent School Districts that land designated for future schools and/or parks in the SE Area may be acquired by the City or school district for such purposes. The City shall notify the applicable school district of pending development permit applications on such land. The City shall not withhold the approval of zoning or development permit applications solely on the basis that a school district or the City has not acquired title to the property. Nothing in this policy prohibits the location of a school or park from changing.

~~7.3.5~~ **Policy 3-E:**~~.~~ The City of Medford shall seek to expend parks systems development charges (SDCs) collected within the SE Area on park-related improvements within the same SE Area.

8. SOUTHEAST PLAN MAP



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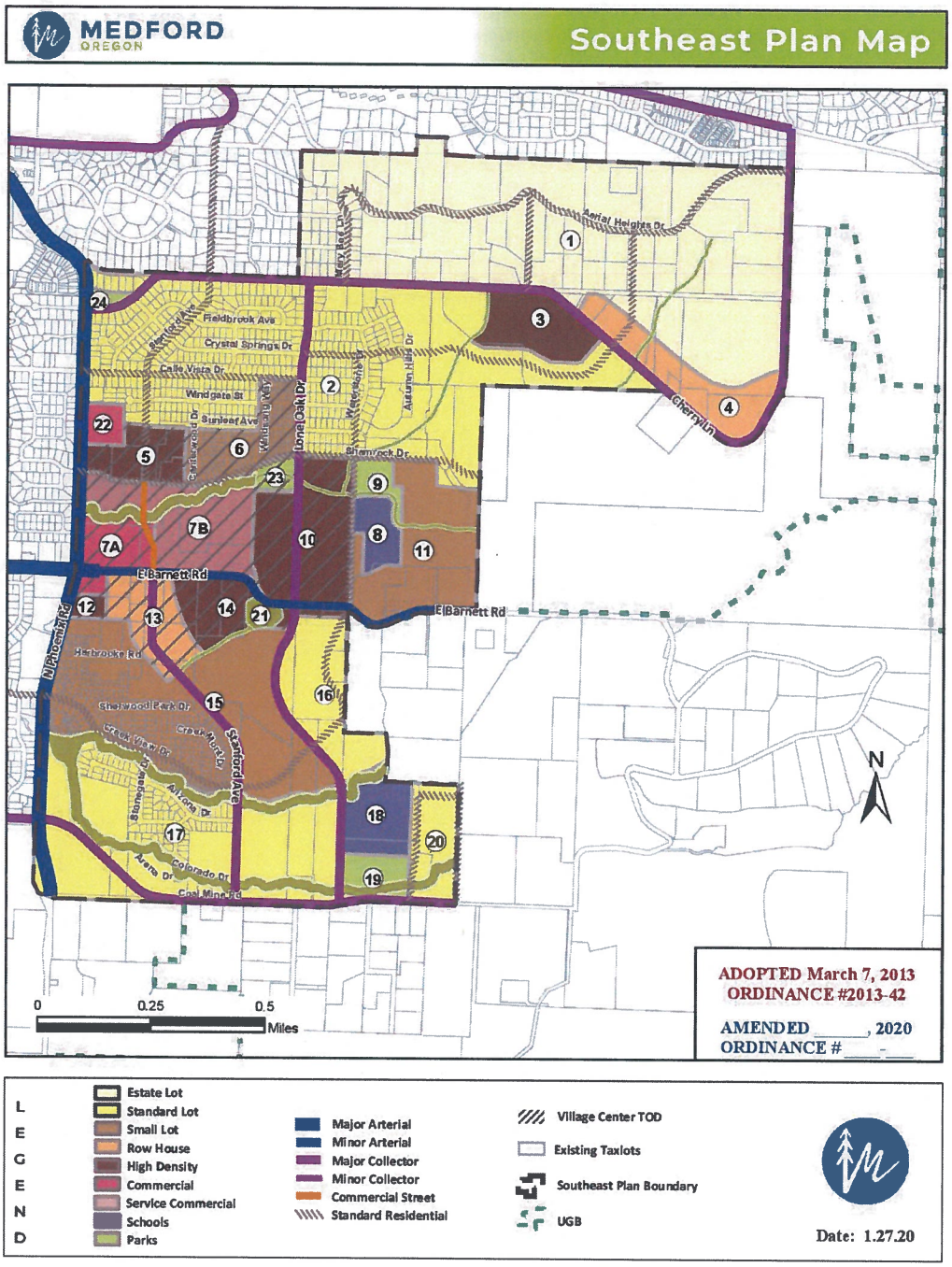
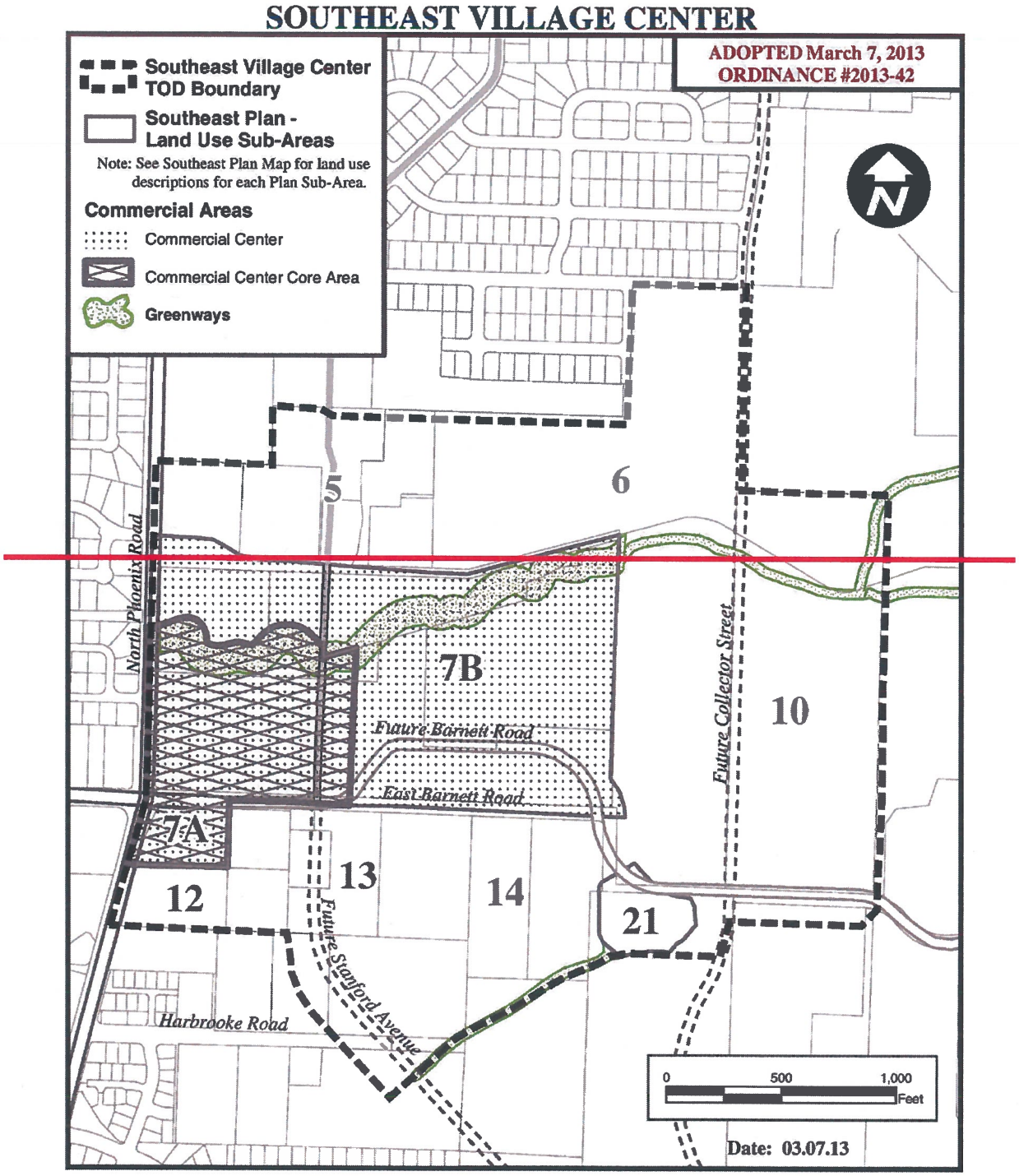
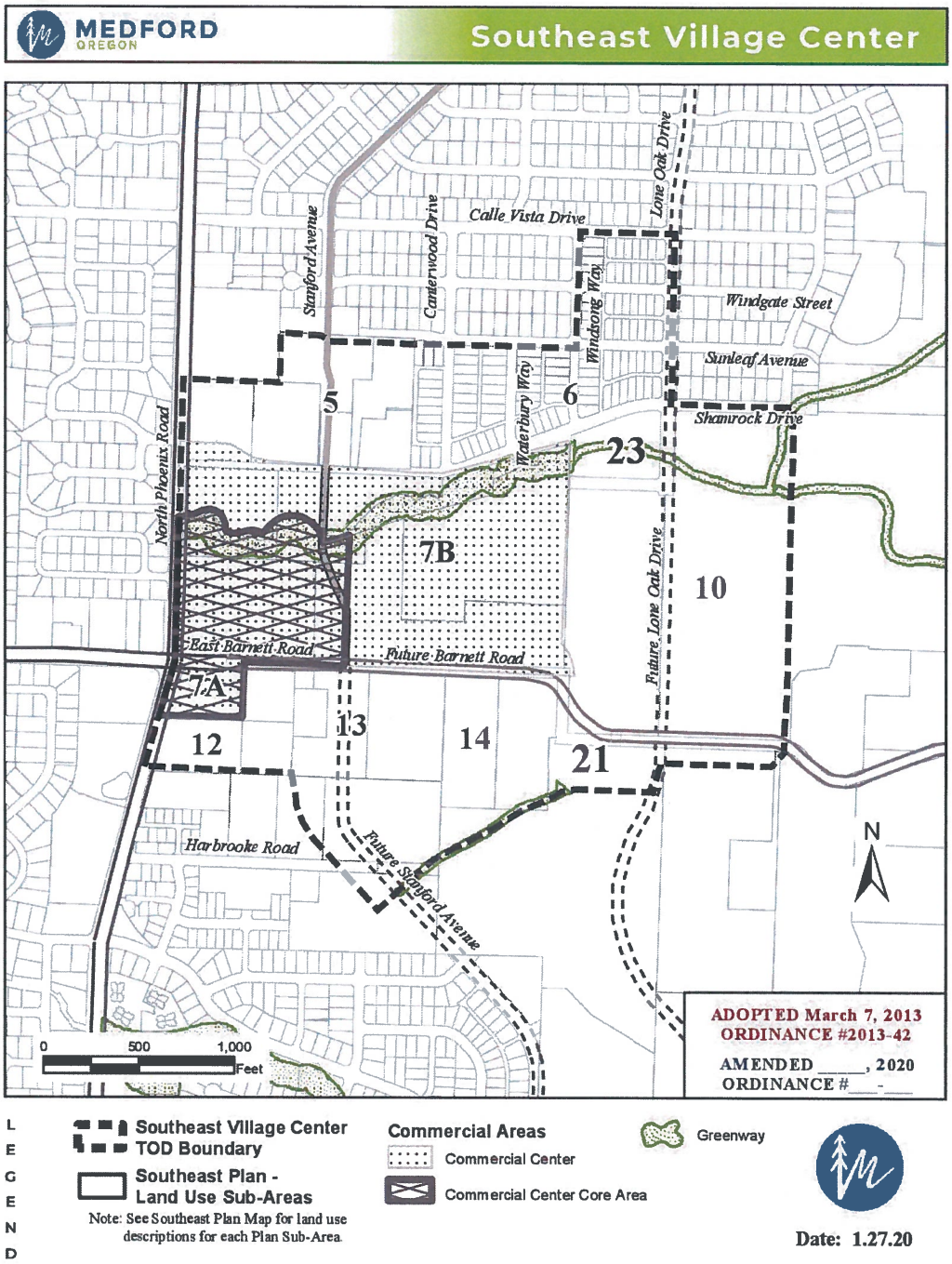

MEDFORD
OREGON
Southeast Plan Map
Aerial Heights Dr
Fieldbrook Ave
Crystal Springs Dr
Calle Vista Dr
Windgate St
Sunleaf Ave
Ionia Oak Dr
Shamrock Dr
Cherry Ln
E Barnett Rd
Hartford Ave
Stanford Ave
Coal Mine Rd
Colorado Dr
Aspen Dr
Stonewood Dr
Creek View Dr
Sherwood Park Dr
Harbrooke Rd
N
0
0.25
0.5
Miles
ADOPTED March 7, 2013
ORDINANCE #2013-42
AMENDED _____, 2020
ORDINANCE # _____
LEGEND
Estate Lot
Standard Lot
Small Lot
Row House
High Density
Commercial
Service Commercial
Schools
Parks
Major Arterial
Minor Arterial
Major Collector
Minor Collector
Commercial Street
Standard Residential
Village Center TOD
Existing Taxlots
Southeast Plan Boundary
UGB
Date: 1.27.20

Southeast Village Center map




MEDFORD
OREGON
Southeast Village Center
Calle Vista Drive
Lone Oak Drive
Stanford Avenue
Canterwood Drive
Windsong Way
Windgate Street
Sunleaf Avenue
Shamrock Drive
Waterbury Way
North Phoenix Road
5
6
23
7B
10
East Barnett Road
Future Barnett Road
Future Lone Oak Drive
7A
12
13
14
21
Harbrooke Road
Future Stanford Avenue
N
0
500
1,000
Feet
ADOPTED March 7, 2013
ORDINANCE #2013-42
AMENDED _____, 2020
ORDINANCE #___-___
LEGEND
Southeast Village Center TOD Boundary
Southeast Plan - Land Use Sub-Areas
Note: See Southeast Plan Map for land use descriptions for each Plan Sub-Area.
Commercial Areas
Commercial Center
Commercial Center Core Area
Greenway
Date: 1.27.20

10.2 Southeast Circulation Plan

1. PLAN OBJECTIVE

To adopt maps, plan policies, and ordinance standards that assure that the transportation network in the Southeast Plan Area provides direct and convenient routes for pedestrians, bicyclists, transit, and motor vehicles to neighborhood activity centers and destinations.

2. HISTORY

The original Southeast Plan, adopted by the Medford City Council in 1998, provided~~s~~ the following Goal and Policy:

> *Goal 3: To provide for the implementation of the Southeast Plan.*
>
> > *Policy 3-A: The City of Medford shall pursue the future adoption of regulations and design criteria that promote transportation oriented design in the Southeast Area pursuant to the recommendations of the Rogue Valley Regional Transportation Plan and other plans as adopted.*

This Neighborhood Circulation Plan is intended to fulfill that ~~this~~ policy. The purpose of this plan is to implement the Southeast Plan through adoption of guidelines and regulations relating to the detailed design of a multi-modal transportation system. Subsequent to adoption of the *Rogue Valley Regional Transportation Plan,* the City of Medford adopted the *Medford Transportation System Plan* (TSP) in November 2003, with an updated TSP being adopted in 2018. The Medford TSP and the *Medford Land Development Code* provide for the development of Neighborhood Circulation Plans. The 2003 TSP also adopted the Southeast Village Center as a Transit Oriented District (TOD) explained more fully in Part I of this document. ~~TSP Implementation Strategy 8-B(2) directs the City to:~~

~~*Complete and adopt a land use/transportation plan, design guidelines, street and streetscape standards, and implementing ordinances for the Southeast Medford Transit Oriented District (TOD), the West Medford TOD, and the Delta Waters TOD, and mixed-use areas.*~~

3. SOUTHEAST AREA NEIGHBORHOOD CIRCULATION PLAN MAP

The adopted Southeast Area Neighborhood Circulation Plan Map (Appendix A) provides the location of streets and other transportation facilities classified and arranged in such a manner as to meet the objectives and policies of this plan and the TSP.

~~Implementation Strategy 2-C(1) of the TSP provides that "...neighborhood plans should determine the specific look and character of each neighborhood and its street system."~~ Street arrangement and design is reviewed and approved by the Planning Commission in the land division and development review process. The Planning Commission must find that proposed transportation improvements conform to any adopted Neighborhood Circulation Plan as well as the TSP. Transportation system features, such as street arrangement and location, may depart from the adopted plan if it can be found that the principles and objectives of the adopted plan will be carried out.

~~TSP Implementation Strategy 2-D(1) directs the City to "Identify unique street design treatments, such as boulevards or *main* streets, through the development and use of special area plans, neighborhood plans, or Neighborhood Circulation Plans adopted in the Medford Comprehensive Plan." This Neighborhood Circulation Plan anticipates a town center "main street" along Stanford Avenue within the Commercial Center Core Area (7A).~~

TSP Action Item 10-e directs the City to "Ensure implementation of the Southeast Medford Area Plan with regard to greenways, land use, paths, trails, roadways, and other transportation related facilities." This Neighborhood Circulation Plan and Map is adopted by the City Council as a part of the Southeast Plan, as well as part of the Medford Street Classification Map ~~as well as part of the Southeast Plan~~, which is in the ~~General Land Use~~ Transportation System Plan Element of the *Medford Comprehensive Plan*. It is supplemental to and takes precedence over the *Medford Transportation System Plan* (TSP) in cases of disagreement.

4. PART I: EXISTING AND PLANNED ACTIVITY CENTERS AND TRANSPORTATION SYSTEM

4.1 Designated Transit-Oriented District

The *Rogue Valley Regional Transportation Plan* (RTP) and the Medford TSP have adopted four areas in Medford as TODs. These TODs include the Southeast Village Center. The purpose of the TOD designation is to provide centers where dwellings and employment are provided in close proximity (mixed-use) and with adequate density to make transit service viable. It is also critical that TODs provide pedestrian friendly streets and transportation facilities to increase non-vehicular trips within the area.

4.2 Southeast Village Center

The Southeast Village Center TOD is to contain a Commercial Center Core Area (7A) with community commercial uses, including up to 50,000 square feet for a grocery store, residential uses of up to sixty units per acre, and a Greenway with shared-use paths. The TOD will also contain an additional 35 acres of service and

professional office commercial and high-density residential uses, and a surrounding 150 acres of other residential uses, ranging from small lot single-family and medium density (rowhouses), to high-density residential, including retirement facilities. The streetscape and street/alley designs in this area will have special character to assure pedestrian friendliness and a "town center" atmosphere. Rogue Valley Transportation District (RVTD) transit service is being extended to the area from the west via Barnett Road. Initially, a transit stop will be provided in the Commercial Center Core Area (7A).

4.3 Lennertz–Coyle Commercial Center Plan

The Commercial Center area, including the Core Area and Greenway, encompasses approximately 53 acres located east of north Phoenix Road and north of Barnett Road. A detailed planning effort for this site was undertaken in 2000 through an Oregon Transportation and Growth Management (TGM) Program *Quick Response Grant*. The results of that plan, prepared by *Lennertz–Coyle and Associates*, have been incorporated into this document. The plan recommended realigning Barnett Road, a minor arterial street, east of the intersection with North Phoenix Road to create a pedestrian-friendly retail *main street* with commercial buildings on both sides. According to the study, for the retail uses to be viable, a high level of slow moving traffic with on-street parking, similar to a traditional main street, is necessary. The planned realignment ~~h~~was ~~been~~originally shifted approximately 400 feet further east as a result of a more detailed Commercial Center Core Area (7A) master planning process. That~~is~~ location coincided~~s~~ with the intersection at East Barnett Road and Stanford Avenue; however, the 2018-2038 City of Medford *Transportation System Plan* recommended that the planned realignment be straightened out through an amendment to the Southeast Plan.

The new realignment will occur approximately 1,500 feet east of North Phoenix Road, at which point it will gently curve to the southeast and reconnect to the existing and more southerly and eastern stretch of Barnett Road, thereby eliminating the two 90 degree turns in the current alignment. As a result of the realignment, a standard residential street to the northeast that had connected into the old East Barnett alignment was extended to the south in order to maintain that connectivity. These changes are reflected on the Southeast Plan Map, Southeast Village Center Map, and the Southeast Circulation Plan Map.

The study's preferred alternative for the community commercial site recommended approximately 100,000 square feet of retail commercial uses and up to 50,000 for a grocery store located generally between North Phoenix Road and Stanford Avenue, with the remainder of the commercial area utilized for civic, office, and high-density residential uses, including mixed uses. Stanford Avenue is designated a commercial street where the abutting zoning is

commercial, and will be the north-south retail street. The block on Barnett Road between its intersections with North Phoenix Road and Stanford Avenue will need to be designed to assure pedestrian connectivity due to its considerable length.

4.4 Larson Creek Shopping Center

The Larson Creek Shopping Center, located at the southwest corner of North Phoenix Road and Barnett Road, is an important neighborhood activity center. This site contains a 50,000 square foot grocery store and fueling station and 47,650 square feet of other retail and services. Primary pedestrian, bicycle, and motor vehicle access to and from the Southeast Plan Area will be via the North Phoenix Road and Barnett Road intersection. The multi-modal design and improvement of this intersection will be essential in connecting it with the future Southeast Plan Area Commercial Center Core Area (7A) located diagonally across the intersection. Due to the width of the intersection, designing for pedestrian and bicycle friendliness will be crucial.

The existing traffic signal at the Larson Creek Shopping Center mid-access point will not directly serve the Southeast Plan Area except for pedestrians/bicyclists from the Harbrooke Road area. Relocation of the signal to the intersection of Creek View Drive and North Phoenix Road will assure multi-modal access from the "South of Barnett" portion of the Southeast Plan Area. In addition, a signal at this location will provide a safe crossing of North Phoenix Road for those using the shared-use Greenway paths.

4.5 Parks and Schools

Parks and schools are neighborhood activity centers. Two City parks have already been constructed within the Southeast Plan Area, and the Plan identifies three additional future park sites and two future school sites.

The Southeast Plan Area is planned to contain a future City park and Medford School District school abutting the Southeast Village Center TOD on the east. The site is located on two standard residential streets, and will be linked to the Commercial Center Core Area (7A) via a shared-use Greenway path, as well as by at least one direct lower-order street connection. It will be linked to neighborhoods to the north, including a higher density residential area, by a shared-use Greenway path extending to Cherry Lane. The current Barnett Road is the Medford School District boundary.

Another future City park and Phoenix-Talent School District school is planned in the far southeasterly portion of the Southeast Plan Area near Coal Mine Road. This site is to be served by shared-use paths in the east-west Greenways along its north and south edges. Other access will be via two major collector streets

having bicycle lanes, Stanford Avenue and ~~Major Collector Street 'A,'~~Lone Oak Drive, upon which the school and~~/~~ park will front.

A third future City park is planned near the southwest corner of the intersection of Barnett Road and Lone Oak Drive. This site abuts high-density residential to the west and small lot residential to the south.

Finally, ~~T~~the City of Medford was given the 165-acre natural Chrissy Park on the east side of Cherry Lane ~~currently outside the Medford Urban Growth Boundary (UGB)~~. Access to this park will be via Cherry Lane; however, future access may be provided through the extension of Greenways with shared-use paths ~~from their termini at the UGB~~ to Chrissy Park. Eventual off-street path linkage from Chrissy Park to the 1,740-acre Prescott Park on Roxy Ann Peak is desired.

4.6 Other Existing Facilities

Other existing facilities in the Southeast Plan Area include the ~~Swim and Tennis Club~~ Court House Family Fitness facility on North Phoenix Road, the Medford Fire Station on Barnett Road, and ~~two~~ a fraternal lodge~~s~~. A regional fiber optic network hub facility is also sited adjacent and to the east of the fire station. Adequate access for the fire station located on the south side of Barnett Road in the Commercial Center Core Area (7A) will be critical.

4.7 Existing and Planned Streets

Table 1: Southeast Plan Area Existing and Planned Major Streets

Street Name	Classification
North Phoenix Road	Major Arterial
Barnett Road *to 250ft east of N. Phoenix Rd*	Major Arterial
Barnett Road *from 250ft east of N. Phoenix Rd to easterly UGB*	Minor Arterial
Cherry Lane *east of N. Phoenix Rd*	Major Collector
Coal Mine Road	Major Collector
Stanford Avenue *south of Barnett Road*	Major Collector
~~Unnamed New Collector A~~ Lone Oak Road	Major Collector
Stanford Avenue *north of Commercial Center*	Standard Residential
Stanford Avenue *north of Barnett Road in Commercial Center*	Commercial
Unnamed New Collector B	Minor Collector

Street Name	Classification
Various New Streets	Standard Residential

5. PART II: GENERAL CIRCULATION SYSTEM POLICIES AND GUIDELINES

5.1 Interconnected Street Network

Goal 1: To provide a street network in the Southeast Plan Area that is an interconnected, densely-gridded system that also accommodates topography and natural features such as greenways and wetlands.

Goal 2: To provide safe and convenient pedestrian, bicycle, and motor vehicle access and circulation to and within neighborhood activity centers in and near the Southeast Plan Area.

The purpose of a densely-gridded street system is to avoid concentrating motor vehicle traffic onto a few wide auto-oriented pedestrian-unfriendly major streets, and to allow residents and employees to choose a direct route to neighborhood activity centers, making it more likely that motor vehicle trips will be short or substituted by alternatives such as walking, bicycling, or taking transit. Street design that results in traffic calming will assure that the densely-gridded street system produces livable neighborhoods.

5.2 Street Alignment

Street alignment should ensure that direct routes to neighborhood activity centers (schools, parks, Greenways, Commercial Center, etc.) are provided. The alignment should also consider natural features, such as topography and natural resources, including established trees and groves of trees. Medford Land Development Code Section 10.426~~52~~ requires street arrangement to ~~save and preserve natural and ornamental trees where practicable~~take into consideration existing natural features such as topography and trees. Streets should abut public facilities and features such as Greenways, parks, schools, and open space. The provision of pedestrian/bicycle connections that provide direct convenient routes to neighborhood activity centers should also be ensured.

The Southeast Plan contains a policy about land use designations and street locations:

Policy 3-B: Where a street functions as the boundary separating two land use designations or categories in the SE Area, changes to the street location resulting from planning actions shall shift the designations or categories accordingly. Encourage similar land use types to be located facing one another across streets with changes in land use types occurring at the back of lots where possible.

~~This policy has been changed to clarify that land use type changes generally should not occur at street frontages.~~ This policy results in dissimilar development types facing one another. A more desirable situation is having land use type changes occur at the backs of properties so that streetscapes can be consistent and integrated.

5.3 Maximum Block Length

Maximum block length standards optimize convenience for pedestrians and enhance street connectivity. Street intersections should be located approximately every 600 to 800 feet in single-family areas, and 400 to 600 feet in the Village Center and other higher density residential areas:~~.~~ however, ~~T~~this standard should be balanced against the preservation of natural resources and topography. Street crossings of Greenways should be minimized, particularly those that are fish-bearing riparian corridors. Longer block length should be considered if needed to save significant established trees or groves of trees. Approximately one-quarter mile spacing of riparian corridor crossings is considered adequate. Individual developments should not be isolated or "dead-end" because they prevent connectivity and neighborhood formation.

5.4 Street Design Standards

Private streets are often utilized when a deviation of City street standards is desired to accommodate a particular site design or difficult property. Private streets or alleys should be utilized only when neighborhood interconnectedness and convenient public access to activity centers will not be compromised. The Exception Application process has also been used to vary public street standards when a private developer is constructing a public street. When the City is constructing the street, a Transportation Facility Application process is used to vary street standards. A clear process for considering alternative street design standards should be developed for the Land Development Code since these processes do not provide the best means for determining when alternative standards are acceptable. Locations where alternative street designs are appropriate in the Southeast Plan Area have been identified in this plan where known.

5.5 Steep Slopes

Streets in steeply sloped areas, such as those north of Cherry Lane, will necessitate narrower rights-of-way generally located to follow elevation contour lines in order to reduce cut and fill and gradient. Standard street design should be altered if necessary. Standard residential streets should maintain two full lanes for passing vehicles; however, modification of other components should be permitted in order to reduce width as long as designs encourage pedestrian use. Placing sidewalks next to the curb and eliminating planter strips is one means of

reducing street width, which reduces the amount of cut and fill needed. Where there are long blocks, pedestrian accessways between streets should be utilized where topography allows. Aerial Heights Drive, a currently unpaved ~~The current (unpaved) east-west~~ street located north of Cherry Lane (not yet dedicated right-of-way), is the ~~general location of the~~ primary east-west standard residential street serving this area.

5.6 Access Management

Motor vehicle access management is important to maintaining the multi-modal function of higher order streets over time. Access to individual properties can be appropriately managed at the same time as providing attractive pedestrian-friendly streetscapes along collector and arterial streets. Since a densely-gridded street system is desired in the Southeast Area, intersection spacing on higher order streets will be controlled through use of medians to control turning movements rather than increasing block lengths.

The use of residential through-lots should occur only when no other site design options are available. Such through-lots tend to produce an undesirable walking environment by creating the need to "wall-off" the street with tall fencing or walls at the right-of-way line. In addition, walled-off neighborhoods or commercial centers do not promote community-building. An even poorer condition is created when through-lot development is located adjacent to or interspersed with front-facing development along the same street.

The City currently does not require abutting residential property owners to maintain landscape areas in rights-of-way along collector and arterial streets, including the area between the sidewalk and the fencing or the street trees and landscaping within the planter strips. Abutting property owners often have no access to maintain such areas. In the Southeast Plan Area, creation of these situations should be avoided by use of site design and street layouts that do not require through-lots or the need for tall fencing along the right-of-way line. The most desirable pedestrian-friendly options are siting of land uses that do not require fenced areas and the use of front-facing dwellings with access from the rear, such as from alleys.

Another option is the use of frequent lower order street intersections that produce side yards abutting the higher order street. This design is less pedestrian-friendly but does not create a continuous walled effect. Other, but less desirable, options are creation of frontage streets (commercial areas) or use of shared driveways. Shared driveways are not an available option on arterial streets. ~~Depending upon the speed limit of the higher order street, which affects access spacing, the use of shared driveways could result in the need for lots wider than the maximum width permitted by the zoning district~~.

The Southeast Overlay District requires residential owners abutting collector and local streets to landscape and maintain the planter strips and any landscape area between the property line and sidewalk. When through-lots are demonstrated to be necessary, a fencing setback of at least 10 feet and full improvement of the abutting right-of-way with landscaping and irrigation is required, along with a property owners' association or another design or mechanism that will assure continued maintenance. In the Southeast Area, North Phoenix Road is the only higher order street expected to contain several abutting residential through-lots due to its higher speed limit. This design can likely be avoided elsewhere in the Southeast Area. ~~The North Phoenix Road *Arterial Street Frontage Landscaping and Vertical Separation Features* are displayed in Appendixes F and G.~~

5.7 Alleys

It is expected that alleys will serve as an important site design feature in the Southeast Area, particularly in higher density single-family and medium-density residential areas. As noted above, alleys should be utilized as an alternative to residential through-lots on collector and arterial streets. Alleys should also be utilized to enhance neighborhood appearance and residential streetscapes by placing garages to the rear of dwellings. Narrow residential lots (less than 50 feet in width) are required by the S-E Overlay District to have rear access to avoid having driveways and garages dominate the streetscape.

The City should develop standards to help alleys function correctly and in accordance with utility and service providers' needs. New alleys should be accepted as public rights-of-way when a public benefit results, such as eliminating the need for through-lots along a higher order street. Dead-end public alleys not exceeding 400 feet in length should be permitted if a public benefit for the alley can be established.

5.8 Streetscape Design

Goal: To have a streetscape in the Southeast Area designed so that streets are comfortable and convenient for all travel modes and encourage non-motor vehicle trips, and designed so that fast-moving traffic is discouraged on local streets, neighborhood collectors, and in the Commercial Center.

5.8.1 Traffic Calming

Traffic calming is necessary in areas with densely-gridded streets to preserve livability. The primary traffic calming method is use of street widths appropriate for the traffic demand and emergency access needs. Curb extensions and demarcated crosswalks should be utilized at intersections of lower order streets within the Southeast Area. Other traffic calming measures include features such as medians and raised intersections. Traffic calming measures not recommended

include stop signs, undulations, and street barriers and diverters. Traffic calming measures will generally not be included on collector or arterial streets, or other streets that are considered *Primary Emergency Response Routes*.

Intersection roundabouts should be considered when intersection controls are warranted. The Insurance Institute for Highway Safety reported that roundabouts, when compared with intersections equipped with stop signs or signal lights, can reduce injury-producing crashes by 80% and significantly reduce traffic delays. The Federal Highway Administration noted that the absence of left turns across traffic is beneficial, including eliminating the potential for head-on crashes. Lower speeds also give drivers more time to react to potential conflicts with other vehicles, and they promote smoother traffic flow. Roundabouts make pedestrian movement safer and more convenient. They are less costly over time because installation and maintenance of signals is unnecessary.

5.8.2 Right-of-Way Design

Right-of-way design in the Southeast Area is intended to be "context sensitive." This means that modifications to designs have been considered based upon the abutting planned land use. The needs of the abutting planned land use should be balanced with area-wide and citywide transportation needs. The context of the Southeast Village Center as a TOD will dictate the design of the rights-of-way in this area, and most particularly in the Commercial Center portion of the TOD. The proposed street design in the Commercial Center is described in more detail under the Streetscape Design section for Barnett Road.

~~Medford TSP Implementation Strategy 1-A(3) requires that the City maintain arterial streets to a minimum overall performance during peak travel periods meeting Level of Service (LOS) "D."~~ The City of Medford's standard is for intersections to operate with a Level of Service (LOS) "D" or better. This test usually occurs at the time facility adequacy is determined during consideration of a proposed zone change. However, future zone changes in the City will be exempt from meeting the minimum transportation LOS standard for the intersection of Stanford Avenue and Barnett Road, because Stanford Avenue within the Commercial Center is desired to have a high level of slow moving traffic.

~~Because Stanford Avenue and Barnett Road, east of Stanford Avenue, within the Commercial Center isdesired to have a high level of slow moving traffic, future zone changes in the City will be exempt from meeting the minimum LOS standard for Stanford Avenue and the alternatively designed section of Barnett Road east of Stanford Avenue, located within the Commercial Center.~~

In the Southeast Area, right-of-way landscaping, except for arterial street frontages abutting residential zones, is the responsibility of the abutting

property owner. Plans for such landscaping will be reviewed at the time of land use decision by the approving authority~~ (usually the Site Plan and Architectural Commission or Planning Commission)~~. Such plans will include planter strips and street trees, as well as any undeveloped right-of-way such as that at the back of the sidewalk. If street trees cannot be accommodated within the right-of-way, they must be provided on private property behind the sidewalk. When street designs are used that require street trees to be installed on private property, tree location and maintenance should be controlled through CC&Rs to reduce confusion over property owners' responsibilities and conflicts with public utility easements. The S-E Overlay District includes landscaping and street tree requirements. Street trees must be located so as to not conflict with pedestrian-scale streetlights or emergency vehicles. The lower branches should be at least 13.5 feet above the ground where emergency vehicles will be turning. Any landscaping must adhere to clear sight distance requirements at intersections and driveways.

5.8.3 Right-of-Way Landscaping

Right-of-way landscaping design in the Southeast Area should provide:

- A consistent and unique character that relates to the context and conditions;
- Appropriate plantings that require minimal irrigation and maintenance, including alternatives to lawn and conditions that discourage weeds (except where CC&Rs designate specific private responsibility for maintenance);
- Appropriate street trees that will provide significant prominence and shading;
- Long-term street tree and plant growth opportunities;
- Irrigation systems designed for maximize efficiency and avoiding over spray; and
- A high quality of construction and maintenance.

As noted above, right-of-way landscaping and street tree installation and maintenance responsibility is that of the abutting property owner except in major and minor arterial streets in residential zones and in median islands, where the City is responsible. In rare cases where through-lots are created along collector streets, property owners' associations will be required to maintain the fencing setback area as well as the planter strips. A landscaping and street tree design(s) for arterial street planter strips should be developed by the City for installation at the time of street improvement.

5.8.4 Street Lighting

Medford Land Development Code Section 10.495 permits the use of pedestrian-scale street lighting (used to light the sidewalk) except on collector and arterial streets. In addition, a standard streetlight (used to light the roadway) is required

to be installed at each street intersection and at any other pedestrian street crossings. The operation and maintenance costs of pedestrian-scale street lighting are charged to the benefiting property owners through a utility fee.

Such lighting is required in the S-E Overlay District on both sides of the street ~~at least~~ approximately every ~~80~~ 100 feet. They are placed within the planter strips where there are planter strips. Where there are no planter strips, they are placed on abutting private property or within extra wide sidewalks. They will be essential on certain collector and arterial streets as well, to provide the continuity and where there will be high pedestrian activity, especially in the Southeast Village Center TOD, including a portion of Barnett Road. The Code should be clarified to allow pedestrian-scale streetlights to be required where needed in the S-E Overlay District, including on collectors and arterial streets.

5.9 PEDESTRIAN/BICYCLE CIRCULATION

Goal: To have pedestrian and bicycle circulation in the Southeast Area designed so as to encourage the use of these modes for many trips within the Area and to outside destinations by making such trips convenient, safe, and pleasant.

Sidewalks

Because streets in the Southeast Area will be highly interconnected, sidewalks should be required on both sides of all streets, including residential lanes. A residential lane, unless it is a cul-de-sac, will be just as likely as another street type to carry through pedestrian traffic. The sidewalk should not end abruptly when a residential lane is reached. In high pedestrian areas, where on-street parking is located within the right-of-way, such as the Commercial Center, extra-wide sidewalks with tree wells and grates should be used in lieu of landscaped planter strips.

5.9.1 Accessways

Accessways are off-street public rights-of-way. They are not the same as pedestrian walkways or sidewalks. They are essentially a short shared-use path. Accessways are reserved for situations where street connections are infeasible. Since blocks will be short and the use of cul-de-sacs uncommon in the Southeast Area, accessways will be needed infrequently. They should be used with frequent spacing, however, where there are long blocks in steeply sloped areas, and for connections to uses such as schools, parks, civic facilities, Greenways, open space, etc. Accessways may not be feasible where path grade would exceed 12 percent, but stairs should be considered as an alternative. The City standard for accessways is a 12-foot wide right-of-way with an 8-foot wide paved surface, designed to allow one end of the accessway to be seen from the other. They must be lighted. Accessways should be designed and improved in such a

way as to require little maintenance, and are maintained by the City. It is recommended that the design be amended to require paving for the full width of the accessway to avoid narrow strips of ground that must be landscaped and maintained, and that the width be reduced to ten feet.

5.9.2 Shared Use Paths

Off-street shared-use paths are used in situations where there will be very infrequent crossing of the path by driveways or street intersections. The City design is a ten foot wide paved surface within a 20 foot wide easement or right-of-way. Exacting design at driveways or street intersections is essential due to high danger for path users. Motor vehicle drivers are not accustomed to looking for bicyclists in particular if the path appears similar to a sidewalk. Shared-use paths are planned in the Southeast Area along or within Greenways. Shared-use paths should not terminate or cross streets at mid-block except on very low use streets. They should be considered for use in lieu of a required sidewalk on the side of a street abutting a Greenway. They should not be used in lieu of required bicycle lanes, as they do not accommodate fast moving bicyclists. ~~Appendixes B through E contain the planned design of the various Greenways within the Southeast Area. The reach numbers in the lower left of each figure (i.e., G-1) correspond to the reach number displayed on the *Southeast Area Neighborhood Circulation Plan Map* (Appendix A).~~

Users of the shared-use paths in the Larson Creek and North Larson Creek Greenways will be able to connect with the future Larson Creek path located west of North Phoenix Road. This path will be essential in providing an alternative to the use of Barnett Road between the Southeast Area and central Medford and the Bear Creek Greenway. The widening of Barnett Road to properly accommodate bicyclists and pedestrians is not likely to be feasible in the foreseeable future due to cost. An alternative such as the Larson Creek path is a necessity. It would also provide a means for users from elsewhere in the City to reach the Southeast Area Greenways.

Shared-use paths in Greenways are planned to extend easterly in the future beyond the current UGB to connect the Southeast Area with Chrissy Park. Such a connection could make eventual off-street access feasible further north to Prescott Park, for pedestrian and bicycle users and even equestrians.

Any paths, bridges, or right-of-way improvements within a designated riparian corridor ~~(measured 50 feet from the tops of the banks)~~ require authorization through a Conditional Use Permit. When a project is in the public interest, adverse impacts to the riparian corridor may be authorized if they can be mitigated (made up for by other actions such as habitat restoration). Habitat mitigation recommendations are obtained from the Oregon Department of Fish

and Wildlife (ODFW). City staff reviews restoration plans, with final action by the applicable City approving authority.

Where Coal Mine Road right-of-way widening and the Larson Creek Greenway would result in a potential property depth of less than 90 feet, the City should consider acquisition of the property between the right-of-way and the Greenway. Deviations in the Greenway width (meandering or reducing) to achieve lot depth should be considered only as a last resort since this stream is a designated riparian corridor intended for habitat protection.

5.10 TRANSIT

Transit service by the Rogue Valley Transportation District (RVTD) will initially be extended easterly on Barnett Road to the Commercial Center. In the future, a major transit stop or station will be provided within the Southeast Village Center TOD. For viable transit service, generally a residential density of at least seven units per acre is needed. The Southeast Village Center TOD is expected to contain over 2,000 dwelling units at build-out with a gross density of 12 units per acre or more. Since transit users are also pedestrians, the overall pedestrian-friendly design of the area will be essential in encouraging transit use. The Commercial Center Core Area (7A) should include provisions for the major transit stop.

6. PART III: STREET SPECIFIC CIRCULATION SYSTEM POLICIES AND GUIDELINES

6.1 NORTH PHOENIX ROAD

North Phoenix Road is designated a Major Arterial Street. ~~Those p~~Planned intersections with North Phoenix Road in the Southeast Plan include: ~~Cherry Lane;~~ Calle Vista Drive; Barnett Road; Creek View Drive; Shamrock Drive; and Coal Mine Road. The intersection of Cherry Lane (a major collector) with North Phoenix Road has already been completed, including signalization and the provision of pedestrian access to the park on the northeast corner.

6.1.1 Planned Intersections

~~a. **Cherry Lane with North Phoenix Road**~~
~~*Major Collector with Major Arterial*~~

~~This intersection has been relocated to improve safety and sight-distance concerns, and is planned to be signalized as a medium range project (2009-2013) in the TSP. Motor vehicle access to North Phoenix Road from the old intersection has been blocked, but a pedestrian stairway has been constructed. Most traffic at this intersection is from three directions, as~~

~~the leg of the intersection to the west terminates in a short residential cul-de-sac. Single-family development is located at three corners of the intersection, with a small park at the northeast corner. Safe pedestrian access to the park will be a concern.~~

~~b.~~a. **Calle Vista Drive with North Phoenix Road**
Standard Residential with Major Arterial

A future center median in North Phoenix Road will result in right-in/right-out only turning movements at this intersection. Single-family development is located at all corners of the intersection, including an existing historic home at the northeast corner. Completing the sidewalk and planter strip in North Phoenix Road in front of this home may be difficult due to a lack of space~~.~~; ~~H~~however, alternatives should be studied because the missing 150 foot+/- section of sidewalk will force pedestrians to use the bicycle lane in the roadway. Completion by the City of the missing 150 foot+/- sidewalk and planter strip in Calle Vista Drive at the side of the existing home should be considered, as adequate room exists.

~~c.~~b. **Barnett Road with North Phoenix Road**
Major Arterial with Major Arterial

The primary pedestrian, bicycle, and motor vehicle access to and from the Southeast Area will be via this intersection. It will function as the "gateway" to this neighborhood. The multi-modal design and improvement of the intersection will be essential in connecting the Larson Creek Shopping Center with the future Commercial Center Core Area (7A) located diagonally across the intersection. Retail commercial development will be located at three corners of the intersection with office development at the northwest corner. Widening of the intersection is planned as a ~~*medium*~~ *long range project* (~~2009~~2028-~~2013~~2038) in the TSP. Due to the potential expansive width of the intersection, designing specifically for pedestrian and bicycle friendliness will be crucial.

Note that the classification of Barnett Road transitions from a Major Arterial to a Minor Arterial about 250 feet east of North Phoenix Road.

~~d.~~c. **Creek View Drive with North Phoenix Road**
Standard Residential with Major Arterial

This intersection will provide important east-west connectivity between the Southeast Area and the remainder of the City. It will also provide the point at which users of the Larson Creek shared-use paths will cross North Phoenix Road. Single-family residential development will be located at three corners of the intersection with the Larson Creek

Shopping Center at the northwest corner. When traffic volume warrants a traffic signal at this intersection, the relocation of the signal from the center point of the Larson Creek Shopping Center to this intersection will be necessary. However, new homes to the east will generate pedestrian and bicycle traffic crossing North Phoenix Road at this intersection to access the shopping center before signalization of the intersection. When the signal is relocated, the center point access to the shopping center will be redesigned to limit turning movements to right in/right out. Pedestrian and bicycle traffic continuing to cross at this location from the Southeast Area may be an issue.

~~e.~~d. **Shamrock Drive with North Phoenix Road**
Standard Residential with Major Arterial

This intersection will be realigned to coincide with Shamrock Drive on the west side. A future center median in North Phoenix Road will result in right-in/right-out only turning movements at this intersection. Commercial development is to be located at the southeast corner of the intersection and high density residential development at the northeast corner, with existing single-family development to the west. This intersection will be located at the top of a rise resulting in possible visibility issues.

~~f.~~e. **Coal Mine Road with North Phoenix Road**
Major Collector with Major Arterial

This intersection will be relocated to coincide with Juanipero Way in conjunction with development of the area north of Coal Mine Road, and will be signalized when warranted. This intersection will provide indispensable east-west connectivity between the Southeast Area and the remainder of the City. This major collector street (Black Oak Drive/Juanipero Way/Coal Mine Road) will provide a needed alternative to the use of Barnett Road for east-east travel. High density residential development approved as part of the Stonegate Estates Planned Unit Development ~~will be~~ is located at the northeast corner of the intersection, and single-family development at the southeast and northwest corners. The ~~with the southwest corner outside the UGB~~southwest corner is the Centennial Golf Club property.

6.1.2 Streetscape Design

Consistent treatment of this major street frontage is important. The frontage treatment should avoid the appearance of a walled, or separate, community. The City is responsible for the installation and maintenance of the improvements in the planter strips and medians along North Phoenix Road, including street

lighting and street trees. A consistent design should be developed for the planter strips and medians. Installation of landscaping shall occur at the time the improvements are constructed. Pedestrian-scale street lighting is desirable abutting the Commercial Center Core Area (7A) near the Barnett Road intersection and in other high pedestrian areas.

~~To comply with the requirement for a *vertical separation feature*, the typical street frontage treatment for residential through-lots abutting the east side of the North Phoenix Road right-of-way north of Barnett Road is five feet of wrought iron fencing atop a three-foot stucco wall, engineered to stand straight, with landscaping behind, to complete a total of eight feet of in height to buffer the adjacent residential lots (Appendix G, *Street Frontage Landscaping and Vertical Separation Feature "B"*). The typical street frontage treatment for residential through-lots abutting the east side of the North Phoenix Road right-of-way south of Barnett Road is a landscaped strip 20 feet in width outside the right-of-way, consisting of a four-foot berm with landscaping on top totaling at least eight feet in height (Appendix F, *Street Frontage Landscaping and Vertical Separation Feature "B"*). Any fencing is to be located on private property beyond the 20-foot area. Such features are to be located entirely on private property.~~

The City should fill in gaps in sidewalks and planter strips along the east side of North Phoenix Road adjacent to pre-existing development expeditiously as areas develop so that pedestrians are not forced to walk in the bicycle lanes when a sidewalk ends abruptly.

Minor street and driveway intersections with North Phoenix Road will be limited to right-in/right-out turning movements, including the existing Harbrooke Road, through the installation of median islands. The design of the medians should be consistent with the existing median (concrete with trees in tree wells).

6.2 ~~Barnett Road~~BARNETT ROAD

Barnett Road is designated a Major Arterial Street from its intersection with North Phoenix Road, 250 feet east; and then a Minor Arterial Street to the east. Those planned intersections with Barnett Road in the Southeast Plan include: Stanford Avenue; ~~Collector Street A~~ Lone Oak Drive; Standard Residential Street B; and a Future Collector Street ~~Outside East UGB~~.

6.2.1 Planned Intersections

~~g.~~f. **Stanford Avenue**
Major Collector (south)/Commercial Street (north) and Minor Arterial

This signalized intersection will be the key intersection in the town center, Commercial Center Core Area (7A). The intersection must be

located to the east of the US Sprint Communications facility due to the location of underground facilities that may be too costly to move. The intersection will have retail buildings close to the street on all corners and will convey the identity and character of entire town center. It will have on-street parking and features to aid in pedestrian crossing, such as curb extensions and medians. Short pedestrians crossing of no more than 50 feet are needed in town centers. These must be designed so as to facilitate emergency vehicle movement due to the close proximity of the fire station. The Commercial Center Core Area (7A) will extend approximately 300 to 400 feet east of the intersection. Stanford Avenue to the south of the intersection will contain bicycle lanes, but to the north will not. The intersection must be designed to convey to all users the location, in all four directions, where bicyclists are to be expected.

~~h.~~g. ~~**Collector Street A**~~ **Lone Oak Drive**
Major Collector with Minor Arterial

This intersection will be located east of the southerly curve in Barnett Road. Its location will be affected by the ~~location of Collector Street A on the~~ large hill to the south of Barnett Road. Lone Oak Drive ~~The Collector Street A~~ will bend around to the west of the top of the hill, generally following the elevation contour lines. The intersection will have high density residential uses on ~~the~~ both sides of Barnett Road. The high density designation has been placed on the south side of the Arterial Street to allow for site design that assures pedestrian friendliness along the frontage and avoids though-lots.

~~i.~~h. **Standard Residential Street B**
Major Collector with Minor Arterial

There will be high density residential uses on the west corners of this intersection, with medium density residential to the northeast, and rural uses on the southeast corner outside the UGB. This Standard Residential Street B will serve a park and school to the north of Barnett Road and connect with Creek View Drive to the south of Barnett Road.

~~j.~~i. **Future Collector Street** ~~**Outside the East UGB**~~
Minor Collector with Minor Arterial

~~If this Future Growth Area is added to the UGB, t~~This intersection will generally be located ~~east of the current UGB and~~ west of the crossing of North Larson Creek by Barnett Road, to achieve a Collector Street spacing of approximately one-quarter to one-half mile. The future abutting land uses are unknown.

6.2.2 Streetscape Design

~~To achieve c~~Commercial zoning on both sides of Barnett Road~~, which~~ will be essential to creating a town center. ~~, Barnett Road will be curved northward through the commercially designated area, where the City will acquire a new right-of-way. The realignment will initiate at the intersection with Stanford Avenue as East Barnett Road extends through Commercial Center Area 7B. This will provide a commercial lot depth of approximately 250 feet.~~ The recommended speed in town centers is 25 mph. Stanford Avenue, north of East Barnett Road, will also be constructed as a commercial street with retail shops and parking on both sides.

A high volume of slow moving traffic is critical to a successful retail main street. A lowered design speed will allow smaller main street style businesses to capture traffic without long frontages or large signs (Lennertz-Coyle Commercial Center Plan).

The ~~Scottish Rite Lodge~~ Rogue Credit Union site has been changed to a commercial (CM) GLUP Map designation to provide a consistent commercial designation on both sides of the street at this gateway entry into the Southeast Village Area. Since there will be on-street parking in the town center, extra wide sidewalks (15+/- feet) with tree wells should be used in lieu of planter strips. Bicyclists should not be permitted on the sidewalks in the Commercial Center. The fire station should retain its frontage on Barnett Road due to the value of having a striking civic building at this location. It will be essential that proper access and traffic signals are provided for quick response from the fire station in all directions.

The City will be responsible for the installation and maintenance of the landscaping in the planter strips on Barnett Road only where abutting residential zones. A consistent design should be developed for the Commercial Center, including pedestrian-scale streetlights. A consistent design for landscaped medians for which the City will be responsible should also be developed. Where on-street parking is planned in the Commercial Center, street trees will be located in extra wide sidewalks in lieu of planter strips. The special cross section for Barnett Road, including on-street parking, should extend from its intersection with Stanford Avenue to the easterly edge of the Commercial Center designation ~~(Appendix H, East Barnett Road Cross Section)~~.

Where Barnett Road abuts the UGB, most of the future widening of the right-of-way to 78 feet in width will take place on the side of the street opposite the UGB. The ultimate cross section, until such time the UGB may be relocated, will include sidewalks and planter strips on the City side only, with bicycle lanes on both sides. Where planter strips are planned, a consistent landscape design

should be developed. It is not expected that land uses along Barnett Road (mostly commercial and higher density residential) will require the use of fencing or walls along the right-of-way. The higher density residential designations to the north of the street have been carried to approximately 100 feet south of the right-of-way to assure that similar land use types are facing one another, and to avoid the need for though-lots. It is expected that intersections along Barnett Road in the Southeast Plan Area will be more frequent and controlled with medians.

6.3 CHERRY LANE

Cherry Lane is designated a Major Collector Street. Those planned intersections with Cherry Lane in the Southeast Plan include: Stanford Avenue; ~~Collector Street A~~ Lone Oak Drive; Standard Residential Street B; and Future ~~Collector~~ Standard Residential Streets ~~Outside East UGB~~.

6.3.1 Planned Intersections

a. **Stanford Avenue**
Standard Residential with Major Collector

This intersection ~~will~~ provides direct access from the Hillcrest Road area to the Southeast Commercial Center. There ~~will~~ are ~~be~~ large lot single-family uses on all corners. The newer lots on the south corners ~~will~~ have access from Stanford Avenue. The lots with existing single-family homes on the north side currently have roadside ditches and no adjacent street improvements.

b. **~~Collector Street A~~ Lone Oak Drive**
Major Collector with Major Collector

This will be a T-intersection. The Southeast Plan has envisioned ~~Collector Street A~~ Lone Oak Drive as the major connector running through the heart of the plan area. It will have distinctively landscaped medians. There will be large lot single-family uses on all corners of this intersection.

c. **Collector Street C**
Minor Collector with ~~Minor Arterial~~Major Collector

The leg of this intersection north of Cherry Lane will be a Standard Residential Street. Curb extensions like those on Mary Bee Lane will slow vehicles coming down the hill. The intersection will have high density residential on the south corners and large lot single family on the north corners. The need for C Street to be a Collector would only be realized if

the Future Growth Area to the south is added to the UGB for development, in which case, the street would extend to Coal Mine Road.

d. **New Standard Residential Street B**
Standard Residential with ~~Minor~~ Major Collector

This intersection will have larger lot single-family uses on the southerly corners and medium density residential on the northerly corners.

e. **Future Standard Residential Streets ~~Outside East UGB~~**
Standard Residential with Major Collector

Due to the curving nature of Cherry Lane in this location, these intersections will likely be T-intersections. They will have medium density residential uses on the northerly side and unknown land uses on the south corners.

f. **Shared Use Paths**
There are two locations where shared use paths are proposed to intersect with, or cross, Cherry Lane. To be designed for safety, users should be directed to safe crossing points, usually at controlled intersections.

6.3.2 Streetscape Design

Site design along Cherry Lane will have residential lots and dwellings fronting on the street. This will be accomplished through use of alleys or shared driveways. The use of side yards is also acceptable. Alternative designs in the medium and high density areas (Areas 3 and 4) may be acceptable; however, designs requiring fencing near the right-of-way will comply with the fencing setback and landscaping requirements of the S-E Overlay District. Cherry Lane will not contain on-street parking. Center medians or islands will be utilized as needed to control turning movements at intersections.

The City will strive to complete the street improvements in front of existing homes expeditiously, including sidewalks, planter strips, pedestrian scale street lighting where appropriate, street trees, and bicycle lanes. ~~Because a portion of the edge of the current Cherry Lane right-of-way serves as the UGB, in this area, much of the future widening of the Cherry Lane right-of-way to 74 feet in width will take place on the side of the street opposite the UGB.~~ The ultimate cross section~~, until such time the UGB may be relocated,~~ will include sidewalks and planter strips ~~on the City side only~~, with bicycle lanes on both sides. Along the street frontage where the street ~~and the UGB~~ abuts the city owned Chrissy Park, the right-of-way will be designed to facilitate safe and convenient pedestrian and bicycle use of the park as well as an enhanced streetscape.

Abutting property owners will be responsible for the landscaping and maintenance of planter strips. The City will be responsible for the landscaping and maintenance of right-of-way medians or islands.

6.4 COAL MINE ROAD

Coal Mine Road is designated a Major Collector Street. Those planned intersections with Coal Mine Road in the Southeast Plan include: Stanford Avenue; Collector Street A; and Standard Residential Street B.

6.4.1 Planned Intersections

~~k.~~j. **Stanford Avenue**
Major Collector with Major Collector

This will be a T-intersection with the possibility of Stanford Avenue being extended to the south if the Future Growth Area is added to the UGB. There will be a shared-use Greenway path crossing Stanford Avenue at the intersection. The land uses will be single-family at the northwest corner of the intersection, Greenway at the northeast corner, and rural outside the UGB to the south. A Conditional Use Permit will be required for the Stanford Avenue crossing of the riparian corridor and associated wetland near the intersection. Sidewalks, or shared use Greenway paths in lieu of sidewalks, and planter strips will be constructed on the north side only of Coal Mine Road unless, or until, the UGB is expanded to the south.

~~l.~~k. ~~**Collector A street**~~**Lone Oak Drive**
Major Collector with Major Collector

This will be a T-intersection with the possibility of ~~Collector A Street~~ Lone Oak Drive being extended to the south if the Future Growth Area is added to the UGB. There will be a shared use Greenway path crossing ~~Collector A Street~~ Lone Oak Drive at the intersection. The land uses at this intersection will be Greenway on the north side and rural outside the UGB to the south. ~~Collector A Street~~ Lone Oak Drive will serve a future park and school to the north. The intersection will be in the riparian corridor requiring a Conditional Use Permit. Sidewalks, or shared use Greenway paths in lieu of sidewalks, and planter strips will be constructed on the north side only of Coal Mine Road unless, or until, the UGB is expanded to the south.

~~m.~~l. **Standard Residential B Street**
Standard Residential with Major Collector

This will be a T-intersection with the possibility of the street being extended to the south if the Future Growth Area is added to the UGB. The intersection will have single-family uses on the northwest corner and will be located on the UGB line to the east and south, with rural uses outside the UGB. The Standard Residential B Street will extend north beyond Barnett Road nearly to Shamrock Drive if properties in the Future Growth Area to the north are included in the UGB in the future.

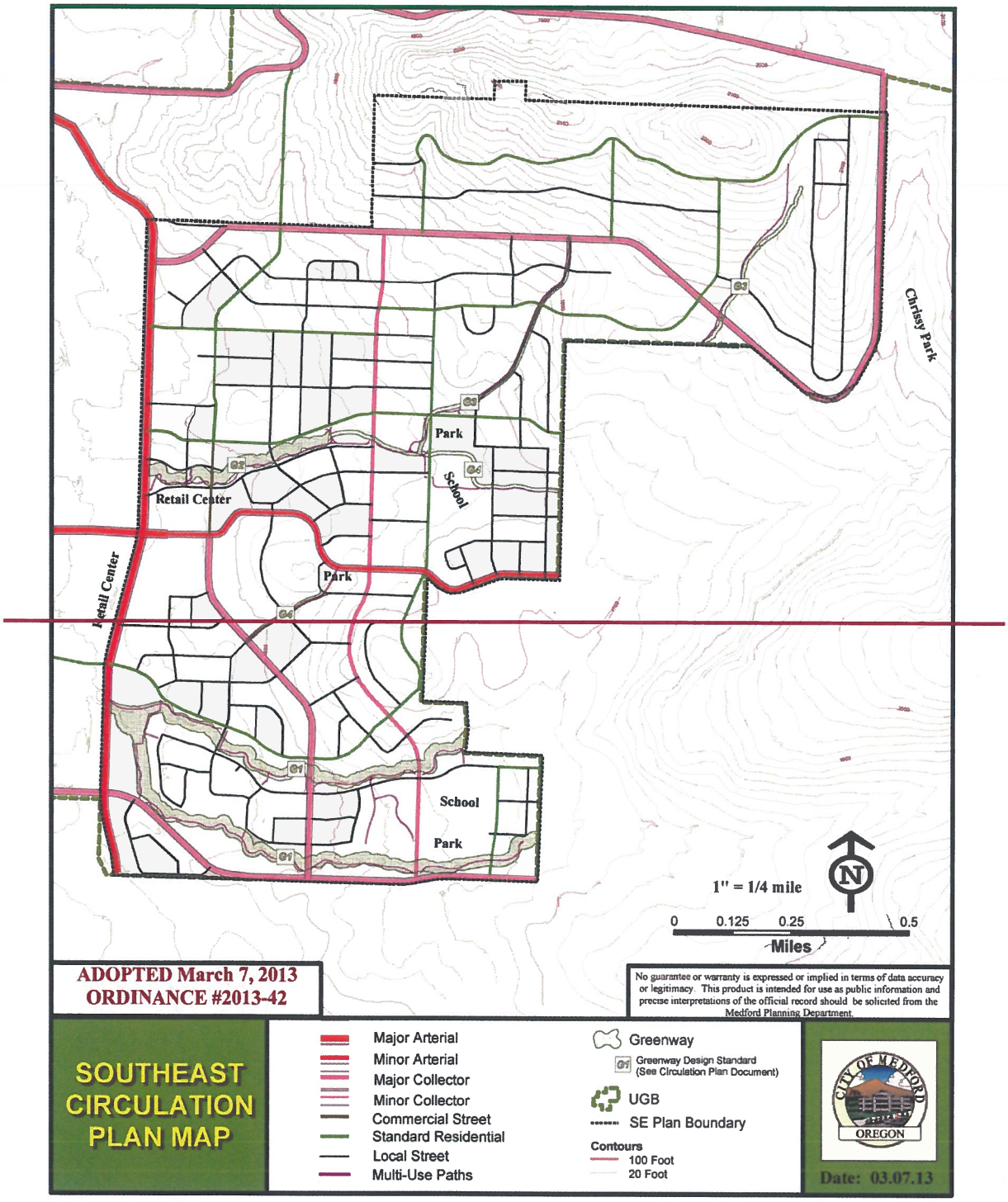
6.4.2 Streetscape Design

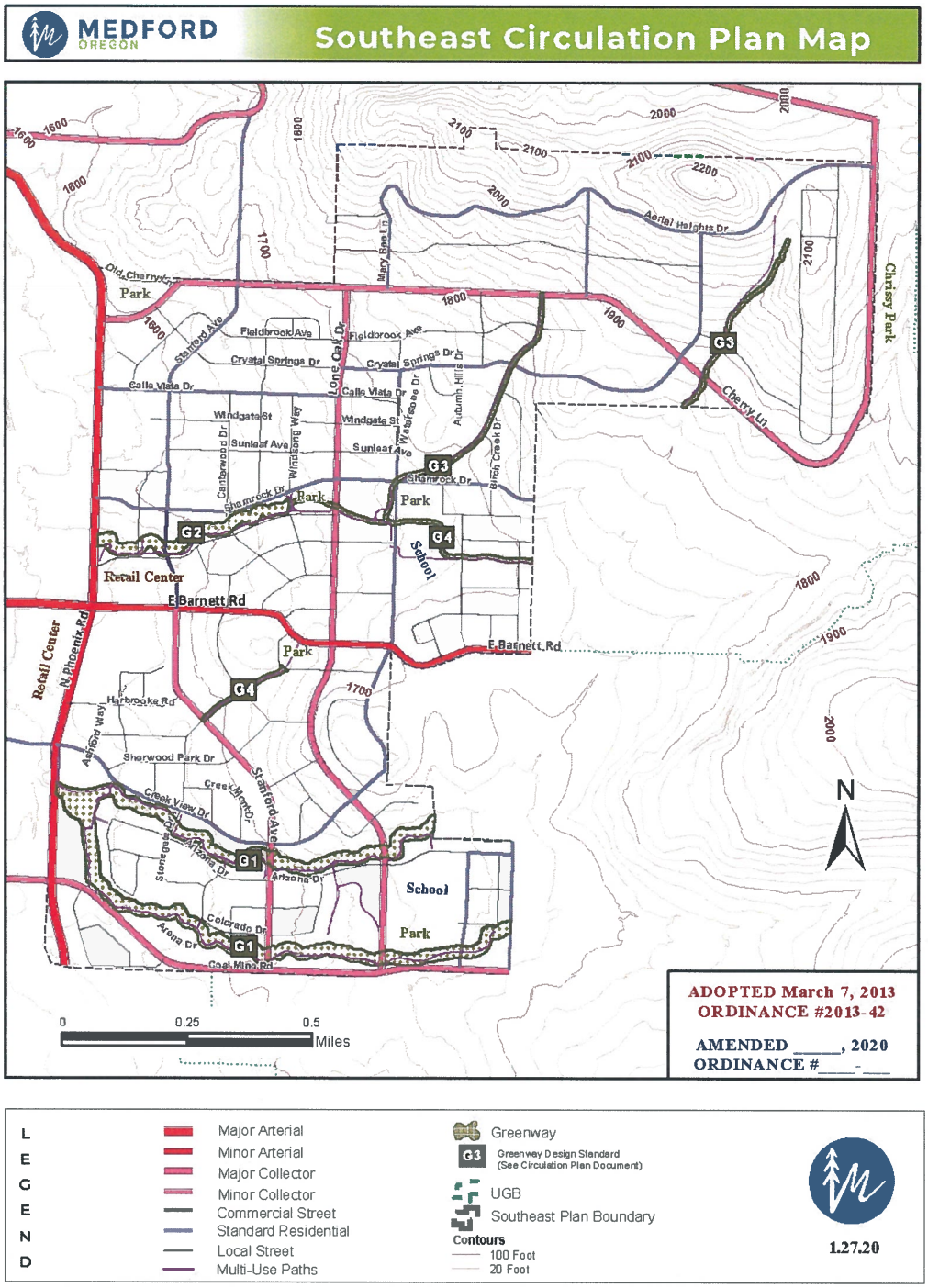
Except where the Greenway or other public facilities abut the street, site design along Coal Mine Road will have residential lots and dwellings fronting on the street. This will be accomplished through use of alleys or shared driveways. The use of side yards is also acceptable. Coal Mine Road will not contain on-street parking. The City will strive to complete the street improvements in front of existing homes inside the UGB expeditiously, including sidewalks, planter strips, pedestrian-scale street lighting, street trees, and bicycle lanes. Because the edge of the southerly right-of-way serves as the UGB, most of the future widening of the right-of-way to 74 feet in width will take place on the north side of the street opposite the UGB. The ultimate cross section, until such time the UGB may be relocated, will include sidewalks and planter strips on the City side only, with bicycle lanes on both sides. Abutting property owners will be responsible for the landscaping and maintenance of planter strips.

A pedestrian crossing at a street intersection should be provided from the proposed development south of the relocated Coal Mine Road to the future Greenway shared use path. Any shared use paths in the Larson Creek Greenway should connect to the future intersection of Coal Mine Road/Juanipero Way and North Phoenix Road. Any shared use paths in the Larson Creek Greenway should cross the Collector Streets at controlled intersections or otherwise be designed for safe crossing. Residential lots should not backup to the Greenway unless no other options are available. Where the Larson Creek Greenway abuts Coal Mine Road, a shared use path may be constructed within the Greenway outside of the right-of-way in lieu of the sidewalk. Streetscape features, including street trees and pedestrian street lighting where appropriate, will still be required within the right-of-way in conformance with the Medford Municipal Code. Pedestrian and bicycle access to North Phoenix Road should be preserved along the old Coal Mine Road alignment.

APPENDIX A

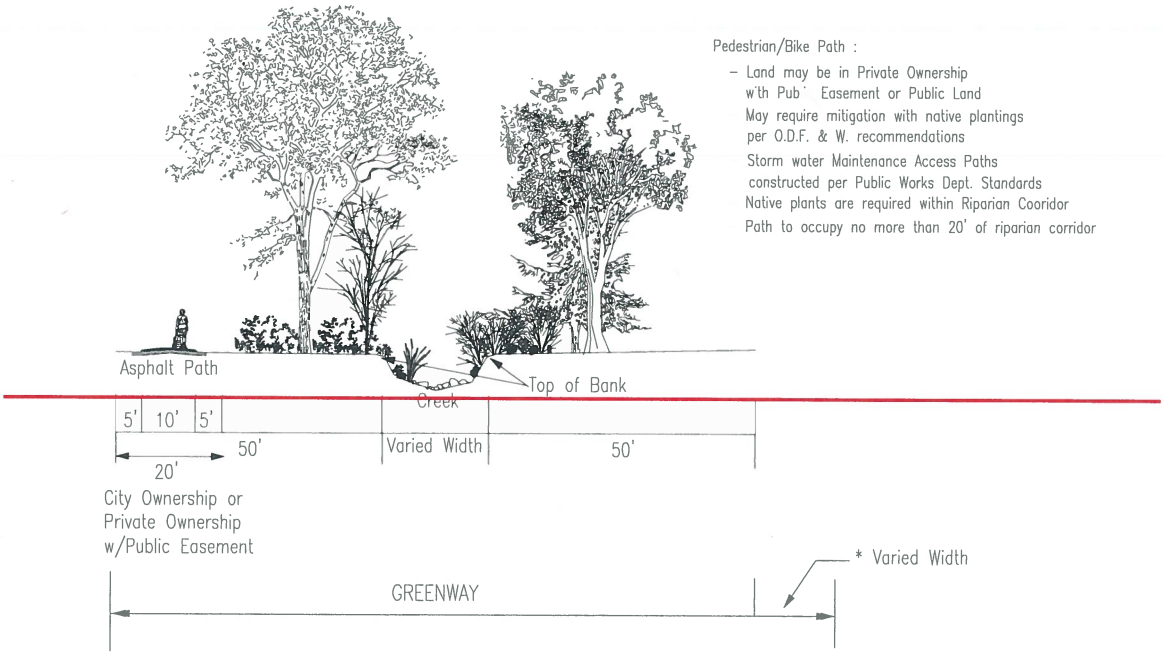
~~Southeast Area Neighborhood Circulation Plan Map~~




MEDFORD OREGON
Southeast Circulation Plan Map
Aerial Heights Dr
Old Cherry Dr
Park
Stanford Ave
Fieldbrook Ave
Crystal Springs Dr
Calle Vista Dr
Windgate St
Sunleaf Ave
Lone Oak Dr
Mary Bee Ln
Wesleyane Dr
Autumn Hills Dr
Birch Creek Dr
Canterwood Dr
Windsong Way
Shamrock Dr
Cherry Ln
Chrisey Park
G1
G2
G3
G4
Retail Center
E Barnett Rd
N Phoenix Rd
Harbrooke Rd
Ashford Way
Sherwood Park Dr
Creek Mont Dr
Creek View Dr
Stonegate Dr
Arizona Dr
Colorado Dr
Arena Dr
Coal Mine Rd
School
N
0 0.25 0.5 Miles
ADOPTED March 7, 2013
ORDINANCE #2013-42
AMENDED _____, 2020
ORDINANCE #_____-____
LEGEND
Major Arterial
Minor Arterial
Major Collector
Minor Collector
Commercial Street
Standard Residential
Local Street
Multi-Use Paths
Greenway
G3 Greenway Design Standard (See Circulation Plan Document)
UGB
Southeast Plan Boundary
Contours
100 Foot
20 Foot
1.27.20

~~APPENDIX B~~

~~Major Greenway, Riparian Corridor (G-1)~~



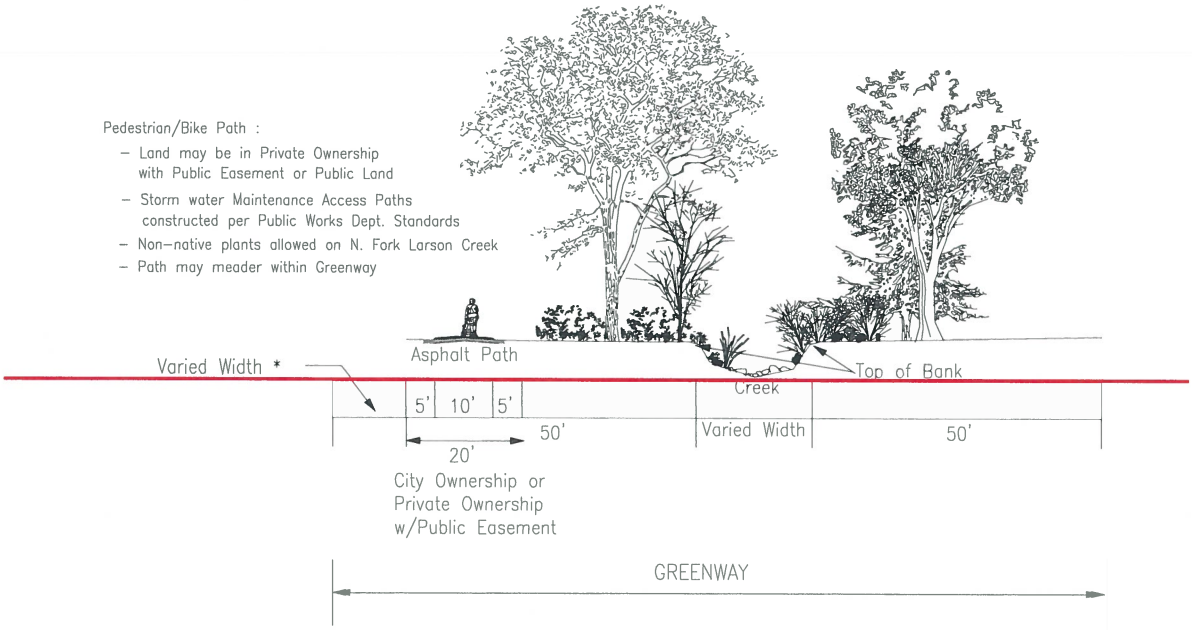
* Protions of Greenway may exist outside of the Riparian Corridor

G 1 Major Greenway– Riparian Corridor

City of Medford Greenway Detail

~~APPENDIX C~~

~~Major Greenway, Not Riparian Corridor (G-2)~~



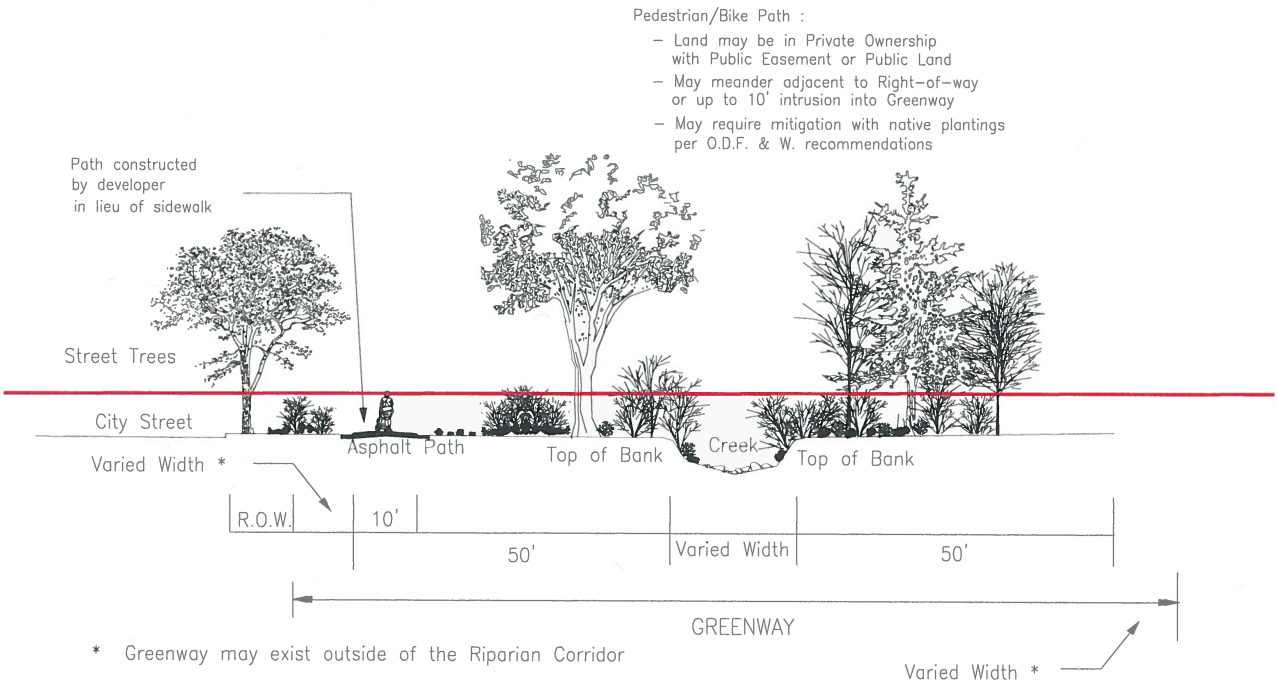
* Protions of Greenway may extend beyond 50' from top of bank

G 2 Major Greenway– Not riparian corridor

City of Medford Greenway Detail

~~APPENDIX D~~

~~Major Greenway, Path in lieu of Sidewalk (G-AH)~~



* Greenway may exist outside of the Riparian Corridor

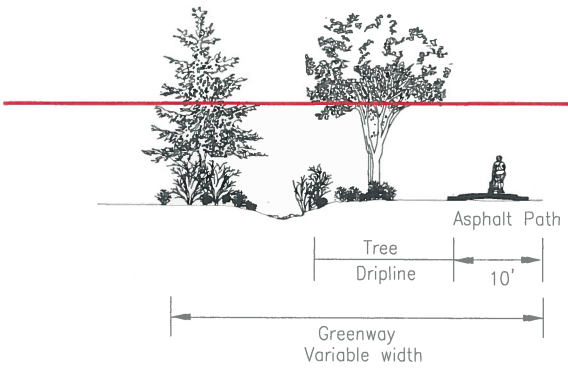
G Alt Major Greenway, Path in Lieu of Sidewalk
City of Medford Greenway Detail

~~APPENDIX E~~

~~Minor Greenway (G-3 and G-4)~~

Pedestrian/Bike Path :

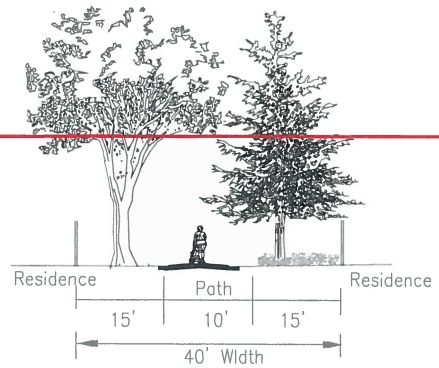
- Land may be in Private Ownership w/Public Easement or Public Land
- Native planting reccommended
- Errosion control per City Engineering Dept.
- Construct path out from existing tree's drip line



G 3 Minor Greenway w/surface drainage
City of Medford Greenway Detail

Pedestrian/Bike Path :

- No surface drainage pre-existing
- All new trees to be planted close enough to eventurally grow over the asphalt path
- Native or non-native plantings

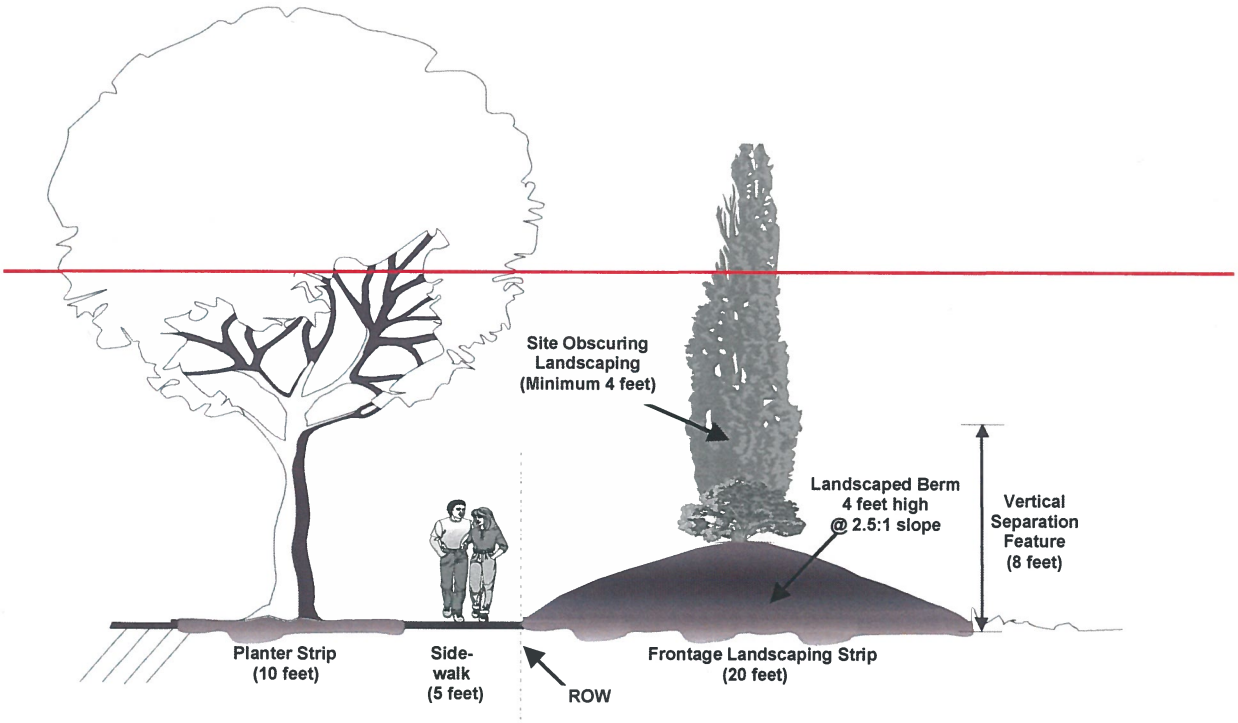


G 4 Minor Greenway w/out surface drainage
City of Medford Greenway Detail

~~APPENDIX F~~

~~North Phoenix Road~~

~~Arterial Street Frontage Landscaping and Vertical Separation Feature "A," For Residential Development~~



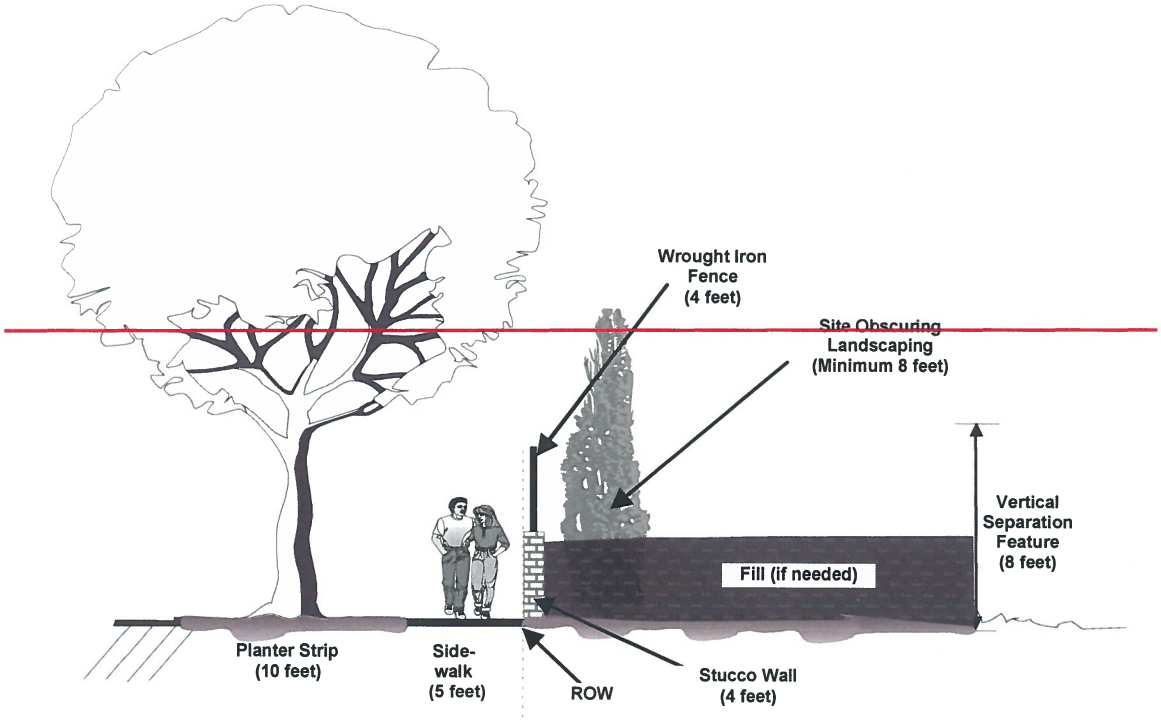
~~For the east side of North Phoenix Road,~~
~~between Barnett Road and Coal Mine Road~~

~~(to fulfill the requirements of MLDC Section 10.797(2))~~

~~APPENDIX G~~

~~North Phoenix Road~~

~~Arterial Street Frontage Landscaping and Vertical Separation Feature "B," For Residential Development~~



~~For the east side of North Phoenix Road, between Barnett Road and Old Cherry Road~~

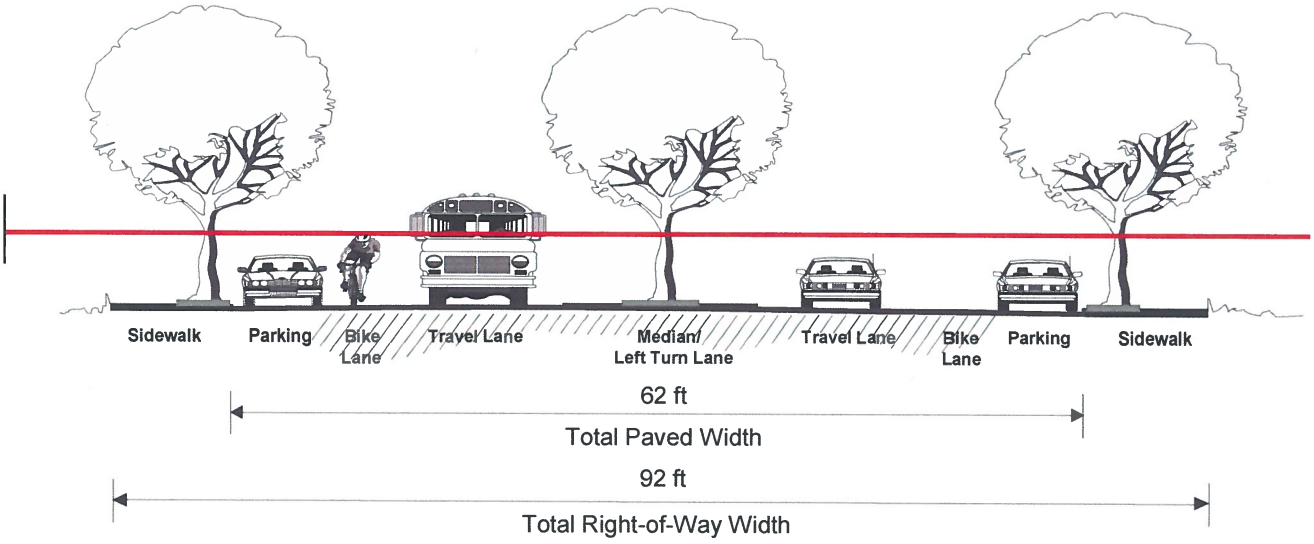
~~(to fulfill the requirements of MLDC Section 10.797(2))~~

~~APPENDIX H~~

~~East Barnett Road~~

~~Cross Section in Southeast Commercial Center,~~

~~Beginning at Intersection with Stanford Avenue~~



* * *

SOUTHEAST PLAN—GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 1: To assure that development in the SE Area occurs in a manner that reduces reliance on automobile travel within the area and promotes multi-modal travel, including pedestrian, bicycle and transit.

Policy 1-A: The City of Medford shall assure that circulation and development design in the SE Area emphasizes connectivity and promotes multi-modal transportation viability.

> **Implementation 1-A(1):** Do not allow private streets to prevent vehicular or pedestrian connectivity or public access to greenways, parks, schools, or other activity centers.
>
> **Implementation 1-A(2):** Discourage gated or "dead-end" developments because they prevent connectivity and neighborhood formation. Require adjacent developments to integrate with one another.
>
> **Implementation 1-A(3):** Assure that development design and street improvements on North Phoenix Road promote non-vehicular access across this major arterial at intersections.
>
> **Implementation 1-A(4):** Discourage development site design along collector and arterial streets from creating a "walled" effect near the sidewalk.
>
> **Implementation 1-A(5):** Encourage the Rogue Valley Transportation District (RVTD) to serve the SE Area with transit service as soon as feasible.

Policy 1-B: The City of Medford shall assure that the Village Center is developed as a pedestrian-oriented, mixed use, higher density central core (Transit Oriented District) for the SE Area.

> **Implementation 1-B(1):** Require special design for development within the Village Center, affecting such elements as building location and orientation, lighting, signage, parking, outdoor storage and display, greenway/wetlands treatment, etc.
>
> **Implementation 1-B(2):** Limit the commercial zoning districts and permitted uses within the commercial portion of the Village Center to assure pedestrian-oriented development.
>
> **Implementation 1-B(3):** Require master planning of the entire Commercial Center Core Area of the Village Center prior to development approval.
>
> **Implementation 1-B(4):** Promote the location of public and quasi-public uses within the Village Center, such as a fire station, day care center, community center, church, park, public plaza, etc.

Policy 1-C: The City of Medford shall support the location of small neighborhood commercial sites in the SE Area outside the Village Center.

Goal 2: To assure that development in the SE Area occurs in a manner that preserves its abundant natural features and resources.

Policy 2-A: The City of Medford shall strive to provide a system of interconnected open spaces in the SE Area utilizing drainage ways and stream corridors open to public view and access.

> **Implementation 2-A(1):** Accentuate drainage ways and stream corridors by locating street rights-of-way collinear and adjacent to them in order to open them for public view and access. Such placement should be outside the Greenway, should not disturb the riparian area, and should be in conjunction with enhancement and/or restoration. Creekview Drive in particular should be so located in relation to the North Fork of Larson Creek.

Policy 2-B: The City of Medford shall strive to protect natural features and resources in the SE Area, including restoration when necessary.

> **Implementation 2-B(1):** Encourage clustered development to avoid alteration of important natural features.
>
> **Implementation 2-B(2):** Apply best management practices for private and public development activities that affect streams, drainage ways, and wetlands, including reducing impervious surfaces so that runoff is slowed and filtered.
>
> **Implementation 2-B(3):** Require hillside development to meet stringent standards limiting grading and vegetation disturbance, and minimizing visual intrusion.
>
> **Implementation 2-B(4):** Require tree preservation plans indicating existing trees of more than six inches in diameter, in conjunction with development applications.

Policy 2-C: The City of Medford shall pursue the continuing evaluation of the SE Area's natural resources to determine which should be protected by permanent use restrictions or public ownership, and which can be included in environmentally sensitive development.

Goal 3: To provide for the implementation of the Southeast Plan.

Policy 3-A: The City of Medford shall use zone change procedures as the timing mechanism to control development within the SE Area, based upon the availability and adequacy of public facilities and services, as required by the *Medford Comprehensive Plan* and *Medford Land Development Code*. However, future zone changes in the City will be exempt from meeting the minimum transportation LOS standard for the intersection of Stanford Avenue ~~and the alternatively designed section of~~ Barnett Road, ~~east of Stanford Avenue located within the Southeast Commercial Center~~ because Stanford Avenue within the Commercial Center is desired to have a high level of slow moving traffic.

Policy 3-B: Where a street functions as the boundary separating two land use designations or categories in the SE Area, changes to the street location resulting from planning actions shall shift

the designations or categories accordingly. Encourage similar land use types to be located facing one another across streets with changes in land use types occurring at the backs of lots where possible.

Policy 3-C: The City of Medford shall pursue the future adoption of regulations and design criteria that promote transportation oriented design in the SE Area pursuant to the recommendations of the *Rogue Valley Regional Transportation Plan*, the *Medford Transportation System Plan*, and other plans as adopted.

Policy 3-D: The City of Medford shall assure that notice is provided to the Medford and Phoenix-Talent School Districts that land designated for future schools and/or parks in the SE Area may be acquired by the City or school district for such purposes. The City shall notify the applicable school district of pending development permit applications on such land. The City shall not withhold the approval of zoning or development permit applications solely on the basis that a school district or the City has not acquired title to the property. Nothing in this policy prohibits the location of a school or park from changing.

Policy 3-E: The City of Medford shall seek to expend parks systems development charges (SDCs) collected within the SE Area on park-related improvements within the same SE Area.

* * *

* * *

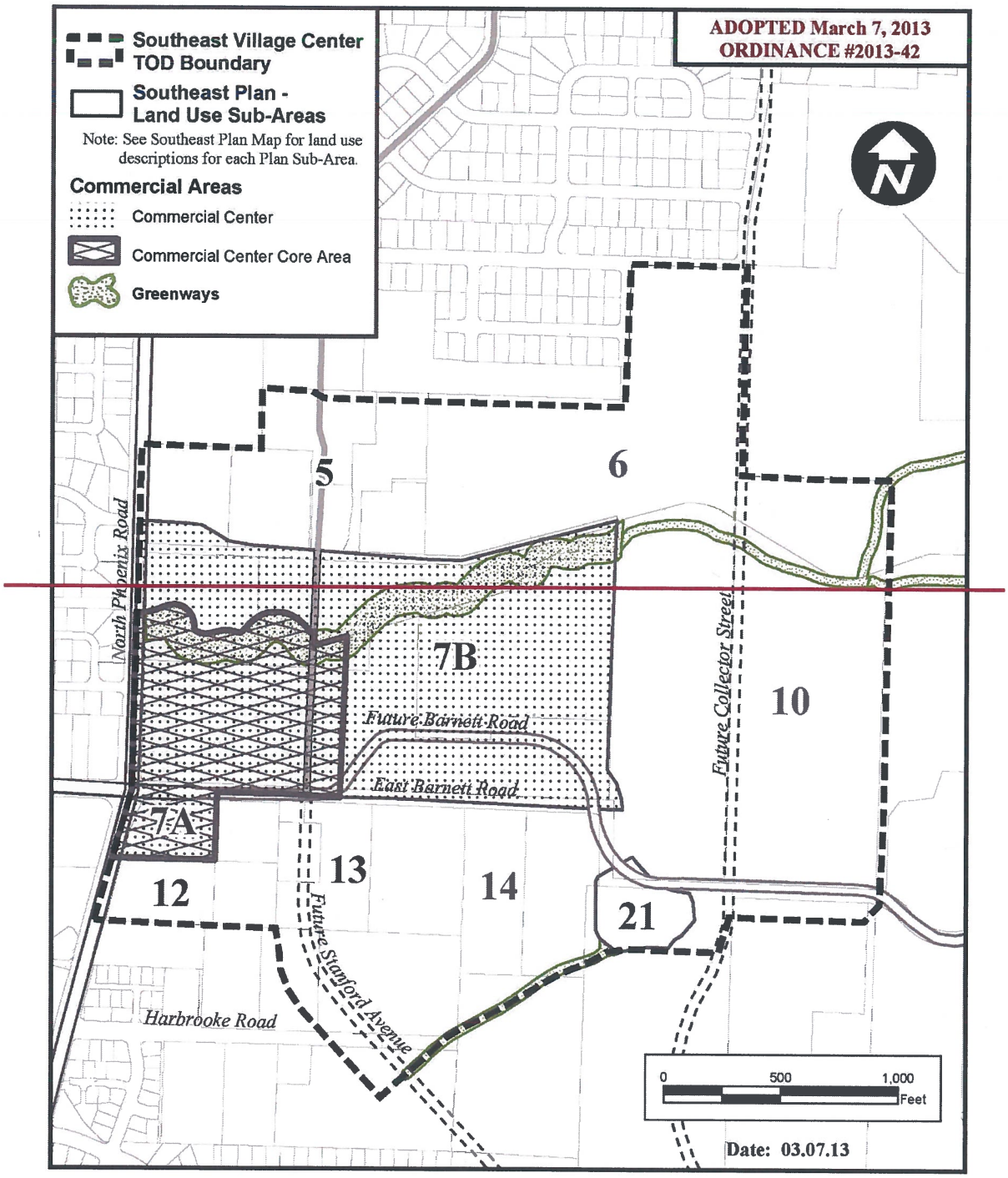
SOUTHEAST OVERLAY DISTRICT

10.370 **Objectives of the Southeast (S-E) Overlay District.**
The Southeast (S-E) Overlay District is intended to:
A. Assure that land use and development occur in accordance with the *Medford Comprehensive Plan* – Southeast Plan section;
B. Establish land use patterns and development design that emphasizes transportation connectivity and promotes viability for many modes of transportation;
C. Establish a Southeast Village Center with commercial, institutional, and residential uses, and provide standards and incentives for compact, pedestrian-oriented, mixed-use development in the Southeast Village Center;
D. Require coordinated planning of the Southeast Plan Area, and encourage the development of neighborhoods with a cohesive design character;
E. Establish special design and development standards for streetscapes, building orientation, setbacks, building height, access, lot coverage and density, and the use of greenways, alleys, street trees, and pedestrian street lighting;
F. Provide a mix of compatible housing types at planned densities~~, including in Planned Unit Developments (PUDs)~~;
G. Preserve natural waterways and other natural resources while providing routes for pedestrian and bicycle travel;
~~H. Require approval of most development through the Planned Unit Development (PUD) regulations in order to coordinate planning of designated areas of the Southeast Plan Area, including the Southeast Village Center.~~
[Amd. Sec. 2, Ord. No. 2004-258, Dec. 16, 2004.]

10.371 **Scope and Applicability of Southeast (S-E) Overlay District Regulations.**
A. Application: The S-E Overlay District applies automatically upon annexation to the City of Medford to parcel(s) located within the Southeast Plan Area designated on the City of Medford General Land Use Plan Map. Land use and development within the S-E Overlay District shall conform to the S-E Overlay District regulations, in addition to all other applicable City regulations.
B. Adjustments: The boundaries of the S-E Overlay District may be adjusted by the City Council in conjunction with amendments of the Southeast Plan Map according to Comprehensive Plan amendment procedures found in Section 10.214 – 10.228.
[Amd, Sec. 2, Ord. No. 2004-258, Dec. 16, 2004; Amd. Sec. 12, Ord. No. 2011-196, Oct. 6, 2011; Amd. Sec. 148, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.372 **General Land Use Plan Map and Southeast Plan Map Consistency, S-E.**
Within the S-E Overlay District, the Medford General Land Use Plan (GLUP) Map is further refined by the Southeast Plan Map adopted as part of the *Medford Comprehensive Plan*. Within the S-E Overlay District, the Southeast Plan Map shall determine GLUP Map consistency for purposes of zoning and zone changes. ~~See Figure 10.372 for the location of the Southeast Village Center, the Commercial Center (Areas 7A and 7B), and the Commercial Center Core Area (Area 7A).~~ The zoning district(s) with which each Southeast Plan land use category is consistent, and their permitted residential density ranges, are set forth in Section 10.373.

FIG. 10.372 - SOUTHEAST VILLAGE CENTER



10.373 **General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density, S-E.**

A. The sub-areas, General Land Use Plan Map designations, Southeast Plan Map land use categories, zoning, and residential densities permitted in the S-E Overlay District are provided in Table 10.373. See Figures 10.373(A) and 10.373(B) for the location of Southeast Plan Map sub-areas.

B. Special Residential Density Provisions for the S-E Overlay District.

1. Minimum permitted residential density is 5.0 units per acre in SFR-10 for the portion(s) of a development where dwellings receive sole vehicular access from an alley.

2. Maximum permitted residential density is 36.0 units per acre in MFR-30.~~, plus the 20% density bonus permitted in a PUD.~~ Within Area 7A, residential development shall conform to Section 10.378(3).

3. When development is proposed as a PUD larger than five acres, the residential may be increased by up to 20% in accordance with Section 10.192(G)(2).

TABLE 10.373: Southeast Sub-Area, General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density

Sub-Area	General Land Use Plan Map Designation	Southeast Plan Map Land Use Category[1]	Permitted Zoning	Permitted Residential Density Range Du/Ac[3] ~~(PUD Du/Ac)[4]Permitted Residential Density Range Du/Ac[3]~~
1	UR	Estate Lot	SFR-2	0.8 to 2.0
2, 16, 17, and 20	UR	Standard Lot	SFR-4 or SFR-6	2.5 to 6.0
6, 11, and 15	UR	Small Lot	SFR-10 with alleys[2]	5.0 to 10.0[2]
			SFR-10 without alleys	6.0 to 10.0
4 and 13	UM	Rowhouse	MFR-15	10.0 to 15.0
3, 5, 10, 12, and 14	UH	High Density	MFR-20	15.0 to 20.0
			MFR-30	20.0 to 36.0
7A	Commercial	Commercial Center Core	C-C	20.0 to no limit See 10.708(c)
7B	Service Commercial	Commercial Center – Service/Office	C-S/P	20.0 to no limit See 10.708(c)
8 and 18	UR	School	SFR-4 or SFR-6	Not Applicable

	~~Parks and Schools (UR Underlying)~~			
Sub-Area	General Land Use Plan Map Designation	Southeast Plan Map Land Use Category[1]	Permitted Zoning	Permitted Residential Density Range Du/Ac[3] (PUD Du/Ac)[4]
9~~,~~and 19~~, and 21~~	UR ~~Parks and Schools (UR Underlying)~~	Park	SFR-4 or SFR-6	Not Applicable
21	UH	Park	MFR-20 or MFR-30	Not Applicable
22	Commercial	Commercial	C-C	20.0 to no limit See 10.708(c)
23	Parks and Schools	Park	P-1	Not Applicable
24	Parks and Schools	Park	P-1	Not Applicable
See SE Plan Map	Greenway	Greenway	Any	Not Applicable

Table Footnotes:

[1] Southeast Plan Map land use categories are derived from the study entitled *Southeast Medford Circulation & Development Plan*, August 1995, as amended.

[2] Special density provisions for SFR- 10.

[3] Du/Ac = Dwelling units per acre.

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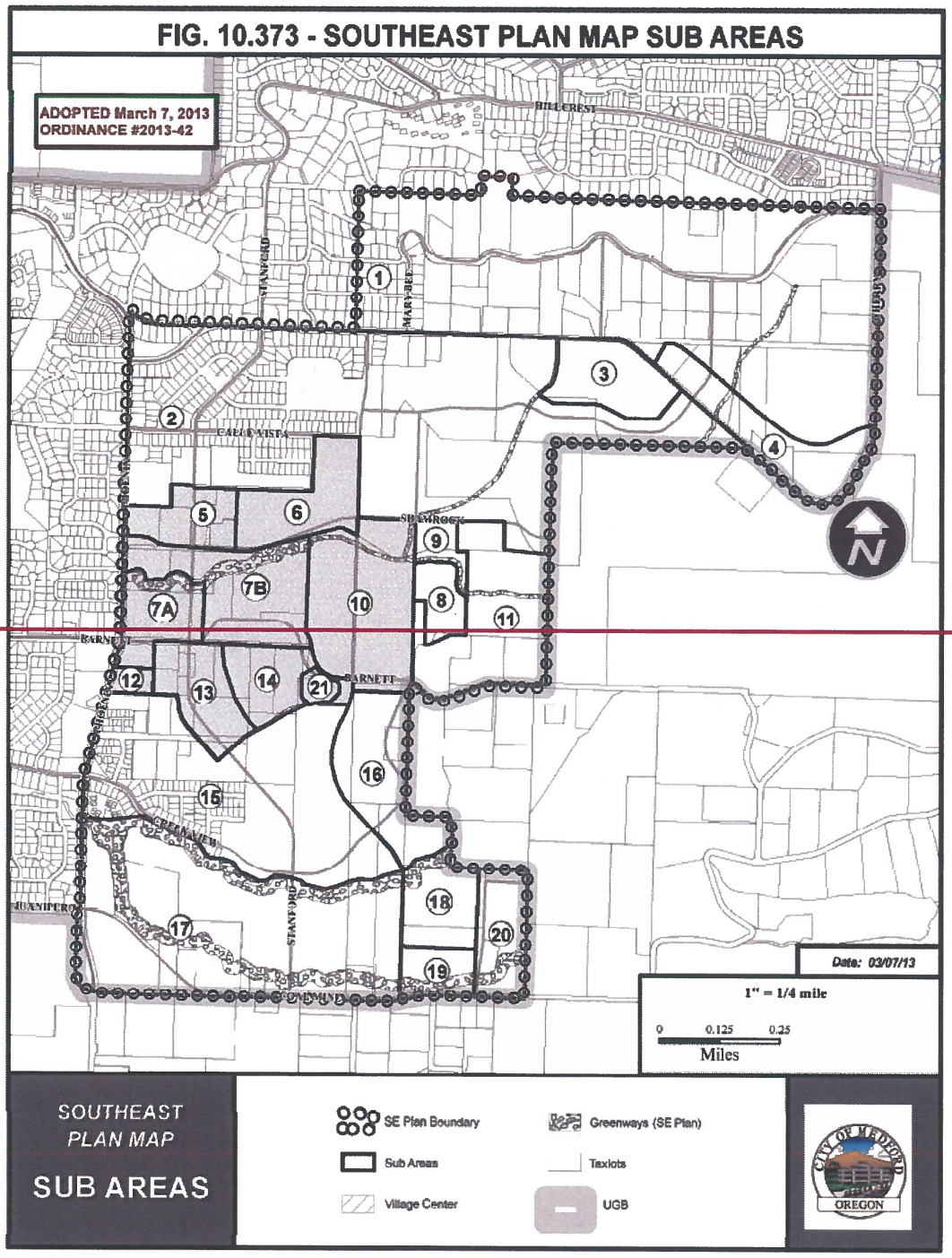


~~[Amd. Sec. 2, Ord. No. 2004-258, Dec. 16, 2004; Amd. Sec. 2, Ord. No. 2008-247, Dec. 4, 2008; Amd. Sec. 2, Ord. No. 2013-42, March 7, 2013; Amd. Sec. 2, Ord. No. 2014-160, Dec. 18, 2014.]~~

Fig. 10.373(A)

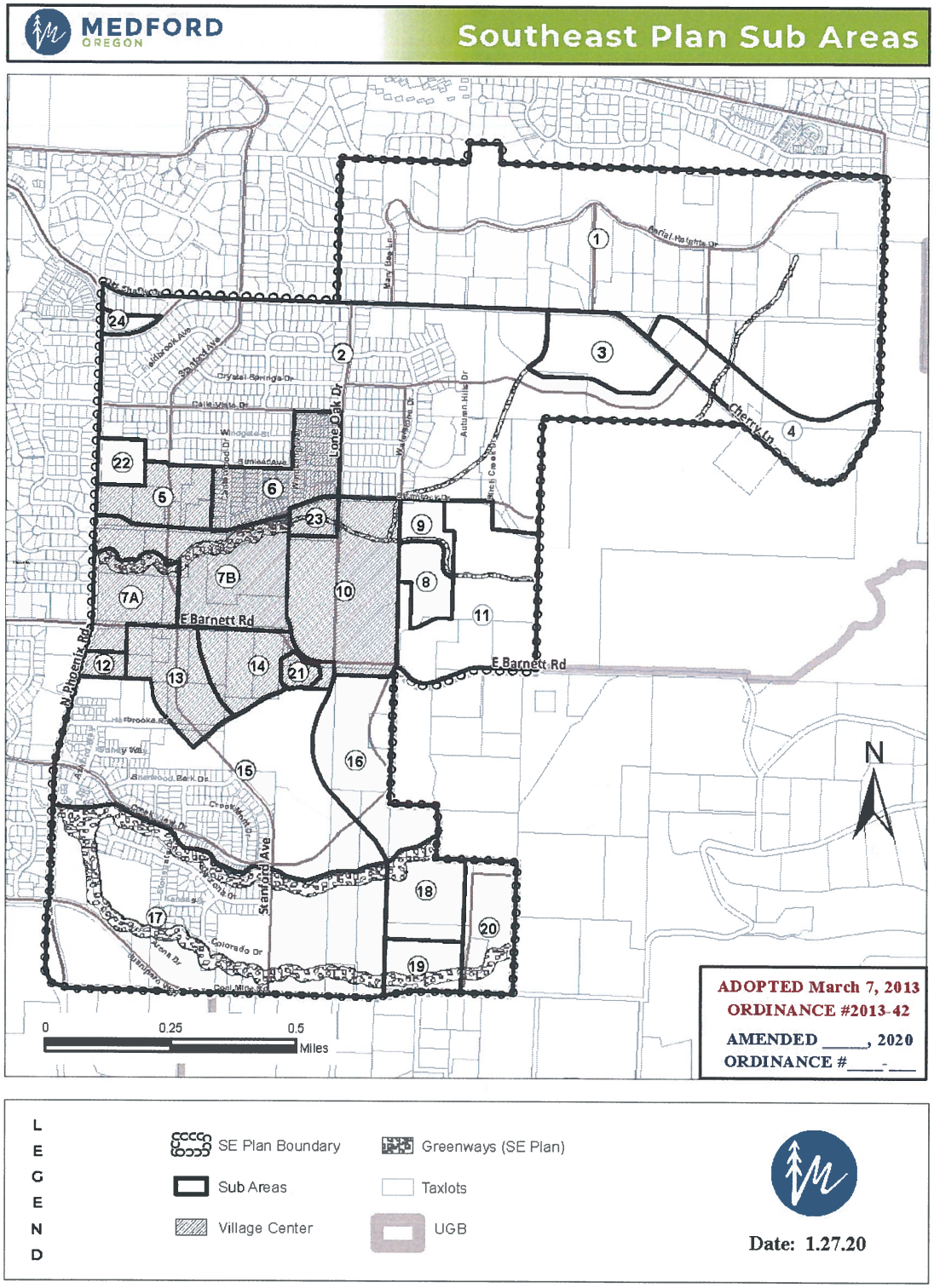
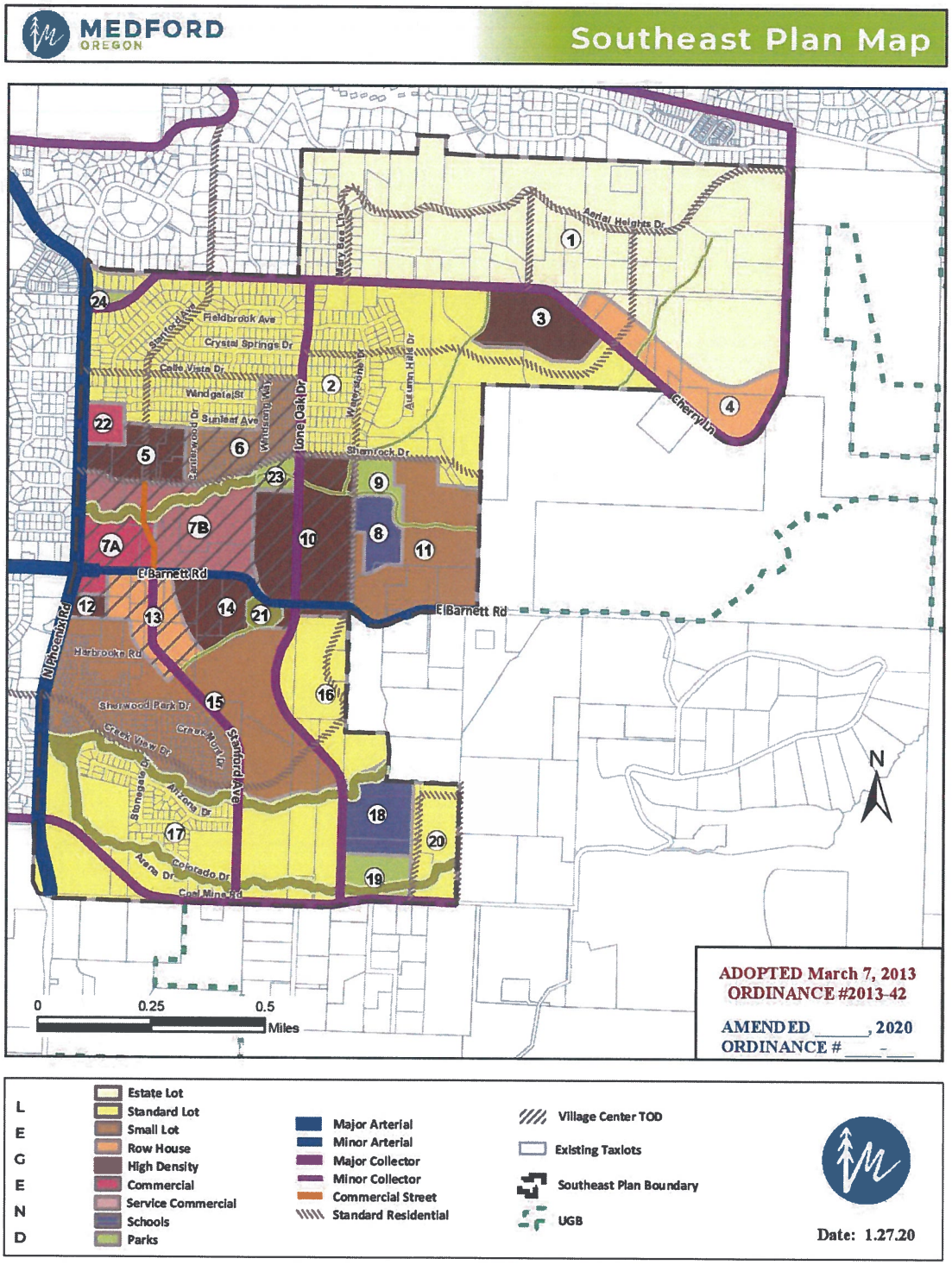

MEDFORD
OREGON
Southeast Plan Sub Areas
E Barnett Rd
N Phoenix Rd
Stanford Ave
Lone Oak Dr
Cherry Ln
Aerial Heights Dr
Crystal Springs Dr
Autumn Hills Dr
Fleet Creek Dr
Colorado Dr
Kansas
Sidney Way
Harbrooke Rd
Sherwood Park Dr
Crestwood Dr
Wildwood Ave
Amiedave
Winogleen
Mary Lou Ln
Old Stage Rd
1
2
3
4
5
6
7A
7B
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
N
0
0.25
0.5
Miles
ADOPTED March 7, 2013
ORDINANCE #2013-42
AMENDED _____, 2020
ORDINANCE #_____-___
LEGEND
SE Plan Boundary
Sub Areas
Village Center
Greenways (SE Plan)
Taxlots
UGB
Date: 1.27.20

Figure 10.373(B)



10.374 ~~Planned Unit~~ New **Development and Commercial Center Core Area (Area 7A) Master Plan Requirements, S-E.**

A. ~~Planned Unit~~ New Development.

1. Requirements.

All new development within the S-E Overlay District shall be approved by the approving authority if it can be found to be consistent with all of the applicable provisions in Sections 10.375 through 10.385. Development within Area 7A shall also be consistent with the adopted Southeast Village Commercial Center Core Area Master Plan. Proposals for new development that deviates from any of the applicable provisions in Sections 10.375 through 10.385, and/or the Southeast Village Commercial Center Core Area Master Plan, shall require approval of a Planned Unit Development (PUD) pursuant to Sections 10.190 through 10.198.

~~All new developments consisting of one or more acres shall require approval of a Planned Unit Development pursuant to Sections 10.190 through 10.198 and all applicable provisions of the S-E Overlay District. Regardless of the size of the property or number of dwellings, all zone change applications for projects in the Commercial Center (Area 7B) shall be accompanied by a Preliminary PUD Plan application.~~

~~2. Exemptions. The following shall not require a PUD:~~

~~a. Projects less than one acre,~~

~~b. Mixed-use residential projects of fewer than four dwellings, or~~

~~c. Projects that lie within the Southeast Plan land use areas 1, 2, 7A, 16, 17, 18, 19, or 20; or~~

~~d. Institutional uses that require a Conditional Use Permit; or~~

~~e. Projects that are otherwise exempted by the S-E Overlay District.~~

2~~3~~. Approvals.

In approving ~~PUD~~ applications for projects within the S-E Overlay District, the approving authority ~~Planning Commission~~ shall find that the application conforms to the S-E Overlay District standards. In approving PUD applications for projects within the S-E Overlay District, ~~T~~the Planning Commission may grant modifications of City standards, including provisions of the S-E Overlay District, under Section 10.192(B), except for height standards in Section 10.375(3) and the prohibited uses in Section 10.378(4).

B. Master Plan.

1. Commercial Center Core Area (Area 7A) Master Plan.

The adopted Southeast Village Commercial Center Core Area Master Plan governs design and development within the area designated 7A (Commercial Center Core Area) on the Southeast Plan Map (see Figure 10.372). All zone changes, Site Plan and Architectural Reviews, PUDs, other land use actions, and permits within Area 7A shall conform to the Master Plan. ~~The Master Plan, at a minimum, shall contain the following elements:~~

~~a. Provision for retail commercial uses on both sides of Stanford Avenue.~~

~~b. Pedestrian and bicycle circulation plan.~~

~~c. Barnett Road shall be developed to Major Arterial street standards from North Phoenix Road east 250 feet. From 250 feet east of the intersection of North Phoenix Road and Barnett Road, to the easterly boundary of the Commercial Center Core Area (7A), Barnett Road shall be developed to Minor Arterial street standards.~~

~~d. Special street design standards for the main street, Stanford Avenue, that include on-street parking, sidewalks of at least 12 feet in width on both sides of Stanford Avenue, street trees, and no planter strips.~~

~~e. Required architectural design standards and unique architectural themes for each sector of development. All applicants shall incorporate neo-traditional design elements into the development.~~

~~f. Required "pedestrian friendly" design through the use of:~~

~~(1) Building facades set nearer the sidewalk.~~

~~(2) De-emphasis of automobile access and storage; avoiding an uninterrupted expanse of asphalt; and provision of large shade trees on the interior and perimeter of parking lots.~~

~~(3) Interesting and varied landscape designs including hardscapes.~~

~~(4) Common streetlights that are architecturally appropriate.~~

~~(5) Street furniture, such as benches, lights, raised flowerpots, drinking fountains, and public art.~~

~~(6) Weather protection for pedestrians.~~

~~(7) Design that discourages use of fencing.~~

~~(8) At least three operating building entrances per block and at least one per building on streets where on-street parking is permitted.~~

~~(9) All buildings along Stanford Avenue shall be two-story buildings, or have the appearance of a two-story building.~~

~~g. Lighting plan that avoids lighting adjacent properties and the night sky. The master plan shall require that applicants for development within Area 7A include a photometric data and illumination plan consistent with Section 10.764 at the time development permit applications are submitted to the City for review and approval.~~

~~h. Master signage plan that encourages monument signs, discourages retail signage that lists tenants, and discourages rooftop lights.~~

~~i. Covered bicycle parking areas.~~

~~j. Public restrooms.~~

~~k. Usable exterior spaces and outdoor gathering and eating areas open to the public.~~

~~l. Shopping cart storage incorporated into building design to screen stored carts.~~

~~m. Separated truck delivery and circulation from customer circulation.~~

2. The Area 7A Master Plan is incorporated by reference as part of this Chapter for the S-E Overlay District, and shall be as much a part of the Municipal Code as if all were fully described herein. Development within Area 7A shall be approved by the Site Plan and Architectural Commission only if it can be found to be consistent with the adopted Master Plan. Development within Area 7A that is not consistent with the adopted Master Plan, regardless of size, shall be approved only when a PUD has been approved by the Planning Commission.

A development shall be found to be consistent only if:

a. The proposed development is consistent with all Code standards unless superseded by Master Plan Sector Design and Development standards, in which case the development shall comply with applicable Sector Design and Development Standards.

b. Revisions are limited to the following:

i. The building envelope is not increased or decreased by more than 10% of the envelope shown on the Master Plan.

ii. Plazas are not smaller than 90% of proposed size on Master Plan;

iii. If the location of a building is altered, it does not impair the safety of on-site pedestrian and vehicular circulation.

10.375 **Special Lot Coverage, Building Setbacks, Building Height Standards, S-E.**

A. Lot Coverage.

The S-E Overlay District modifies the lot coverage standards of the underlying zones as follows.

~~(1) Maximum lot coverage by roofed structures is 40% for lots in the SFR-2 zone, 45% for lots in the SFR-4 and SFR-6 zones, and 50% for lots containing single-family residences in the SFR-10 zone. These percentages may be exceeded if the footprints of the structures on a lot do not exceed 2,000 square feet.~~

~~(2) Maximum lot coverage by structures is increased by 10% for single-family lots that contain an accessory dwelling unit (ADU).~~

~~(3)~~ (1) Front porches, canopies, awnings, porticos, arcades, and similar pedestrian weather protection features, when adjacent to a street or abutting a public plaza, as defined herein, and measuring not less than six feet in depth and six feet in width are exempt from maximum lot coverage calculations.

~~(4)~~ (2) For commercial zones there is no restriction on lot coverage.

B. Building Setbacks.

The S-E Overlay District modifies the building setback standards of the underlying zones as follows:

(1) ~~The minimum front yard setbacks in all residential zones are 15 feet for building walls and 20 feet for garage entrances, except that side-loaded garages (where the garage door is perpendicular to the street) may be set back 15 feet.~~ Front porches, canopies, awnings, porticos, arcades, patio walls (if the patio wall is constructed of stucco, brick, stone/faux stone, or a similar finish and does not exceed 5½ feet in height), and similar architectural projections may be placed within 9 feet of the front property line, provided that they do not encroach onto any public utility easement.

(2) The minimum rear yard setbacks for garage entrances having alley access are as follows:

(a) Twenty-four feet from the garage door to the opposite side of the alley;

(b) Four feet for a side-loaded garage (where the garage door is perpendicular to the ~~street~~ alley);

(c) Eight feet for a garage having parallel parking only or no parking between the garage entrance and the alley.

(3) Setbacks of the underlying zones are also modified by the following sections of the S-E Overlay District:

(a) Special design standards for attached housing (Section 10.376);

(b) Special design standards for Southeast Village Center (Section 10.377);

(c) Special fencing standards (Section 10.382);~~.~~

(d) Standards for development abutting Arterial or Collector streets (Section 10.383);

(e) Standards for development in or adjacent to Greenways (Section 10.384);

~~(e) Standards for development abutting Arterial or Collector streets (Section 10.383).~~

C. Building Height.

Building height shall be measured pursuant to Section 10.705 and standards established in Article V shall apply except as follows:

(1) Within Area 7A, the maximum allowable building height is 45 feet, except that the maximum building height may be increased to 60 feet for residential development in

mixed-use buildings as described in Section 10.378(3).

(2) In Area 7B, the maximum allowable building height is 45 feet, except 35 feet if within 150 feet of a residential zoning district.

10.376 **Special Design Standards for Attached Housing, S-E.**

Except as provided in Section 10.377 for the Southeast Village Center, the following standards apply to attached housing types (townhouses, multiple-family, duplexes, and other attached dwellings) in the S-E Overlay District.

1. Primary Dwelling Entrances.

Primary dwelling entrances shall face a street, or face a court/courtyard, breezeway, or lobby that is visible from and connected to the street sidewalk. For group quarters or a residential facility, such as a congregate or retirement facility, one primary entrance must meet this requirement.

2. Garages.

Every attached dwelling unit shall be provided with at least one parking space in an enclosed garage. ~~There shall be recorded a restrictive covenant that runs with the land to assure that garages shall be maintained in such a way that they can and will be used for vehicular parking in numbers they were designed to serve.~~

(a) For group quarters (per Section 10.314(5)) or residential facility, such as a congregate or retirement facility, at least half of the parking required pursuant to Section 10.743 for the residents shall be served by enclosed garages.

(b) Garages shall meet one of the standards in (i) through (iii) below, and shall additionally meet both (iv) and (v) below:

i. The garage is accessed via an alley or internal drive (required for groups of two or more free-standing garages); or

ii. Garage door(s) shall be provided and shall be flush with the front or street side building elevation, shall not exceed 50% of the entire front or street side building elevation, and shall be constructed of materials that are compatible with the appearance of the primary building that the parking is intended to serve; or

iii. Garage door(s) shall be set back from the front or street side building elevation or from a covered porch by at least six feet. To meet this standard, the front or street side building elevation and/or porch must account for at least 30% of the length of the building facing the street.

iv. Carports and other surface parking covers are not permitted.

v. Groups of two or more freestanding garages on a single lot shall be set back from adjacent streets by at least 20 feet. Frontage landscaping shall be provided to create a visual buffer between group(s) of freestanding garages and adjacent streets.

10.377 **Special Design Standards for Southeast Village Center.**

The following design standards apply to the Southeast Village Center. See Figure 10.378~~2~~ for the location of the Southeast Village Center, the Commercial Center (Areas 7A and 7B), and the Commercial Center Core Area (Area 7A).

1. **Building Orientation (Build-to Lines).**

At least 50% of the length of the ground-level street-facing façade of a building must be located at the minimum street setback line or abut a public plaza, as defined herein, that adjoins a street.

No structure, driveway, or motor vehicle parking area may be closer than the minimum street setback line, except where provided for direct vehicle access to the street, and except for fences and patio walls under Section 10.375(2)(a) and Section 10.382.

2. **Building Setbacks.**

~~The S-E Overlay District modifies the building setback standards of the underlying zones in the Southeast Village Center.~~ Commercial Center Core Area (Area 7A) contains special setback standards provided by the Commercial Center Core Area Master Plan. Within the Southeast Village Center, the maximum street or public plaza setback shall be 20 feet within the SFR-10 zone, and 15 feet within the MFR and C-S/P zones.

~~**Table 10.337-1**~~
~~**Building Setbacks for Southeast Village Center**~~

~~Setback Standards~~	~~SFR-10~~	~~MFR~~	~~C-S/P~~
~~Minimum Front Yard Building Setback~~	~~15 feet~~	~~NA~~	~~NA~~
~~Minimum Street Side Yard Building Setback~~	~~10 feet~~	~~NA~~	~~NA~~
~~Maximum Street or Public Plaza Setback~~	~~20 feet~~	~~15 feet~~	~~15 feet~~

3. **Primary Building Entrances.**

Buildings in the Southeast Village Center shall provide entrances that conform to the following standards:

a. Commercial, institutional, and the non-residential portion of mixed-use buildings shall have a primary building entrance that either faces an adjacent street or is placed at an angle of up to 45 degrees from an adjacent street, measured from the property line abutting the right-of-way. Buildings adjacent to, or within 200 feet of a transit stop or station shall orient a primary building entrance to face the stop or station.

b. When located at the intersection of two streets, the commercial, institutional, and the non-residential portion of a mixed-use building shall do one of the following:

(1) Provide two primary building entrances, one facing each street; or

(2) Orient one primary building entrance to both streets by placing the entrance at the street corner; or

(3) Place one primary building entrance facing one street that it is not more than 20 feet from either street right-of-way.

c. Residential buildings, except for detached single-family residences, shall conform to the standards in (a) and (b), or provide a pedestrian walkway for access to transit stops or stations meeting the provisions of Sections 10.775 and 10.776. Detached single-family residences shall provide a primary entrance facing one adjacent street. A primary building entrance for a residential building may face a porch or patio that is located between the building and street.

4. **Ground-Floor Windows.**

Commercial, institutional, and the non-residential portion of mixed-use buildings shall provide ground-floor windows on street-facing sides that conform to the following standards:

a. Ground-floor windows shall cover at least 50% of the horizontal length and at least 25% of the ground floor wall area of all building facades that face a street or public plaza. This requirement does not apply to the walls of residential units, nor to the walls of parking structures when set back at least 10 feet and screened with landscape materials in conformance with Section 10.797.

b. Required window areas must be either transparent windows that allow views into working areas or lobbies; pedestrian entrances; or transparent display windows set into the wall. Display cases attached to the outside wall do not qualify. The bottom of the windows must be no more than four feet above the adjacent exterior grade. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

5. **Windows on Street-Facing Facades on Residential Buildings.**

At least 15% of the area of each façade on all floors or stories that face a street on all residential buildings or residential portion of a mixed use building must be windows, primary building entrance doors, porches, balconies, and/or a similar visual or physical access way for natural surveillance of the street. Windows used to meet this standard must allow views from the building to the street. Glass block and similar sight-obscuring surfaces do not meet this standard. Windows in garage doors and garage walls apply toward meeting this standard.

6. **Landscaping and Pedestrian Amenities.**

a. The following is the minimum amount of landscaped open space required within the Southeast Village Center:

(1) SFR-10 zoning district: 20% of the project site area. This requirement does not apply to detached single-family residential uses.

(2) MFR zoning district: 15% of the project site area.

(3) C-C zoning district (Area 7A): 10% of the project site area.

(4) C-S/P (Area 7B) and other zoning districts not listed above: 20% of the project site area.

b. Notwithstanding Section 10.797, all land between buildings and/or other structures and the right-of-way shall be treated with a combination of landscaping and hard surfacing for use by pedestrians. Subject to City review and approval, extra-wide public sidewalks may provide for pedestrian amenities such as benches, drinking fountains, and/or other design elements (e.g., public art, planters, and kiosks). Weather protection elements such as awnings, canopies, porticos, covered entrances, porches, covered seating (e.g., bus waiting areas), and/or similar elements may encroach into a required setback or the public right-of-way when approved through Site Plan and Architectural Review or as part of a PUD.

10.378 **Special Standards for Commercial Center (Areas 7A and 7B), S-E.**

The S-E Overlay District modifies the provisions of the underlying zoning districts in the Commercial Center (Areas 7A and 7B) as follows:

1. **Outdoor Uses.**

Except as provided in (a) through (c), all uses, activities, sales, merchandise, and the stockpiling and storage of equipment and materials shall be entirely within an enclosed building. The following uses may be outside an enclosed building:

a. Outdoor eating areas pursuant to Section 10.833 and sidewalk cafes in the public

right-of-way pursuant to Section 10.358(1)(c);

b. Temporary outdoor sales of merchandise pursuant to Section 10.831;

c. Temporary uses and structures pursuant to Section 10.840;

d. Parks, playgrounds, greenways, outdoor performing arts facilities, outdoor sports facilities, plazas, pedestrian malls, and news racks in conformance with Chapter 6 of the Code.

2. **Drive-Through Retail and Service Windows.**

Drive-through retail and service windows are limited to three sites in Area 7A, one designated for a pharmacy, one for a bank, and one for a credit union. These three uses shall conform to the following standards and other appropriate conditions imposed by the approving authority.

a. Drive-throughs and service windows shall be architecturally integrated with all buildings.

b. Drive-throughs and service windows shall not be located on the street side of the building.

3. **Residential Uses in Area 7A.**

Residential uses and group quarters are subject to the provisions of the Commercial Center Core Area (7A) Master Plan, and not more than 20% of the gross floor area on a project site may consist of ground floor residential or group quarter uses. Residential and group quarter uses may be located above a ground-floor commercial or institutional use, subject to the building height standards provided in Section 10.375(~~3~~C).

4. **Prohibited Uses.** Notwithstanding Section 10.337, the following uses are not permitted in the Commercial Center (Areas 7A and 7B) and cannot be permitted through a PUD approval:

SIC No. *	Commercial Center Prohibited Uses
NA	Drive-through retail and service windows except as permitted per Section 10.378(2).
551, 552, 555, 556, 557, 559, 751, 753, 754	Motor vehicle sales and repair
271	Newspaper Printing Facilities
5541	Gasoline Service Stations and~~,~~ Fueling Stations~~, and Charging Stations~~
6553	Cemeteries and Mausoleums
7218	Industrial Laundries
7692	Welding Shops
7699	Agricultural Equipment Repair, Engine Repair, Industrial Truck Repair, and Septic Tank Services
7948	Outdoor Race Tracks
9223	Correctional Institutions

* The SIC numbers correspond to the Standard Industrial Classification (SIC) Code numbers found in Section 10.337.

5. **Business Size Limitations in Area 7A.**

The maximum gross floor area of any one business use shall be 50,000 square feet in accordance with Section 10.328.

6. **Off-Street Motor Vehicle Parking.**

a. Except for residential and group quarters uses, there shall be no requirement to supply a minimum number of off-street motor vehicle parking spaces in Areas 7A and 7B.

b. Except for residential and group quarters uses, the number of off-street motor vehicle parking spaces provided for each use in Area 7A shall not exceed 100% of the minimum standard for the subject use.

7. **Pedestrian Amenities.**

At least ten percent of any developed site area with commercial, institutional, residential, and/or mixed-use development, shall be devoted to pedestrian amenities. These may include amenities provided by the developer on public property or right-of-way with City authorization. Pedestrian amenities may include, but are not limited to, public and/or private plazas, outdoor seating, pocket parks, transit waiting areas and facilities, extra-wide sidewalks (wider than minimum City standard) with street furnishings (e.g., seating, fountain, public art, information kiosk, sidewalk vending where permitted, and similar furnishings). This ratio may be reduced or waived for projects that provide parking structures for multiple users, subject to City approval and recorded shared parking agreement.

8. **Bicycle Parking.**

The amount of bicycle parking provided within Area 7A shall be twice the amount required by Section 10.748 "Bicycle Parking Standards".

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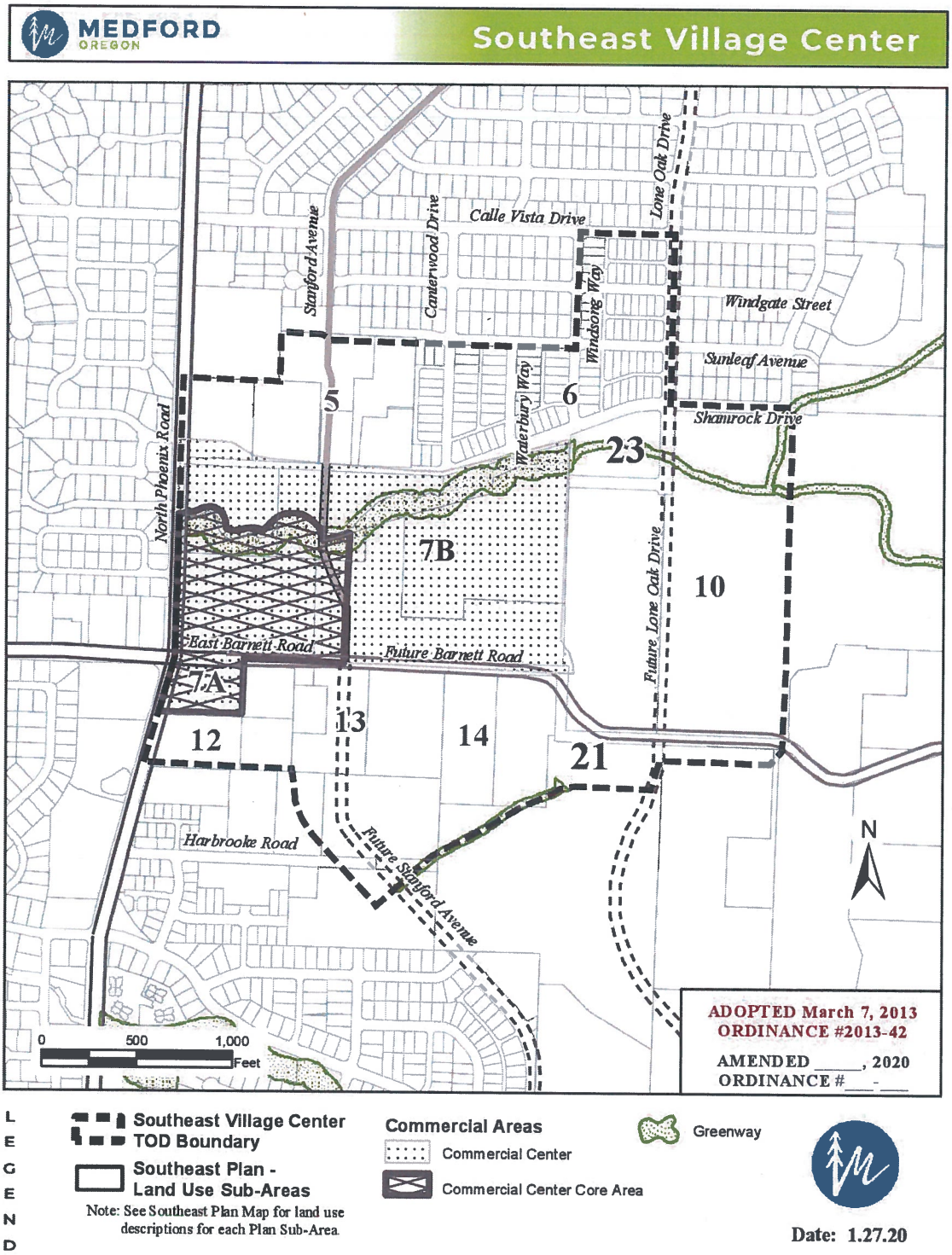
Figure 10.378



10.379 **Streetscape, Planter Strip, and Street Tree Standards, S-E.**

Within the S-E Overlay District, streetscape features, planter strips, and street trees shall be improved and/or installed as provided below.

1. Streetscape and Planter Strip Plan Required.

A Streetscape and Planter Strip Plan shall be submitted as part of an application for a Land Division, Preliminary PUD Plan, Transportation Facility, Site Plan and Architectural Review, or Conditional Use Permit, except when the project site has no public or private street frontage, or a Streetscape and Planter Strip Plan has been previously approved for the site frontage. The approving authority shall approve, conditionally approve, or disapprove the Plan after review and recommendations from City staff.

a. Plan Content. The form and number of copies of the Streetscape and Planter Strip Plan shall be as set forth in the application materials on file in the Medford Planning Department. The Plan shall include details regarding the proposed design of the entire area between the curb and the property line, including sidewalks, landscaping, street trees, street lights, utility poles, traffic signals, and transit stops. It shall acknowledge that an appropriately designed automatic underground irrigation system will be provided per Section 10.780. The street trees indicated in the Plan shall meet the requirements in (2) through (6) of this Section. Street lighting indicated in the Plan shall meet the requirements of Section 10.380. The Plan shall also include streetscape features required by any adopted Neighborhood Circulation Plan, Commercial Center Core Area Master Plan, special area plan, or other adopted plans.

b. Landscaping Installation and Continued Maintenance. Except for planter strips and medians in Arterial streets, and for medians in Collector streets, installation and maintenance of the approved landscaping, including street trees, shall be a continuing responsibility of the owners of the abutting property ~~or another responsible entity and shall be assured through CC&Rs, property owner association agreements, or the conditions of approval for PUDs, Site Plan and Architectural Reviews, or Conditional Use Permits~~.

2. Street Trees and Right-of-Way Landscaping Required.

Street trees and right-of-way landscaping shall be planted and maintained along all public or private streets as a condition of any of the following actions.

a. As a condition of approval for any subdivision, land partition, or PUD; or,

b. As a condition of approval for any development requiring Site Plan and Architectural Review; or,

c. As part of the project when Arterial and Collector streets dedicated, or intended to be dedicated, for public use are constructed or improved ; or,

d. As a condition for a permit to remove a street tree when replacement is required.

3. Street Tree Spacing Standards.

Street trees, where they are within or abutting residential zoning districts on the same side of the street, shall be installed to provide not less than a 100% canopy cover over the sidewalk at the time of tree maturity. Street trees, when they are within or abutting commercial zoning districts on the same side of the street, shall be installed to provide not less than a 70% canopy cover over the sidewalk at tree maturity. Canopy cover shall be based on tree maturity and growth habit data provided in the *Official List of City of Medford Approved Street Trees,* a copy of which is on file in the City of Medford Parks Department. Street trees shall not be located within 20 feet of the corner of an intersection of two streets measured at the curb line. Where trees are required in on-site street frontage landscaping pursuant to Section 10.797, street trees located in the right-of-way

may be counted towards this requirement on a one-to-one basis at the discretion of the approving authority.

4. Street Tree Types; Minimum Tree Size.

a. Appropriate tree species, variety and cultivars shall be selected from the City of Medford's *Selected Street Tree List*, a copy of which is on file in the City of Medford Parks Department.

The approving authority shall consider tree type selections based on the following:

(1) Maximizing tree canopy size at maturity to provide maximum shading.
(2) Avoiding conflicts with utilities, street lighting, and traffic visibility.
(3) Meeting unique site aesthetic considerations.
(4) Ensuring tree type diversity within a block.

b. New street trees shall have a minimum trunk diameter of two inches measured 12 inches from the ground.

5. Location of Street Trees.

a. Street trees shall be planted within the planter strips located between the curb and the sidewalk, no closer than three feet from the curb line. For those commercial areas where no planter strips are planned, tree wells with grates shall be used, the design of which shall be as approved in the Streetscape and Planter Strip Plan.

b. If no planter strip or tree wells exist, required street trees may be planted within the street right-of-way, or on private property, subject to the following conditions:

(1) The street trees may be planted between the edge of the street improvements and street right-of way line provided that the tree is no closer than three feet from the planned curb line and not within a planned sidewalk.

(2) For any street tree planted within a public utility easement, a deed restriction shall note that tree replacement due to utility work is the responsibility of the property owner.

(3) Any street tree planted within six feet of or inside a public street right-of-way, or in a public utility easement, shall be planted with a City-approved root controlling design.

(4) When necessary, the street trees may be planted on private property not more than 10 feet back from the street right-of-way line. When required street trees are planted on private property, deed restrictions shall be recorded indicating that such trees are subject to the same City of Medford regulations as street trees within a public right-of-way.

6. Timing for Installing Street Trees and Right-of-Way Landscaping; Security to Guarantee Installation.

a. Single-Family Residential Development. The installation of sidewalks, planting of street trees and landscaping of planter strips in the right-of-way may be deferred for new single-family development until dwellings are constructed. In such cases where sidewalks, street trees and landscaping are deferred, the developer shall enter into an agreement with the City to ensure compliance according to Sections 10.666 and 10.667. Sidewalks, street trees and landscaping of planter strips conforming with the approved Streetscape and Planter Strip Plan shall be installed prior to issuance of Certificate of Occupancy.

b. Multiple-Family Residential, Commercial, and Institutional Development. Street trees and planter strip landscaping conforming with the approved Streetscape and Planter

Strip Plan, Landscape Plan and this Section shall be planted in conjunction with new multiple-family residential, commercial, and institutional development. As a condition of PUD, Site Plan and Architectural Review, or Conditional Use Permit approval, the developer shall enter into a written agreement pursuant to Sections 10.666 and 10.667 to ensure compliance with this Section.

10.380 **Street Lighting Standards, S-E.**

1. Public Streets.

For public streets within the S-E Overlay District, street lighting and pedestrian-scale street lighting meeting the design and improvement standards specified for the S-E Overlay District within the *City of Medford Street Lighting Standards and Specifications*, a copy of which is on file in the Medford Public Works Department, shall be installed as follows:

a. At least one streetlight shall be installed at each street intersection and at any pedestrian street crossing other than at street intersections.

b. Pedestrian-scale street lights shall be installed on both sides of lower-order streets approximately every 100 feet within the planter strips, or, where planter strips are not required, located within the street right-of-way at locations agreed upon by the Director of the Medford Public Works Department or designee. For Collector and Arterial streets, the use and location of pedestrian scale streetlights shall be as determined by the approving authority in the development review process.

c. Streetlights and pedestrian-scale streetlights shall be designed or shielded so as to prevent light from being emitted above the fixture.

d. The location of streetlights and pedestrian-scale streetlights shall be coordinated with streetscape and planter strip or street tree planting plans where required or utilized.

e. The operation and maintenance costs for the pedestrian-scale street lighting shall be charged to the benefiting property owners through establishment of a utility fee.

2. Private Streets.

For private streets within the S-E Overlay District, street lighting and pedestrian-scale street lighting shall be installed in accordance with (1), unless the PUD approval authorizes a modification. Legal documents shall be submitted in a form acceptable to the City Attorney prior to recording in the official records of Jackson County that assure that the street lighting and pedestrian-scale street lighting systems will be perpetually maintained and operated by individual property owners, an association of property owners, or other non-public entity.

10.381 **Special Street Design and Vehicle Access Standards, S-E.**

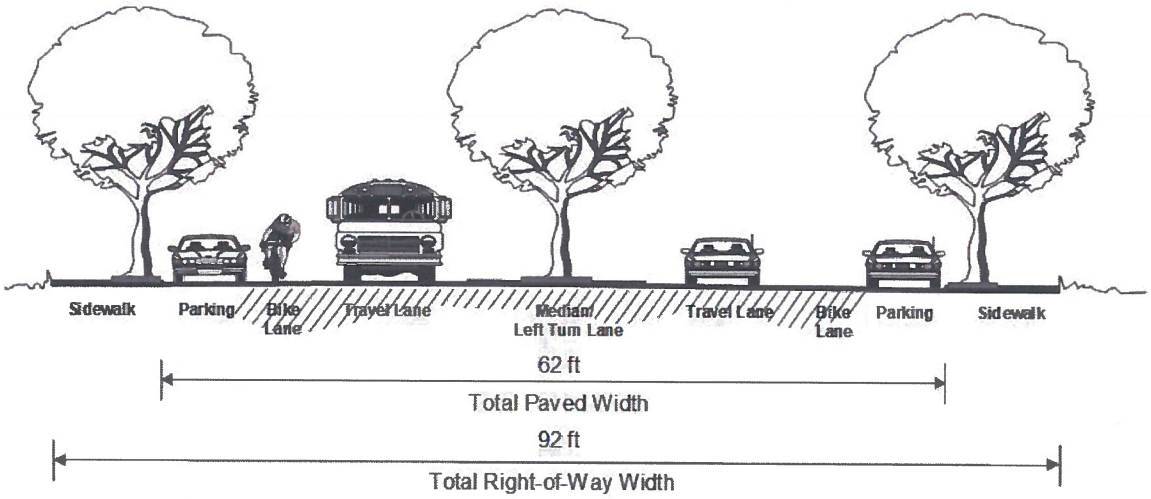
1. Design. Streets, streetscapes, and vehicle access to individual properties within the S-E Overlay District shall be located, designed, and constructed consistent with the Code and adopted *City of Medford Engineering Standards and Specifications*, except as modified by any adopted Neighborhood Circulation Plan and, as applicable, the Commercial Center Core Master Plan. ~~Maximum block length and perimeter length standards found in Section 10.426.C.1 are not applicable to the S-E Overlay District~~.

2. Vehicle Access to Narrow Lots. Residential lots with 50 feet or less width and 50 feet or less street frontage shall receive vehicular access from an alley or minimum access easement.

3. East Barnett Road within the Commercial Center (Areas 7A and 7B). Beginning at the

intersection of Stanford Avenue with East Barnett Road, the right-of-way cross section shall be as depicted in Figure 10.381(A), and extending to the easterly edge of Area 7B.

Figure 10.381(A). East Barnett Road Cross Section in Southeast Commercial Center Beginning at Intersection with Stanford Avenue



10.382 **Special Fencing Standards, S-E.**

1. Fences Abutting Rights-of-Way, Front Yard.

Notwithstanding Section 10.732 and except as provided for patio walls in Section 10.375~~(2)(a)~~(B)(1), the maximum wall or fence height within a front yard abutting a street right-of-way is three feet, provided that the wall or fence shall be located on private property and no closer than two feet from the sidewalk. The fence setback area between any fencing and the sidewalk shall be landscaped, irrigated, and maintained with a combination of perennial ground cover plants and low growing (less than three [3] feet in height) shrub plantings.

2. Fences Abutting Rights-of-Way, Side or Rear Yard.

Notwithstanding Section 10.732, and except as provided for patio walls in Section 10.375~~(2)(a)~~(B)(1) and for Major Arterial street frontages, the maximum wall or fence height within a rear or side yard abutting a street right-of-way is six feet, provided that the wall or fence shall be located on private property, no closer than 10 feet from the sidewalk, and must be of a consistent design and color within a single block. Open fencing having a picket design within a rear or side yard abutting a street right-of-way can be located within three feet of the sidewalk, if not exceeding five and a half feet in height, provided that the wall or fence shall be located on private property and must be of a consistent design and color within a single block. The fence setback area between any fencing and the sidewalk shall be landscaped, irrigated, and maintained by the abutting property owner, a property owners' association, or other responsible entity.

3. Chain-Link Fencing Limitations.

Chain-link fencing is prohibited within the S-E Overlay District, except black dip-coated chain link fencing with black posts and without interwoven strips is permitted adjacent to open space, schools, and parks. The approving authority at their discretion may allow chain-link fencing in

other situations or designs.

10.383 **Standards for Development Abutting Arterial or Collector Streets, S-E.**

1. Purpose.

This section is intended to protect the functionality of Collector and Arterial streets as shown on the Southeast Circulation Plan Map (see Figure 10.383(A), which must serve multiple modes of traffic while meeting the need for access to neighborhoods and individual uses. This section is also intended to promote an attractive and safe streetscape by orienting buildings toward the street for natural surveillance, rather than orienting backyard fences to the street.

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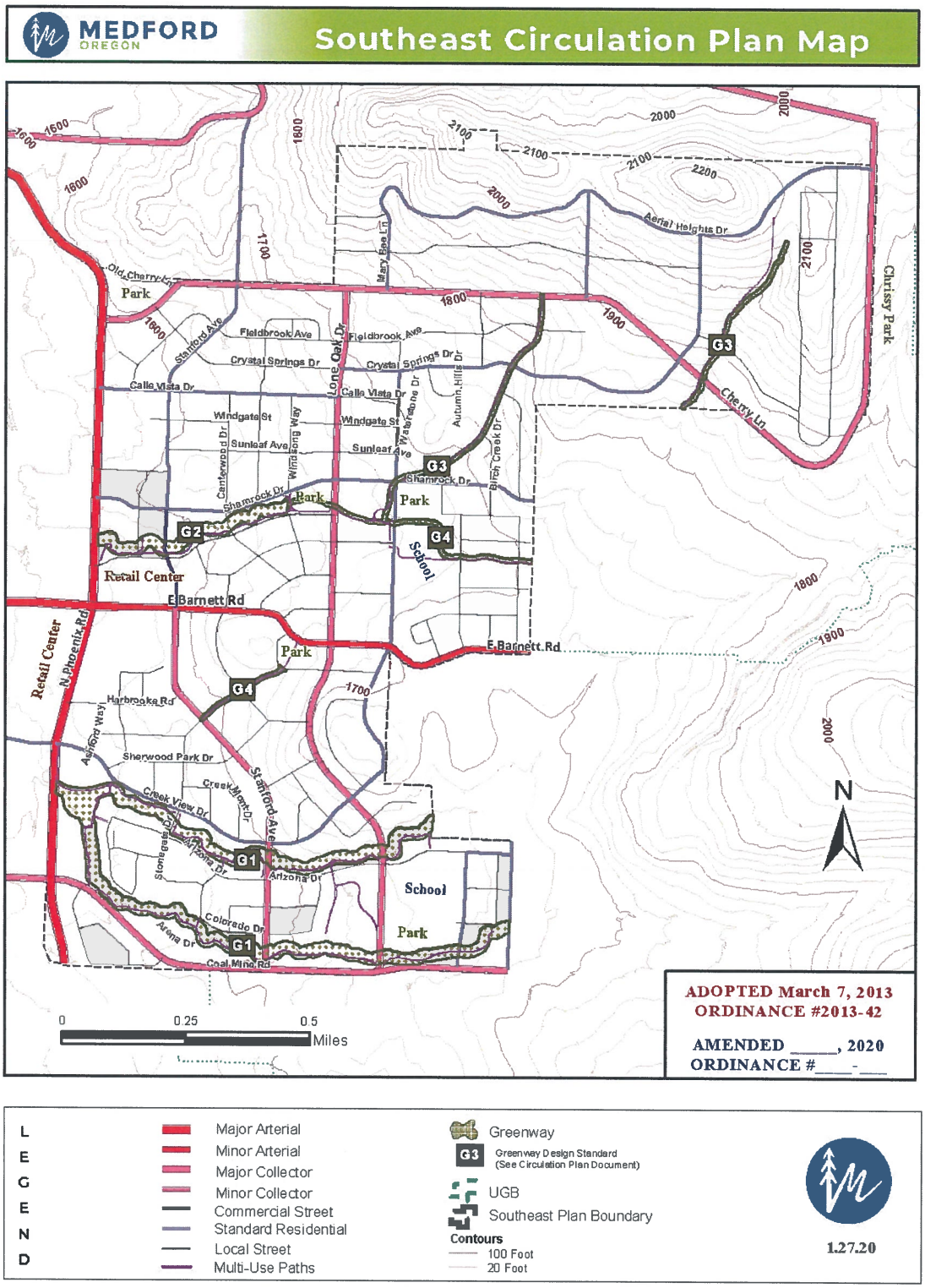
Figure 10.383(A)



2. Vehicular Access Standards.

Direct vehicular access to a parcel shall not be provided from an Arterial or Collector street unless none of the options in (a) through (d) are available; however, access shall be consistent with any adopted Neighborhood Circulation Plan, and the Commercial Center Core Area Master Plan where applicable.

a. Access from a side street that is a lower-order street; or
b. Access from an alley; or
c. Access from a frontage street (commercial); or
d. Access from a shared driveway (not permitted on Arterials).

3. Through-Lots.

Notwithstanding Subsection (2) of this Section and Section 10.704, the following applies to through-lots:

a. Detached or attached single-family residential through-lots are permitted only where an applicant can demonstrate why the creation of through-lots is unavoidable due to environmental, physical, topographical, or existing development constraints, subject to the review and approval of the approving authority.

b. Where through-lots are authorized in any zoning district, except for single-family residential through-lots on Major Arterial streets, an irrigated landscaped buffer shall be installed behind the back of the sidewalk abutting the rear yard. The landscaped buffer may be in common ownership or incorporated into extra deep lots, subject to the review and approval of the approving authority. The minimum depth of the buffer shall be at least 10 feet, except where Section 10.382(2) permits a fence within three feet of the sidewalk. Additional depth may be required by the approving authority when necessary to provide visual buffering. Design, installation, and maintenance of the landscaped buffer shall be assured in a form acceptable to the City Attorney. All required landscape improvements shall be installed or guaranteed, in conformance with City standards, prior to issuance of building permits.

c. Residential through-lots abutting the east side of the North Phoenix Road right-of-way shall install a vertical separation feature. The type of vertical separation feature shall be as follows, depending on the location in relation to Barnett Road.

(1) For through-lots north of Barnett Road, the typical street frontage treatment is five feet of wrought iron fencing atop a three-foot stucco wall, engineered to stand straight, with landscaping behind, to complete a total of eight feet in height to buffer the adjacent residential lots. For illustration, see Figure 10.383(B).

(2) For through-lots south of Barnett Road, the typical street frontage treatment is a landscaped strip 20 feet in width outside the right-of-way, consisting of a four-foot berm with landscaping on top totaling at least eight feet in height. Any fencing is to be located entirely on private property beyond the 20-foot area. For illustration, see Figure 10.383(C).

Figure 10.383(B)
North Phoenix Road Street Frontage Landscaping and Vertical Separation Feature (North of Barnett Road)

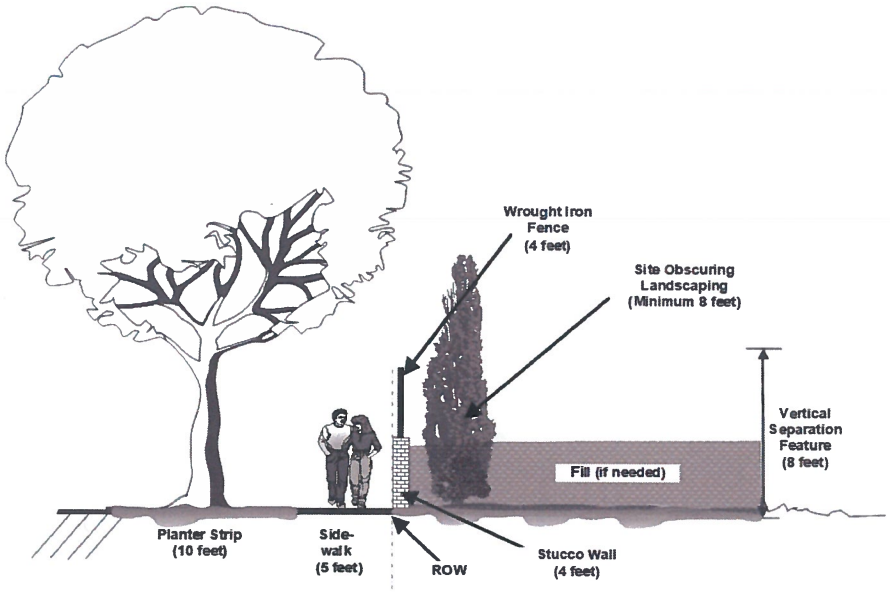
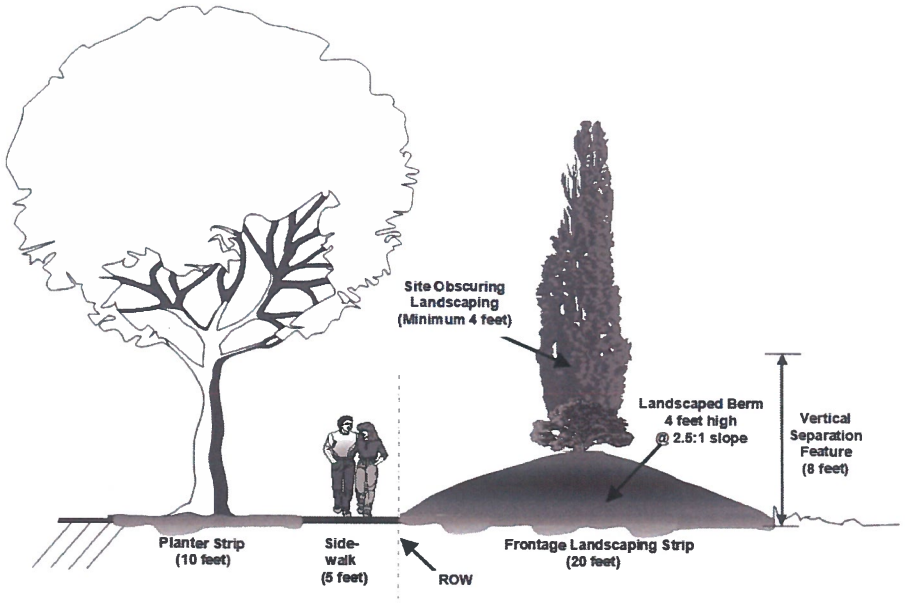


Figure 10.383(C)
North Phoenix Road Street Frontage Landscaping and Vertical Separation Feature (South of Barnett Road)



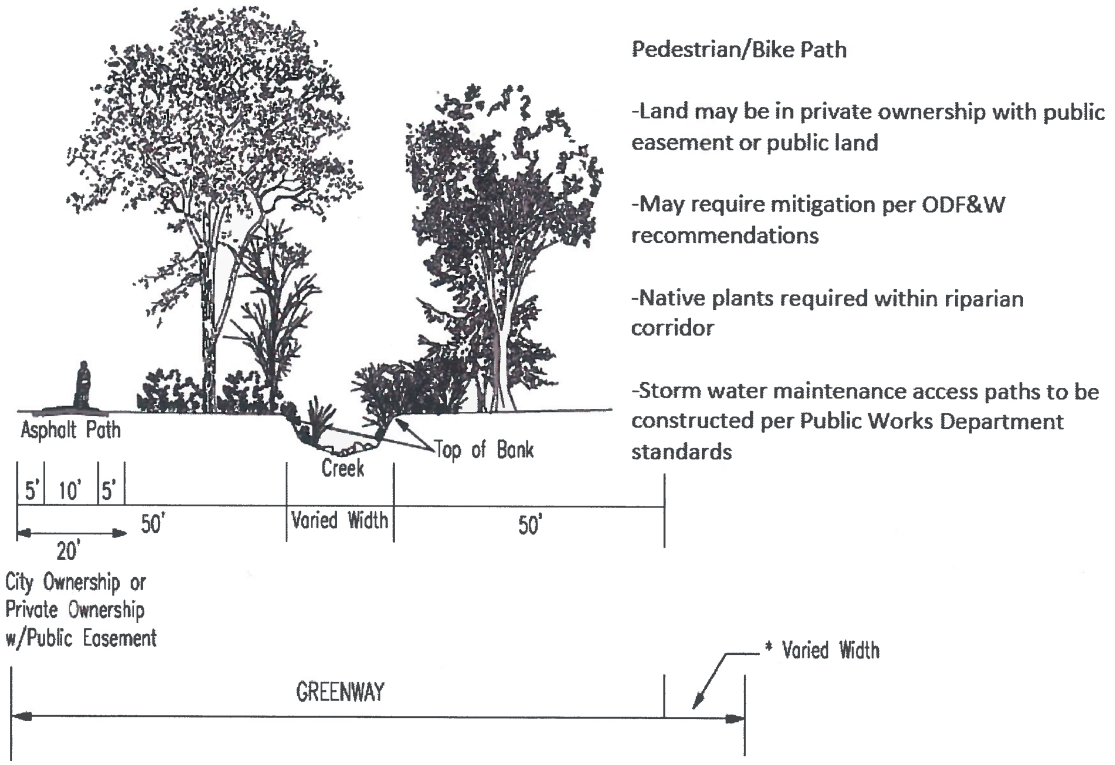
10.384 **Greenways - Special Design and Development Standards, S-E.**
Within the S-E Overlay District, development within or adjacent to the areas designated as Greenways in this Chapter and the Comprehensive Plan shall be consistent with the following regulations~~, and such regulations shall be required through the PUD and/or Site Plan and Architectural Review processes~~. For those areas within an adopted riparian corridor, the regulations of Sections 10.920 through 10.928 shall take precedence.

A. Location and Extent of Greenway Designation.

Within the S-E Overlay District, the general location of Greenways ~~shall be~~are depicted on both the General Land Use Plan Map,~~-~~and the Southeast Circulation Plan Map, ~~Appendix A, of the Comprehensive Plan Neighborhood Element~~ provided that a more precise location shall be established as follows:

1. Major Greenways. The Greenway designation shall extend not less than 50 feet from the top of the bank on each side of the channel along Larson Creek, North Fork Larson Creek, and in the Village Center. The top of the bank shall be as defined in Section 10.012. These greenways are identified as Major Greenways in the Southeast Circulation Plan of the Comprehensive Plan.

Major Greenway, Riparian Corridor (corresponds to G-1 on the SE Circulation Plan Map)



Major Greenway, Non-Riparian (corresponds to G-2 on the SE Circulation Plan Map)

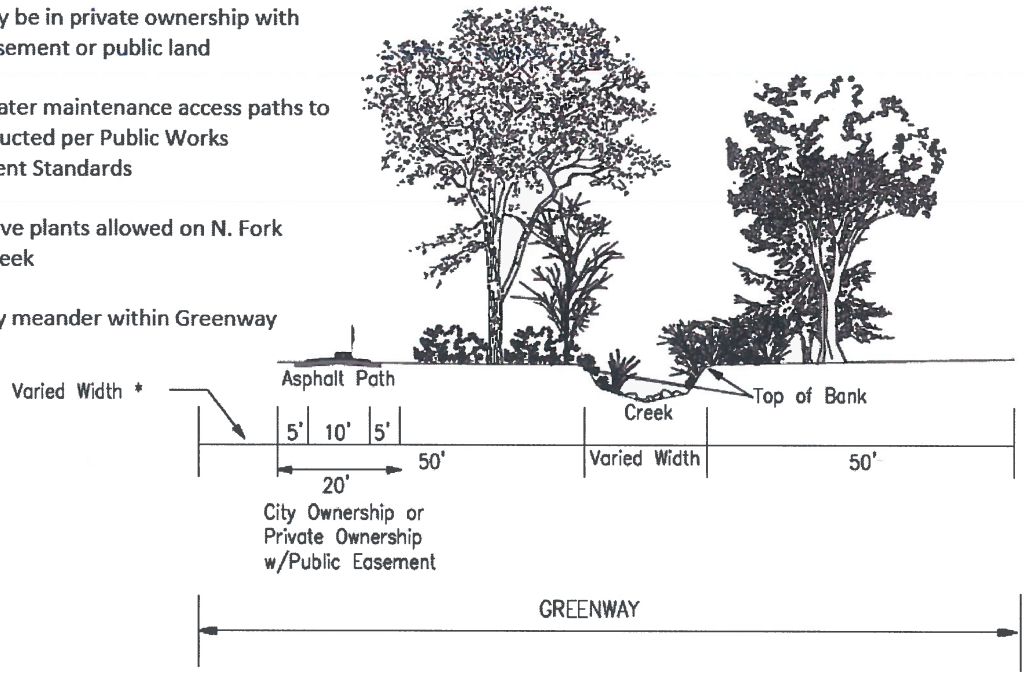
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-Storm water maintenance access paths to be constructed per Public Works Department Standards

-Non-native plants allowed on N. Fork Larson Creek

-Path may meander within Greenway



Major Greenway, Path In-Lieu of Sidewalk (alternate option when approved by City)

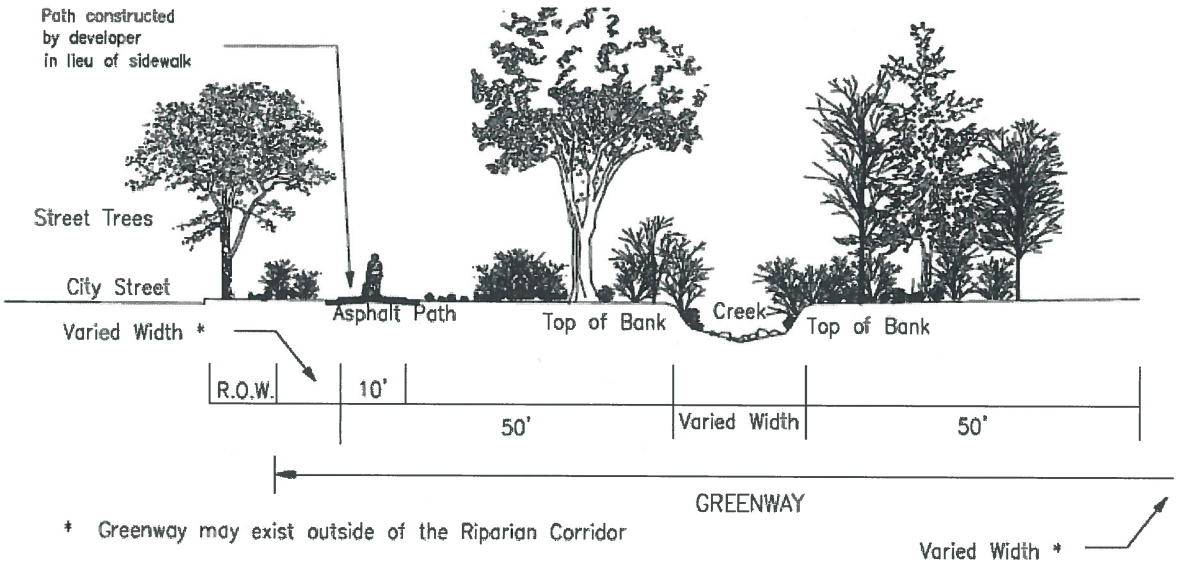
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-May meander adjacent to right-of-way or up to 10' intrusion in Greenway

-May require mitigation with ODF&W recommendations

-Path to be constructed per the Public Works Standards



2. Minor Greenways. For Greenways that are not located along Larson Creek, North Fork Larson Creek, or in the Village Center, the Greenway designation shall extend as indicated in the Southeast Circulation Plan of the Comprehensive Plan. These greenways are identified as Minor Greenways in the Southeast Circulation Plan of the Comprehensive Plan. The Greenway designation shall extend not less than 20 feet from the centerline of the drainageways. For Minor Greenways not located along natural surface drainage features, the designation shall be 40 feet in width consistent with Figure 5 of the Southeast Medford Plan Area Neighborhood Circulation Plan.

Minor Greenway with surface drainage (G-3 on SE Circulation Plan Map)

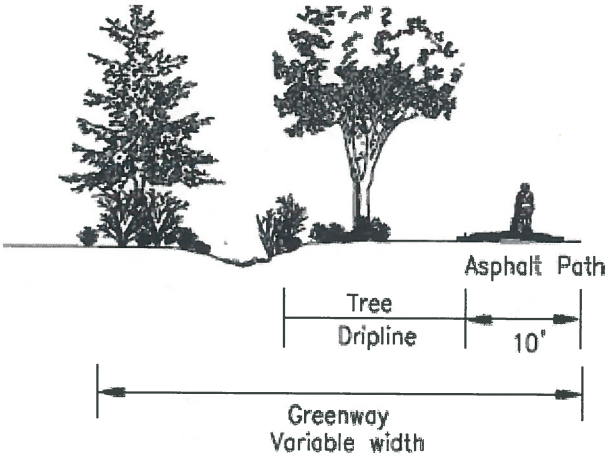
Pedestrian/Bike Path

-Land may be in private ownership with public easement or public land

-Native planting recommended

-Erosion control per Public Works Department

-Construct path out from existing tree's drip line



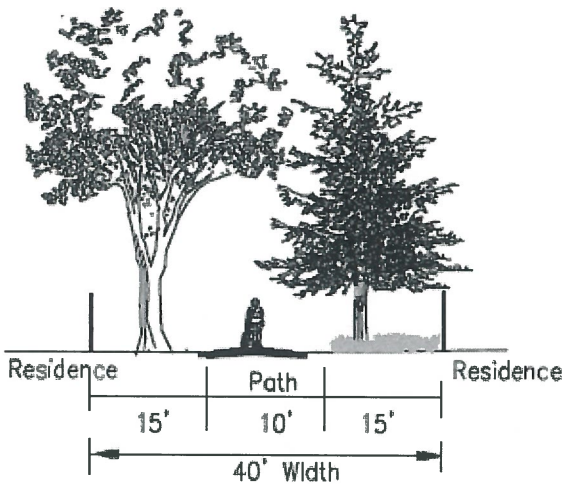
Minor Greenway without surface drainage (G-4 on SE Circulation Plan Map)

Pedestrian/Bike Path

-No surface drainage pre-existing

-All new trees to be planted close enough to eventually grow over the asphalt path

-Native or non-native plantings



3. The size and location of Greenways may be altered by the City when needed to comply with other City, state and federal regulations.

B. Permitted Uses.

Notwithstanding the provisions of Sections 10.306 through 10.337, and subject to any other provisions of this Code and law, the only uses permitted within areas designated as Greenways shall be:

1. Streets, roads, bridges, and paths where necessary for access or crossings, provided these uses are designed and constructed to minimize intrusion into the riparian area.
2. Drainage facilities, utilities, and irrigation pumps.
3. Water-related and water-dependent uses.
4. Interpretive and educational displays, and overlooks, including benches and outdoor furniture.
5. Replacement of existing structures with structures in the same location that do not disturb additional riparian area.
6. Other uses and activities permitted in the underlying zoning district, unless prohibited by state or federal regulations, as may be approved as part of a PUD, provided that the City may install or permit the installation of any use or activity permitted in the underlying zoning district without PUD approval.

C. Greenway Improvements.

1. Improvement Standards.

Greenways shall be improved according to the following standards:

a. Except for the Greenway in the Village Center and as may otherwise be approved as part of a PUD, Greenways shall consist of native vegetation, and shall not be improved except as permitted or required in this Code and in the Southeast Circulation Plan of the Comprehensive Plan, and provided that:

(1) Additional canopy trees of a size, species, and variety approved by the City may be installed to augment the natural landscape and stabilize the banks of waterways.

(2) Enhancement of the native vegetation is encouraged. Noxious weeds or nonnative vegetation may be removed if replaced with native plant species as approved by the City and appropriate state and federal agencies.

(3) Nothing in this Section shall be construed to prohibit the preservation or enhancement of wetlands as may be required by any public agency having jurisdiction over wetlands consistent with the laws of the City, state, and federal governments.

b. Improved access for the equipment needed for maintenance of storm drainage facilities and for bicycle and pedestrian circulation shall be provided within or abutting each Greenway in a location determined by the City to have the least impact on the vegetation in the riparian area. Said access shall be constructed to the standards of the City. Where acceptable access for the maintenance of storm drainage facilities and bicycle and pedestrian circulation is provided along a planned or existing street adjacent to a Greenway, the access requirement within the Greenway may be waived.

c. Greenways shall be improved at the time adjacent land is developed.

d. Where feasible, streets shall be collinear and adjacent to Greenways.

2. Responsibility for Greenway Improvements.

Required improvements in Greenways shall serve two principal purposes as explained in the *Medford Comprehensive Plan*: 1) for storm drainage and sanitary sewer ~~based on the *Comprehensive Medford Area Drainage Master Plan (1996)*~~; or 2) for non-motorized~~pedestrian and bicycle~~ circulation. Pedestrian and bicycle circulation are essential to the success of the transit-oriented development. The Southeast Circulation Plan denotes the appropriate cross sections for each greenway typology~~principal purpose for the required improvements in each Greenway~~. The responsibility for installing Greenway improvements to the standards in this Section shall be based on the following:

a. Greenway Improvements for Storm Drainage. Open space for stormwater quality and detention facilities required by Section 10.486 and Section 10.729 may be provided in Greenways rather than on site. The installation of improvements that provide required access to storm drainage facilities in Greenways based on the Southeast Circulation Plan ~~and the *Comprehensive Medford Area Drainage Master Plan (1996)*~~ shall be by, and at the sole expense of, the owners of the land adjacent to either side of the Greenway, or segment thereof, unless otherwise approved in writing by the City in advance of a development permit application being submitted to the Planning Department. Consistent with the adopted Greenway design plan in the Southeast Circulation Plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide access for storm drainage maintenance, and any other required or proposed utility improvements. ~~The City may require all or any part of the Greenway to be dedicated for public use and/or ownership following the installation of the required~~

~~improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.~~

b. Greenway Improvements Exclusively for Pedestrian and Bicycle Circulation. The installation of a surfaced path in Greenways, ~~other than those for storm drainage,~~ shall be by and at the sole expense of the owners of the land adjacent to either side of the Greenway, or segment thereof, ~~City~~ unless otherwise approved in writing by the City in advance of a development permit application being submitted to the Planning Department~~agreed upon~~. Consistent with the adopted Greenway design plan in the Southeast Circulation Plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide pedestrian and bicycle circulation, and any other required improvements. ~~All or part of Greenways improved exclusively for pedestrian and bicycle circulation may be acquired by the City through dedication or purchase of the land in fee-simple or through the acquisition of easements.~~

c. Extent of Greenway Improvements. Pursuant to this Section, the portion of each Greenway required to be improved by a property owner at the time of development shall be that portion of Greenway contiguous to the property to be developed. Where a Greenway passes through a parcel, the owner, pursuant to Section 10.384(C)(2)(a), shall be required to dedicate and improve the entire Greenway segment passing through his/her parcel.

d. The City may require all or any part of the Greenway to be dedicated for public use and/or ownership following the installation of the required improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.

~~d.~~e. Section 10.668 (Limitation of Exactions) shall be considered in relation to the above requirements.

3. Maintenance of Greenway Improvements.

Greenway improvements dedicated to the City for any purpose, whether in fee-simple or as easements, shall be maintained by the City. However, the City may relinquish the maintenance of any Greenway improvements to an association of owners established pursuant to Section 10.192(C).

D. Commercial Center (7A and 7B).

1. Greenway Improvements. Unless prohibited by other City, state or federal regulations, in the Village Center Greenway, undesirable shrubs, trees, and noxious vegetation may be removed, and ornamental vegetation installed to supplement the remaining native vegetation. Prior to commencing alteration of vegetation within the Greenway area, a landscape restoration plan shall be prepared for review and approval by the City in conjunction with an application for associated Development Permit, if any, or by the Medford Parks Department if not associated with a Development Permit application. The landscape plan shall demonstrate that an equivalent or better amount of stream corridor shading will result upon maturity of the replacement vegetation elements and that the selected plant varieties will survive given the site conditions.

2. Creekside Development. The development of land adjoining the Greenway within the Village Center shall conform with the following requirements, unless waived or modified as part of the Commercial Center Core Area Master Plan or a PUD approval:

a. Pedestrian Walkway Connections. A pedestrian walkway as required in Sections 10.772 through 10.776 shall link the principal building of each creekside use or activity to the multi-use path within the Greenway, if on the same side of the waterway as the path.

b. Pedestrian Walkway Lighting. All pedestrian walkway connections to the multi-use Greenway path shall be lighted with the type of fixtures ~~and meeting the definition of~~ defined as "pedestrian scale lighting" in Section 10.012.

c. Landscaping Between Creekside Development and Greenway. Undeveloped land between each creekside building, use, or activity and the Greenway shall be landscaped in a manner compatible with the native vegetation, and irrigated with an automatic underground system. Such landscaping shall be designed to produce areas of high surveillance to reduce the potential for vandalism and criminal mischief. Landscaping to achieve high surveillance includes grass and ground cover, shrubs less than two and one-half (2½) feet in height, and deciduous trees that~~-~~ produce canopies having the lowest branches more than six feet from the ground. Such landscaping shall not conflict with or violate state and federal regulations related to the preservation of wetlands or riparian areas.

10.385 **School and Park Siting Standards, S-E.**

1. Purpose.

The purpose of requiring public school and park sites to abut streets instead of the backs of lots is to support natural surveillance of public spaces for crime prevention, and to provide adequate public access to parks and schools. The standard ensures at least a minimal amount of visibility into the site for security, and the potential for a limited amount of on-street parking.

2. Schools and Parks location standard.

Public school and park sites shall abut streets instead of the backs of lots. This standard is met when a school or park site has frontage onto at least one public street for a distance of not less than 100 feet. The standard does not apply to private schools, parks, or open spaces.

* * *

10.426 **Street Circulation Design and Connectivity.**

* * *

C. Maximum Block Length and Block Perimeter Length.

1. Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.

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	720'	2,880'

Zones		
e. Regional Commercial and Industrial Zones	940'	3,760'

* * *

10.462 **Mobility Targets.**

(A) Adopted Mobility Targets. Whenever Level of Service (LOS) is determined to be below the mobility target listed below for arterials or collectors, development is not permitted unless the developer makes the roadway or other improvements necessary to maintain the mobility target. LOS criteria shall be based on the latest edition of the Highway Capacity Manual (Federal Transportation Research Board) for the motorized vehicle mode. The following are the level of service standards for intersections in the City of Medford:

Level of Service Minimum	Intersection
D	Citywide (unless otherwise listed)
E	Barnett Road & Highland Drive South Pacific Highway (Hwy. 99) & Stewart Avenue
F	Stanford Avenue & Barnett Road

* * *

PLANNING COMMISSION STUDY SESSION MINUTES

MEDFORD OREGON

December 9, 2019
12:00 P.M.
Lausmann Annex, Room 151
200 S. Ivy Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
Bill Mansfield
David McFadden
E.J. McManus
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Madison Simmons, Assistant Deputy City Attorney
Carla Paladino, Principal Planner
Seth Adams, Planner III

Commissioners Absent
David Culbertson, Excused Absence
Jared Pulver, Unexcused Absence

20. Subjects
20.2 CP-19-002 & DCA-19-007 Southeast Plan Updates

Mr. Adams reported that staff is requesting the Planning Commission to identify any changes to be made to the proposal.

The Southeast Plan is approximately 1,000 acres east of North Phoenix Road. The Plan was originally adopted in 1998 and most recently amended in 2013. The Southeast Overlay District was adopted in 2004.

The need for the amendment is basically housekeeping. There have been numerous subdivisions, new streets, and a City park constructed since the last amendment in 2013. There has also been recent rezoning of property from residential to commercial, and the Transportation System Plan recommends that the alignment of the future East Barnett Road be straightened out.

Commissioner McFadden thinks they should get rid of the Planned Unit Development ordinance completely; making it easier on everybody. It seems to him that it started with the Southeast Plan.

Mr. Adams continued that staff will be updating the maps and tables to reflect approved land use changes, the straightening of East Barnett Road alignment, and transferring the street and

EXHIBIT B

greenway cross-sections into the Medford Land Development Code. In addition, staff is proposing to remove the PUD requirement for new developments that are in conformance with the SE Overlay development and special design standards. Conforming developments would be reviewed by the Site Plan and Architectural Commission, and Planned Unit Development approval by Planning Commission would be required for development proposing to deviate from the standards.

One other item that is not housekeeping is the establishment of maximum block lengths in the Southeast Plan area. The proposal calls for language in the Medford Land Development Code to read: "*Street intersections shall be located every 600 to 800 feet in single-family residential areas, and every 400 to 600 feet in the Commercial Center Core and higher-density areas. The approving authority may at their discretion, allow for longer block lengths in order to preserve significant established trees or groves of trees, or to minimize street crossings of designated Greenways.*" This exact language is in the Southeast Plan portion of the Comprehensive Plan, but is inexplicably missing from the MLDC.

The next steps are the Planning Commission hearing on January 23, 2020 and City Council hearing on February 20, 2020.

Commissioner Mansfield thought staff advised the Planning Commission several months ago that they were in opposition to PUDs. He thought their use has come to an end. What has happened with regards to staff's view of getting rid of PUDs? Ms. Evans commented that she questioned their usefulness in the Southeast Plan because they are required in everything south of Barnett Road. Staff has experienced a lot of straight subdivisions that have a PUD name. There is nothing unusual or exceptional, they are not moving densities and they are not protecting open areas. There is no point. It is a lot of process and management for staff and expense for developers for no benefit. She is a fan of PUDs when they are used well. In the case of the Southeast Plan there is no point.

Commissioner McFadden reported that originally the idea of the PUD designation area was to allow commercial areas to be developed, otherwise it was going to be all residential, and that there was no mechanism in the subdivision plans for commercial areas. Ms. Evans responded that was always part of the Southeast Plan because it had the Commercial Core.

Vice Chair Foley is concerned with the block length. There must have been a reason that was excluded originally. He is guessing it had to do with topography and things like that. He is nervous putting it back in and forcing them to re-justify something they have already laid out. Chair McKechnie commented that Mr. Adams' point is that the two are in conflict.

Chair McKechnie stated it sounds like this amendment is a go for cleaning it up.

PLANNING COMMISSION MINUTES

MEDFORD OREGON

January 23, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
David Jordan
Bill Mansfield
David McFadden
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Seth Adams, Planner III

Commissioners Absent
E.J. McManus, Excused Absence
Jared Pulver, Excused Absence

New Business
50.1 CP-19-002 / DCA-19-007 An amendment to update the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan; and, to make related updates to the Southeast Overlay District regulation in Sections 10.370 – 10.385 of the Medford Land Development Code. Applicant, City of Medford; Planner, Seth Adams.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Culbertson disclosed that he lives on the west side of North Phoenix Road in the subdivision that is between Calle Vista Drive and Shamrock. Vice Chair Foley disclosed that he lives in the similar vicinity and will not affect his decision. Commissioner Jordan disclosed his employer provides the worker's compensation insurance for the City of Medford. His conflict avoidance includes not being involved or influencing the renewal decision with his employer.

Chair McKechnie inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

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EXHIBIT C

Seth Adams reported that the Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.220. The Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report, included with the property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Adams gave a staff report. Mr. Adams reported that yesterday afternoon staff received three written comments that were forwarded to the Planning Commission. The first set of comments were received from Raul Woerner, CSA Planning Ltd., that will be entered into the record as Exhibit I. Mr. Woerner's comments centered on the Southeast Circulation Plan. Mr. Woerner suggested removal of the local street on the south side of the Courthouse Fitness property. The comment stated that the location is unsafe due to proximity to the future Shamrock Drive intersection to the south and there are site obstructions due to the dip on North Phoenix Road. Mr. Woerner also recommended removing the local street to the west of the future Stanford Avenue that crosses a greenway stating it was unnecessary and it was removed several years ago from the Village Center Commercial masterplan. Regarding transportation Mr. Woerner recommended the alignment of the future Stanford Avenue be shifted a little to the east in order to match the alignment shown in the Village Center Commercial masterplan. Of the three comments on circulation, staff's opinion of adjusting the alignment on Stanford Avenue is a straight forward mapping exercise that can be done without issues. However, if there are local streets that are being removed that should be done after the necessary traffic studies and understanding the implications of removing them from the map. Staff would not propose taking those two streets out of the Southeast Plan at this point in time.

Mr. Woerner also had suggestions for improving the language about block lengths and putting them into the Medford Land Development Code. Staff agrees that the block length language in the Comprehensive Plan and the Land Development Code could be improved and would be happy to work on that over the next few days, and to work with Mr. Woerner on drafting clear and concise language for the City Council packet next month.

Staff also received a letter from Deborah K. Vincent that will be entered into the record as Exhibit J. Ms. Vincent is a long time resident of the Meadow Park subdivision on the west side of North Phoenix Road. Her concerns are that the Southeast Plan calls for a center median to be built in North Phoenix Road at the Shamrock and Calle Vista intersections. This would result in a right turn in and right turn out only at those two streets. The median and right turn in / right turn out has been a part of the Southeast Plan since its adoption in 2004. This text has never been edited and it is not proposed to be edited tonight.

Mr. Dan Mahar also sent a letter that will be entered into the record as Exhibit K. Mr. Mahar echoed the same concern from Ms. Vincent regarding the right turn in / right turn out medians.

As noted by Ms. Vincent's letter, the medians would prohibit the residents in Meadow Park from turning left off North Phoenix Road as they travel north. This would require them to continue north

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on North Phoenix Road to Greystone Court or Cherry Lane to turn around and head back south in order to get into the Meadow Park subdivision by turning right on Calle Vista or Shamrock.

Staff is of the opinion that any changes to the text that would have traffic implications, such as the medians, need to be analyzed and reviewed by the Engineering Department before these types of changes can be made. No traffic analysis has been done on the medians to date or the other two streets mentioned by Mr. Woerner

Commissioner McFadden asked, was there a traffic study on the effect of the median? Would it not be better to leave it to the discretion of the City of Medford Engineering Department when deemed necessary? Mr. Adams responded that there were a number of studies between 1998 and 2004. Traffic was studied and the circulation plan was created and agreed upon. Mr. Adams deferred the question to the City Engineer and added that this is not to say this matter could not be studied further in the future. It is a big change to make and not proposed this evening. If the Planning Commission and eventually City Council feels reexamining this median or any other questions on the circulation plan are warranted, then they could direct staff to start looking into studies and reports.

Alex Georgevitch, City Engineer addressed Commissioner McFadden stating that tonight the Comprehensive Plan amendment was never envisioned to make changes to this section of the Comprehensive Plan. He does not believe they can take that up as an issue right now. It would have to be initiated as a separate process. The issue of the median with the current language is used as guidance. The Roadway Authority works at maintaining safe and efficient roadways. Currently, there are no plans to do anything in that area. Regardless of what the Comprehensive Plan says, if there is a safety concern they will look at making improvements to fix safety. This is just guidance on how the roadway should be built and operate. It is not a directive to go build anything. It is not part of their capital improvement program or any plans at this time. There is a development that has a condition of approval to do some work at Calle Vista. He does not know when that development will occur. There will be further discussion when they come in with their plat to start that phase of work.

Chair McKechnie asked, would there be an additional study on minor streets. Mr. Adams responded yes. Engineering would want to look at the implications in the results of spacing but no time has been given to study that.

Chair McKechnie asked, will the relocation of Stanford Avenue align with the original plan of the Village Center? Mr. Adams replied yes.

Chair McKechnie requested staff to define block length and how they are calculated. Mr. Adams reported that throughout the rest of the City the code has a maximum block length. It is the maximum distance between streets with development between them to help connectivity. The

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code states a street intersection every 660 feet. The Southeast Plan states street intersections should be located approximately every 600-800 feet in single-family areas versus the 660 feet in the rest of the City. It is a little different for the Commercial Center. The Southeast has unique topography and other natural features that need to be preserved in areas. It gives some flexibility. It is talked about in the Southeast Plan and ignored in the development regulations of the Southeast Overlay District. Staff is putting language that would force future development in the Southeast Plan to follow block lengths.

The public hearing was opened.

a. Aaron Mueller, 3732 Cherry Lane, Medford, Oregon, 97504. Mr. Mueller is not familiar with what triggers a restricted zoning. Is there a mechanism for an amendment like this to trigger an analysis of the restricted zoning and does it get readdressed? Chair McKecknie reported that this is a text amendment designed to clear up the language and make it more consistent throughout. Restricted zoning is specific to a parcel. When those parcels come in for development the developer has two options: 1) Live within the limits of the restriction; or 2) Offer a study that shows those restrictions should not apply. The ones that he has seen are for sewer capacity, storm water or traffic that relate more to single family development, and limitations on a full buildout of a site until a study is taken.

Commissioner McFadden commented that most of the zoning in the Southeast Plan is not restrictive. It is general in nature allowing for a variety of homes and uses. The only one restrictive is the area north of Cherry Lane which is restricted because of the steepness of the slope. That area was limited to low number of homes per acre because of that steepness.

b. Randy Jones, 815 Alder Creek Drive, Medford, Oregon, 97504. Mr. Jones stated Mahar Homes has done design and building in the Southeast Plan in the last few years. They did not understand in the beginning of the Southeast Plan the impact of North Phoenix Road and the bypass traffic from Eagle Point to Ashland. The traffic signal at Cherry Lane was not warranted but they put it in when they built the first phases. The Southeast Plan has a great circulation plan even with the restrictions of grade, greenways, waterway and all. They have a plan that flows and eventually a lot of connectivity. Mr. Georgevitch commented not knowing when some of the traffic restrictions are put on and Mr. Jones can reassure that they are being engineered right now since they are doing the next phases. That is south of Shamrock Drive. They are designing that with the idea of a parallel street down to East Barnett Road.

There are 166 residences on the west side of North Phoenix Road that are going to ultimately have Calle Vista and Shamrock right-in / right-out and no easy way north or south to get turned around and back to their homes. If you take those residences times two or three cars and calculate how many trips a day will load up the Albertsons parking lot, Rogue Credit Union, Hillcrest Office Park and clog up the turn signal at Hillcrest and North Phoenix Road. There are no warrants for a traffic signal at Calle Vista but it is worth looking at.

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c. Claire Harkins, 416 Stanford Avenue, Medford, Oregon, 97504. Ms. Harkins asked, what is the plan to lengthen Stanford Avenue and when? Mr. Adams reported that Stanford Avenue will continue down to intersect with East Barnett Road and eventually down to Coal Mine Road. The future phases of Stanford Avenue will not be built until the property owners on both sides develop their land.

d. Linda Harris, 743 North Phoenix Road, Medford, Oregon, 97504. Ms. Harris stated that when they try to turn left coming from the north is tricky because it is past a hill. The turn lane is unclear. It looks to her that one can use the turn lane going north to turn left onto Shamrock Drive but not to go left into her driveway. They end up going to the corner turning around at the credit union and coming back. Their mailboxes are across the four lanes and it feels unsafe to walk across. When Shamrock gets extended and there may or may not be a traffic signal they would like to still be able to get their mail and turn safely into their driveway.

e. Tim Snopl, 4305 East Barnett Road, Medford, Oregon, 97504. Mr. Snopl would like a map of the straightening of Barnett Road. Chair McKechnie stated that it is going to stay in its current location.

f. Barb Pulver, 207 Island Point Drive, Medford, Oregon, 97504. Ms. Pulver came this evening to be informed of what is happening and did not know there would be a discussion about a signal possibly at Calle Vista and North Phoenix Road. Has concerns with the intersection of North Phoenix Road and Calle Vista.

The public hearing was closed.

Motion: The Planning Commission based on the findings and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation for approval of CP-19-002 and DCA-19-007 to the City Council per the staff report dated January 16, 2020, including Exhibits A through H, adding Exhibit I, Exhibit J, Exhibit K and to improve text regarding block lengths and adjustment to the Stanford Avenue alignment on all maps.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Jordan asked, is the Commission just voting on the improvement of the text regarding the block lengths and not the Stanford realignment? Vice Chair Foley replied they are voting on the items in the staff report and adding the two items. Commissioner Jordan stated that Mr. Adams talked about 90% being administrative. Chair McKechnie responded that is correct.

Commissioner Culbertson commented that cleaning this up has been needed. It has been sloppy as things get built up. It is a great thing to happen. It sheds light on something that has not been viewed in the past. He noted Mr. Jones' testimony and that if he is willing to work with staff to create

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signalization at Calle Vista and North Phoenix Road, it would greatly be appreciated, probably from everyone in the room testifying, including him.

Vice Chair Foley asked, does the Planning Commission want to make a recommendation to the City Council to look at that or just ignore it? Chair McKechnie responded that they should hold that and offer it as something else. Vice Chair Foley is good with that.

Roll Call Vote: Motion passed, 7-0-0.

Commissioner McFadden stated that over the years various visions have been presented to the Planning Commission. Northgate had a different traffic pattern than what they have now. The same is true with the Southeast Plan. Mr. Snopl was curious about the alignment of East Barnett. Many years ago the City submitted for funding to have planning experts explore the Southeast Plan. The original plan for East Barnett was to go past the fire station and jog to the left into the commercial area. The commercial area would be viable because it would be the only thing up there. The corner was to put the traffic going into the commercial area looking at Roxy Ann as a landmark.

Chair McKechnie reported that to the people that worked on the commercial area plan the idea of being able to have a view of Roxy Ann was completely lost. The design impacts of that do remain because they have been immortalized in the code.

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MEDFORD
PUBLIC WORKS

LD DATE: N/A
File Number: CP-19-002/DCA-19-007

PUBLIC WORKS DEPARTMENT STAFF REPORT

Southeast Plan Amendments
Update Southeast Plan & Southeast Circulation Plan – Chapter 10

Project: An amendment to update the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan; and, to make related updates to the Southeast Overlay District regulation in Sections 10.370 – 10.385 of the Medford Land Development Code.

Applicant: City of Medford

Planner: Seth Adams, Planner III – Long Range Division

I. Transportation System

Southeast Plan (SE) Section 7.3.1 – Change the last sentence to clarify the intent of the LOS exemption. The suggested wording is, "However, future zone changes in the City will be exempt from meeting the minimum transportation LOS standard ***for the intersection of*** Stanford Avenue and *(text deleted)* Barnett Road *(text deleted)* because Stanford Avenue within the Commercial Center is desired to have a high level of slow moving traffic."

Medford Land Development Code Section 10.462 should be updated to reflect SE Plan Section 7.3.1 by adding a row to the table calling for Level of Service Minimum "F" at Stanford Avenue and Barnett Road.

SE Circulation Plan Section 5.8.2 – change the second paragraph in this section to match the revised wording of SE Plan Section 7.3.1.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the Comprehensive Plan Amendment Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.

EXHIBIT D

From: Jay Harland
To: Seth A. Adams; Raul Woerner
Cc: Carla G. Paladino; Brent Barry; Jon McCalip
Subject: RE: Southeast Plan
Date: Tuesday, October 15, 2019 12:41:03 PM
Attachments: image001.png

<EXTERNAL EMAIL>

Seth,

I would suggest looking at the District's Facilities Master Plan – that site is discussed several places in the Master Plan. The bottom line – is that the District does not know what may happen with the site. In 10-15 years, it is expected that capacity issues at Orchard Hill Elementary will necessitate an update to the Master Plan. The Coal Mine Road property could be utilized to address that issue or it could be a source of capital (as surplus land) to address the issue at another site.

As such, the District requests no changes to the current GLUP map designation or the associated zoning district.

Thank you and thanks for reaching out,

Jay Harland

President
CSA Planning Ltd.
4497 Brownridge, Suite 101
Medford, Oregon 97504
(541) 779-0569

From: Seth A. Adams <Seth.Adams@cityofmedford.org>
Sent: Tuesday, October 15, 2019 12:19 PM
To: Jay Harland <jay@csaplanning.net>; Raul Woerner <raul@csaplanning.net>
Cc: Carla G. Paladino <Carla.Paladino@cityofmedford.org>
Subject: Southeast Plan

Jay and Raul,

We are going to be doing an amendment to the Southeast Plan and the Southeast Overly District regulations in the MLDC, and we want to reach out to see if there are any issues you know of that should be addressed. One item that came to mind for us is the Phoenix-Talent Schools site at Coal Mine Road. The GLUP is UR and zoning is SFR-10. Should these designations be left alone? How should the future use of this site be discussed in the SE Plan? We are of the understanding that the

EXHIBIT E

From: Raul Woerner
To: Seth A. Adams; Jay Harland
Cc: Carla G. Paladino
Subject: RE: Southeast Plan
Date: Tuesday, October 15, 2019 4:45:17 PM
Attachments: TSP_Figure_18_Roadway_Functional_Classification.pdf

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<EXTERNAL EMAIL>

Seth:

Thanks for reaching out on this. Here are my comnents:

1. Jay Harland has already responded concerning the Phoenix-Talent School District owned property. The property that was originally (and is still) shown for a school site as Area 18 on the SE Plan Map, along with Area 19 which was to be a park, continues to be owned by Charlie Hamilton and others. I presume the premise was originally to co-locate the park next to the school site. I recommend that you contact Mr. Hamilton and the Parks Department if you haven't already about updating the map for those areas. The corresponding zoning was to be SFR-4 or SFR-6 for them.

2. The recent TSP update included a recommendation as shown on the attached Figure 18 to straighten out the alignment of Barnett Road (which in effect would be to leave the existing alignment in place rather than to realign as planned in the SE Plan). Lou and Kathryn Mahar, along with members of the DeCarlow family, own the property through which Barnett Road would need to be realigned if the SE Plan is not changed in response to the TSP recommendation. They would like to request a zone change to implement the SE Plan for the property but have been held up as the SE Overlay District at Sectiojn 10.374(A)(1) requires that a PUD plan be prepared to accompany zone change applications for projects in the Commercial Center (Area 7B) – and a PUD plan needs to comply with the adopted circulation plan. They would prefer that the alignment remain where it is current platted (that is, to keep it straight) as would the neighbors to the south.

3. On that note, consider revising Section 10.374(A)(1) to allow zone changes without requiring a corresponding/concurrent PUD plan application at the time. The SE Overlay District has an entire section of Special Design Standards adopted to ensure that development will occur in ways appropriate to the district. Why then is a PUD plan required at all for plans which require no exceptions to adopted standards? If development is proposed that is consistent with the adopted standards that the City has invested a great deal of time and effort to adopt, then it should be allowed through a standard SPAC review. Since PUDs are exempt from SPAC review – unless the applicant chooses to defer architectural review – and since the Planning Commission is the review authority for PUDs but clearly prefers to let SPAC review commercial development plans – it would be very appropriate to make this change.

4. Update SE Plan maps to reflect GLUP Map Amendment/Zone Change to Commercial/C-C for 371W27-701 (Court House Family Fitness – File Nos. GLUP-19-002 & ZC-19-010); Revise SE Plan Subareas Table/maps accordingly (e.g., add an "Area 22").

EXHIBIT F

5. Remove "Local Street" connections to North Phoenix Road as shown on the SE Circulation Plan Map where the same have not been vetted for safety and do not already exist. The future Michael Park Drive connection was analyzed through the Area 7A master planning process and subsequent zone change for the property south of the creek ("Herbert Creek"). There is another local street shown colinear and adjacent to the north bank of the creek that has not been analyzed for safety (and would likely not be safe), is not necessary, and would unreasonably impact the stream. The entire street should be removed from the plan. North of that, past the standard street realignment for Shamrock, is another local street connection that was not required to be built with the Court House Family Fitness project. It would be a dangerous place for a street intersection. My recommendation is to turn it southward to connect with Shamrock instead of connecting to N. Phoenix Road.

6. Revise Area 5 on the SE Plan to reflect the reality that the east half is already built out as estate lots and is not buildable land inventory for high density residential. Beyond that housekeeping matter, open a discussion with the Hutchins family on the remainder of their Area 5 holding on the west for possible future revision that would be mutually acceptable. I met with them tangentially on the CUP/rezoning of the neighboring property (Court House fitness center) to ensure that they would be supportive of that plan. Two important street connections planned through their property (being Stanford Avenue to the commercial core area (7A) and the Shamrock Drive realignment) are dependent on development of Area 5. They told me they are not on board with the high-density residential designation and won't be interested in developing while it remains. They would be more supportive of a UM or C-S/P designation. Please note that we do not represent them but I did want to pass that information on to you. If there is any interest, I can put them in touch with you.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

From: Seth A. Adams <Seth.Adams@cityofmedford.org>
Sent: Tuesday, October 15, 2019 12:19 PM
To: Jay Harland <jay@csaplanning.net>; Raul Woerner <raul@csaplanning.net>
Cc: Carla G. Paladino <Carla.Paladino@cityofmedford.org>
Subject: Southeast Plan

Jay and Raul,

From: Brad Earl
To: Seth A. Adams
Cc: Richard S. Rosenthal; Bret Champion
Subject: RE: Future School Sites in Southeast [EXTERNAL SENDER]
Date: Thursday, October 31, 2019 2:13:07 PM

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Seth,

We have had a few conversations with the property owner of Area 8, including one meeting that included Rich Rosenthal. We continue to have interest in the site as a future school and most likely as an elementary school. Our conversation involving Rich was for us (the District) to consider working with the property owner to have a larger footprint for the school as opposed to having a school adjacent to a park. We are generally in favor of this idea, depending of course on negotiations with the property owner.

Brad L. Earl
Chief Operations Officer
Medford School District 549c
(541)842-5007

From: Seth A. Adams <Seth.Adams@cityofmedford.org>
Sent: Thursday, October 31, 2019 12:55 PM
To: Brad Earl <Brad.Earl@medford.k12.or.us>
Subject: Future School Sites in Southeast [EXTERNAL SENDER]

Hi Brad,

I got your name from Carla Paladino as she said that you were involved in the City's recently adopted TSP. I am actually reaching out regarding the City's Southeast Plan Area which has two sites identified for future schools (MSD and/or Phoenix-Talent). These sites are identified on the attached map as Area 8 and Area 18. We are doing some updates to this Plan and are wondering what MSD's thoughts are on the school sites currently in the plan.

We know the one north of Barnett (Area 8) is mentioned in your master plan, but do you think this is a likely location the District would pursue, or is the location of likely future sites up in the air at this time? We are fine leaving the school site where it is in the SE Plan, but since we are doing some housecleaning it is something we thought we would check up on. Thanks for your time, and if there is someone else I should be asking this of, please let me know.

EXHIBIT G

From: Robert Bierma
To: Seth A. Adams
Subject: Re: City-Initiated Comprehensive Plan/Development Code Amendment (CP-19-002 & DCA-19-007)
Date: Tuesday, December 31, 2019 4:44:36 PM

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Hello Seth,

I have only give a the material a quick look over but based on that I have two comments.

One, I am happy to see and support the removal of using PUD's as the primary way of getting development designs approved.

Second, I would like to suggest a set of design guidelines for properties on each side of Barnett. Rather then screening development from the road with the sectional designs of the north and south side as shown. I would rather see devloment face the road and form what some would call a boulavard style design. I believe this supports a more safe, active, and multimodal streetscape and creates more over all value for the city. To support this design I would also suggest density bonuses or something similar for properties that abutt Barnett. I own a book called "the boulavard book" if anyone from the city would like to see it and get a better idea of what I am suggesting.

Hope this feedback is helpful!

Thanks,
Robert Bierma

On Tue, Dec 31, 2019, 1:11 PM Seth A. Adams <Seth.Adams@cityofmedford.org> wrote:

> Hello,
>
> The purpose of this email is to inform you that the City is undertaking an amendment to update the Southeast Plan and Southeast Circulation Plan sections of Chapter 10, the Neighborhood Element of the Medford Comprehensive Plan; and, to make related updates to the Southeast Overlay District regulations in Sections 10.370 – 10.385 of the Medford Land Development Code.
>
> Please note that all of the maps in the Southeast Plan are currently being updated to reflect approved land use changes and new development that has occurred in recent years, as well as the straightening of the future East Barnett Road as recommended in the TSP. The updated maps will be included in the Planning Commission agenda packet for the hearing of January 23, 2020. The amendment is also tentatively scheduled for the February 20, 2020 City Council hearing.

EXHIBIT H

From: Raul Woerner
To: Seth A. Adams
Subject: RE: City-Initiated Comprehensive Plan/Development Code Amendment (CP-19-002 & DCA-19-007)
Date: Thursday, January 2, 2020 5:01:22 PM

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Seth:

With regard to the MLDC Draft Code, please consider removing "charging stations" from the list of Prohibited Uses in the Commercial Center. SIC 5541 does not actually include "charging stations" as part of the industry description. The subcategories listed there are Gasoline Service Stations; Filling Stations, Gasoline; Marine Service Station; Truck Stops; and Gasoline Service Stations with Convenience Store.

Alternatively, clarify that other primary businesses can offer electric charging service facilities as accessory uses with approved employee and customer parking areas. The concern in a TOD is that other modes of travel not be subordinated to the automobile. However, where parking areas are provided there should not be a prohibition on providing some spaces for electric vehicles. I am aware of no other jurisdiction in the country that has outright prohibited electric charging stations in this manner, and Medford does not prohibit them in any other TOD. This should be remedied.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

From: Seth A. Adams <Seth.Adams@cityofmedford.org>
Sent: Tuesday, December 31, 2019 1:10 PM
To: Bandana Shrestha <BShrestha@aarp.org>; Belle Shepherd <belle.shepherd@dhsoha.state.or.us>; Bob Neathamer <bob@neathamer.com>; Brad Bennington <brad@buildso.com>; Brad Earl <brad.earl@medford.k12.or.us>; Brad Hicks <brad@medfordchamber.com>; Brian McLemore <brian@retirement.org>; Clark Stevens <cstevens@mind.net>; Dan Horton <dan@hortonarchitecture.com>; Dan O'Connor <dano@oconnorlawgroup.net>; Darrell Huck <dlh@hoffbuhr.com>; Dave Wright <dwright@cpmrealestateservices.com>; Debra Lee <debralee@cnpls.net>; Dennie Conrad <dennie.conrad@asante.org>; Dunbar Carpenter <dcarpen186@aol.com>; Edgar Hee <ejhee@juno.com>; Gayle Johnson <gayle.johnson@providence.org>; Greg Holmes <greg@friends.org>; Harlan Bittner <hbittner3@gmail.com>; Jason Elsy <jason@hajc.net>; Jay Harland <jay@csaplanning.net>; Jenna Marmon <jenna.marmon@odot.state.or.us>; Jim Maize

EXHIBIT I

From:	Raul Woerner
To:	Seth A. Adams
Subject:	RE: City-Initiated Comprehensive Plan/Development Code Amendment (CP-19-002 & DCA-19-007)
Date:	Thursday, January 2, 2020 4:33:34 PM
Attachments:	10_Neighborhoods_SE Plan_Circulation_2013.pdf ATT00001.htm Southeast Plan_Circulation Plan_12_4_08.doc

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Seth:

Neighborhood Element Section 6.2.1 (Planned Intersections) for Stanford Avenue/Barnett should be updated to reflect the adopted 7A master plan. The intersection is to be a roundabout now and is about 100 feet further east than originally anticipated. The Commercial Center Core Area (7A) extends just past the intersection rather than 300 to 400 feet east of the intersection. In point of fact, the 7A boundary was never than far east of the original intersection. 200 feet would have been a better estimate for that. Centerline of the planned intersection is now about 100 feet to the west of the 7A boundary.

The text at the end of the first paragraph in Section 3.4 (Commercial Center Planning) should also be updated to reflect the recommendation in the latest TSP update to retain the current alignment of East Barnett rather that to realign as previously planned.

Also, the drawing that has been inserted with this paragraph should be removed. Neither the version adopted by Ordinance Number 2013-041 or the prior version adopted by Ordinance 2008-246 (both attached) had that drawing in it. The picture shows an option in the plan prepared by Lennertz-Coyle and Associates for a "Y" intersection with a pocket park that would be located adjacent and north of the fire station. It was considered during the commercial center core area master planning process for Area 7A but was not incorporated into the final plan (acute "Y" intersection angles for a major arterial street section not being conducive to safe street function) . Shortly after the adoption of Ordinance 2013-041, a modified version was posted on the city's website. I noticed it differed from the adopted version and asked the Department how the changes came about. I was preparing finding for approval of the 7A master plan and wanted to make sure that I was citing to the correct sections and figures of the neighborhood element. The response was that the version posted on the website was just a reorganization made by the Department for formatting purposes but did not change any substantive provisions of the version adopted by the City Council's ordinance. That does not explain why it was ever appropriate to add a drawing that was never even in the adopted version or the previous version to that.

I think it would be appropriate to explain why the version adopted by the City Council was reformatted and to note that the Lennertz-Colye drawing – if it is to be kept in the final version now – was an intersection option that was not ultimately adopted. A better and less confusing option would be to remove it.

Very truly yours,

From: Raul Woerner [mailto:raul@csaplanning.net]
Sent: Wednesday, January 22, 2020 2:47 PM
To: Seth A. Adams <Seth.Adams@cityofmedford.org>
Subject: RE: City-Initiated Comprehensive Plan/Development Code Amendment (CP-19-002 & DCA-19-007)

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Seth:

The proposed map changes for this project were not yet available when your first sent this request but are now shown in the version in the Planning Commission's Agenda Packet for January 23, 2020.

I recommend that the following adjustments be made to the street connectivity plan(s):

1) Remove the un-named planned local street connection shown approximately 300 north of the planned realigned intersection for Shamrock Drive with North Phoenix Road.
The spacing is too close for the high speed regional arterial and the shown location 300 feet north of the Shamrock intersection is in a particularly dangerous spot with regard to line of sight. The realigned location of Shamrock Drive will be located at the crest of a vertical rise from the south along North Phoenix road such that drivers turning from Shamrock onto North Phoenix Road will be able to see approaching traffic from both directions. However, the next local cross street shown on the circulation plan – being just 300 feet to the north – is located such that northbound traffic on North Phoenix Road to the south of the rise will not be visible to drivers attempting to turn onto North Phoenix Road from the new local street intersection. Also, the adjacent grade along the east side of North Phoenix Road is significantly higher than the adjacent road grade such that a high bank will obscure vision in each direction for those attempting to turn onto North Phoenix Road.

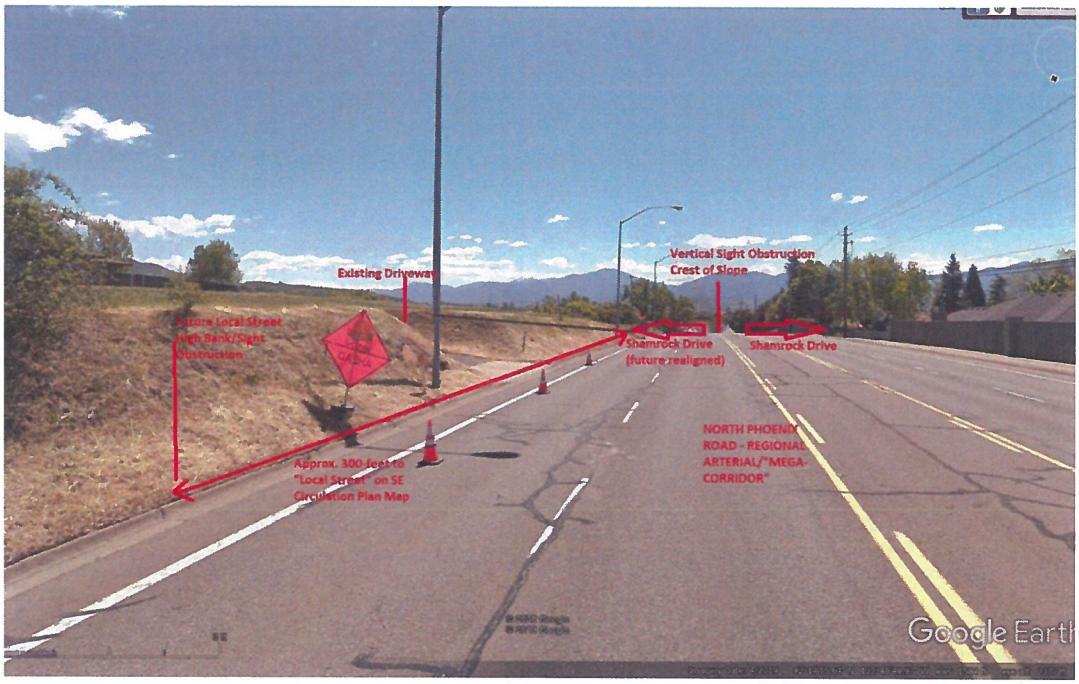
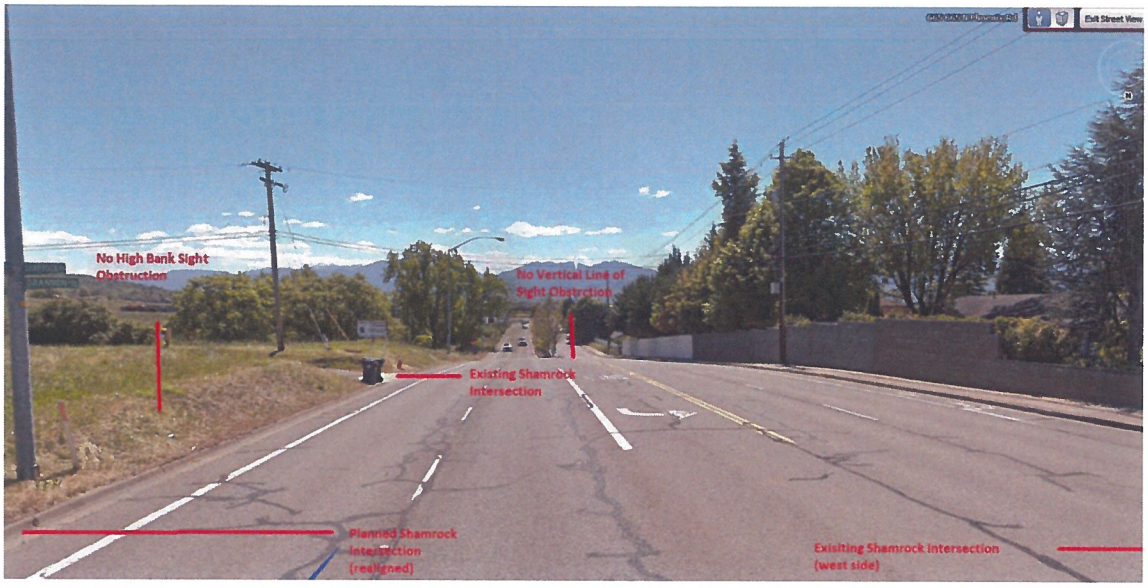


EXHIBIT J

Instead of requiring a new local street intersection to a regional arterial street just 300 feet north of the realigned location of the exiting Shamrock Drive intersection, I recommend that local street connectivity be direct to Shamrock Drive for use of that much safer intersection location shown here below:



At this location, there is no vertical line of sight problem with the northbound traffic coming up the rise from the south and there is no major grade difference between North Phoenix Road and the adjacent land.
When the land north of this intersection is developed in the future, pedestrian connections to North Phoenix Road can be provided without need to connect an entire street through to North Phoenix Road where it would be dangerous to do so.

2) A local street connection is shown to cross Herbert Creek south of Shamrock Road to connect through to Michael Park Drive in the Commercial Center Core Area (7A). That street crossing, if required, would be just a couple of hundred feet to the west of the Stanford Avenue crossing and about 400 feet west of North Phoenix Road which already crosses the creek. That connection was not included in the city's adopted Southwest Village Center Core Area Master Plan in order to minimize the number of creek and greenway crossings. Adding another crossing so close between North Phoenix Road and Stanford Avenue be unnecessarily disruptive to the creek environment and would create another point of conflict between vehicles and the greenway path users. That connection should be removed from the SE Plan Maps.

3) In developing the Southwest Village Center Core Area Master Plan for Area 7A, the alignment of Stanford Avenue was shifted east of the location originally planned in order to provide for a roundabout intersection with East Barnett Road and to provide for a crossing point of the creek at a narrower point. Stanford Avenue is also to function as the "main street" focus of the core area with retail commercial shops to flank both sides of the street. The corresponding 7A area was effectively shifted over to tie in with the SE corner of Tax Lot 1601 (MAID 371W27) which the City then acquired for the Greenway. In that way, adequate area was provided to accommodate retail commercial uses along the east side of the street within Area 7A. GLUP

Map boundaries are "purposefully non-site-specific" pursuant to the Medford Comprehensive Plan GLUP Element so it was appropriate for the City to have adopted the 7A core area master plan with a slight adjustment to the east (and still having approximately 18 acres in 7A). The adopted Area 7A master plan governs over the more general provisions of the SE Plan and the overlay district. However, I recommend that the maps be adjusted to better reflect the adopted master plan since other updates are now being made.

Please find attached a key map showing where the three recommended adjustments to the map as discussed above are located.

With regard to the proposed text amendments, I noticed one other matter of concern. The proposed revisions to Section 10.381 of the SE Overlay District standards includes the addition of a Block Length Standard.
Specifically, the proposed text to be added as subsection (2) is:

"Block Length. Street intersections shall be located every 600 to 800 feet in single-family residential areas, and every 400 to 600 feet in the Commercial Center Core and higher density areas. The approving authority may,
at their discretion, allow for longer block lengths in order to preserve significant established trees or groves of trees, or to minimize street crossings of designated Greenways."

This appears to intended to implement Section 5.3 Southeast Circulation Plan which also is proposed to be revised as follows:

5.3 Block Length

Maximum block length standards optimize convenience for pedestrians and enhance street connectivity. Street intersections should be located ~~approximately~~ every 600 to 800 feet in single-family areas, and 400 to 600 feet in the Village Center and other higher density areas~~;~~ however, ~~T~~this standard should be balanced against the preservation of natural resources and topography. Street crossings of Greenways should be minimized, particularly those that are fish-bearing riparian corridors. Longer block length should be considered if needed to save significant established trees or groves of trees. Approximately one-quarter mile spacing of riparian corridor crossings is considered adequate. Individual developments should not be isolated or "dead-end" because they prevent connectivity and neighborhood formation.

Section 5.2 falls under "Part II: General Circulation System Policies and Guidelines" of the Southeast Circulation Plan. Section 5.2 provides guidance that street intersections "should" be located "approximately" every 400 to 600 feet in the "Village Center" and other high-density areas, and that longer blocks should be considered if needed to save or minimize impacts to natural features. Section 5.2 includes no mandatory terms such as "shall" and is not written in such way as to prohibit the city from considering other factors in allowing longer block lengths.

The term "approximately" is appropriate to Section 5.2 as a guidance for maximum block length in the SE area. The SE Circulation Plan also includes a map of anticipated local street connection to which future development is to substantially conform. Even should the City decide to impose a strict block

length standard in the implementing ordinance for the SE Overlay District, it is not necessary to strike the word "approximately" from the comprehensive plan guidance in Section 5.2.

Concern 1) The proposed text of MLDC Section 10.381(2) as written is not directed to maximum block length, but rather just "block length". Although Section 5.3 in the SE Circulation Plan is also entitled "Block Length", the first sentence in that section makes it clear in context that the section is meant to address the issue of maximum block lengths and not minimum block length. However, proposed MLDC Section 10.381(2) contains no such clarification. As written, I would construe the specified intersection spacing ranges of "600 to 800" and "400 to 600" feet to constitute the minimum as well as maximum block length standards applicable to the respective areas. That would be problematic. Block length is measured from center line to center line of the corresponding intersections. Even still, a minimum block length of 600 feet in standard residential areas would be too long to array blocks 100-foot deep SF Lots (which would yield 260-foot block lengths on the short face of the block, if measured to street center lines). If the code section is intended to establish only maximum block standards, then what is the purpose of the range? If the maximum standard is 800 feet, ten a 600 foot block length would meet the standard anyway – which is why listing a range implies that the lower length is intended to be a minimum.

Concern 2) Section 5.3 in the SE Circulation Plan states that intersections in the "Village Center and other higher density areas" should be 400 to 600 feet. The proposed code section 10.381(2) would apply the 400 to 600 foot spacing to the Commercial Core Area rather than the larger Village Center area. This is problematic because the Commercial Center Core Area already has a much more specific master plan adopted which governs and development within that area.
All access points and street locations were thoroughly analyzed as part of the master planning process and subsequent zone change for Area 7A based on the adopted master plan. I recommend that the code expressly states that adopted Master Plan continue to govern design and development within Area 7A in accordance with MLDC 10.374 and that the street spacing standard of 10.381(2) be directed to the remainder of the Village Center which was not otherwise subject to the master planning requirement for the Commercial Center Core Area 7A.

Concern 3) Include express allowances for longer blocks to minimize the number of local street connections to North Phoenix Road. That is a regional arterial on the outer perimeter if the SE Neighborhood area. It should not have street intersections spaced every 400 to 600, or 600 to 800, feet. Also make allowances for steeper hillside areas in order to minimize erosion.

Concern 4) Specify what is meant by "and other higher density areas". As written, that clause follows "Commercial Center Core" – which is the arguably the area designated with the highest intensity uses in the entire SE Plan area. In the context of the text of the SE Circulation Plan section 5.2, "other higher density areas" were those outside the Village Center. Presumably, then, it was directed to UH and UM areas.

Thank you for the opportunity to comment and your consideration of these comments.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner
(541) 779-0569

LAW OFFICE OF
DEBORAH K. VINCENT
Attorney at Law

1/22/2020

City of Medford Planning Commission
Medford City Hall
411 W. 8th Street
Medford, Oregon 97501

RE: Southeast Plan Amendments
CP-19-002 & DCA-19-007

Dear Planning Commissioners:

I have lived on Shamrock Drive west of North Phoenix since September, 1997. In all that time, I have never been provided written and mailed notice of any planning action that proposed to make Shamrock Drive and Calle Vista "right in and right out turns only" intersections onto North Phoenix. The first I have ever heard of that future plan is on pages 69 through 71 of Mr. Seth Adams report for the hearing on January 23, 2020 before the Planning Commission.

The proposal seems to indicate that there will be a median strip all along North Phoenix that prevents left turns from Calle Vista and Shamrock onto North Phoenix. The subdivisions that use that access are Fairway's Edge, Island Point and Meadowpark subdivisions on the golf course side of North Phoenix, not the Summerfield subdivision side. Such a median strip would significantly and dangerously prevent a primary emergency response route that has always been in place where by the fire trucks located at the station on Barnett can easily turn right onto North Phoenix and **left** onto Shamrock or Calle Vista. The proposed median strip would prevent that. In addition, the Larson Creek Shopping Center contains an Albertsons grocery store and many other services, restaurants, dry cleaning, etc. where I do all of my shopping. This proposal would prevent me from turning left onto my street after I do my shopping. Instead I would leave Albertsons on North Phoenix and have to drive to the traffic intersection light at Cherry Lane and turn left into the dead end street at Greystone and make a turn around so that I could then drive south on North Phoenix to turn right into Shamrock where I live. How does a plan like that encourage and promote "connectivity" and an efficient transportation system? To use the Courthouse gym facility literally across the street (North Phoenix) from my house, would require me to turn right off Shamrock, drive, left on Barnett and

P.O. Box 4606, Medford, Oregon 97501 Phone/Fax (541) 840-0479

EXHIBIT K

turn around in the Rogue Credit Union parking lot so that I could then drive north on North Phoenix to get to the gym across the street from me. Again, that's ridiculous!! It isn't just me that would be driving like this, it would be every single person in three major subdivisions west of North Phoenix I have mentioned.

Solutions to consider are, a traffic light at the intersection of Calle Vista and North Phoenix whereby everyone in these three mentioned subdivisions could turn left, and/or a left hand turn at Calle Vista. The intersection light is much needed there anyway, because of lots of car accidents.

If you are going to make amendments to the Southeast Plan, please amend the proposal to make Calle Vista and Shamrock, "right in, and right out turns only" as they relate to North Phoenix Road. There can be no median strip up the middle of North Phoenix to prevent all of these people living in the subdivisions here for the past 22 years from turning left.

Thank you for your consideration.

Sincerely,

Deborah K Vincent

Deborah K. Vincent

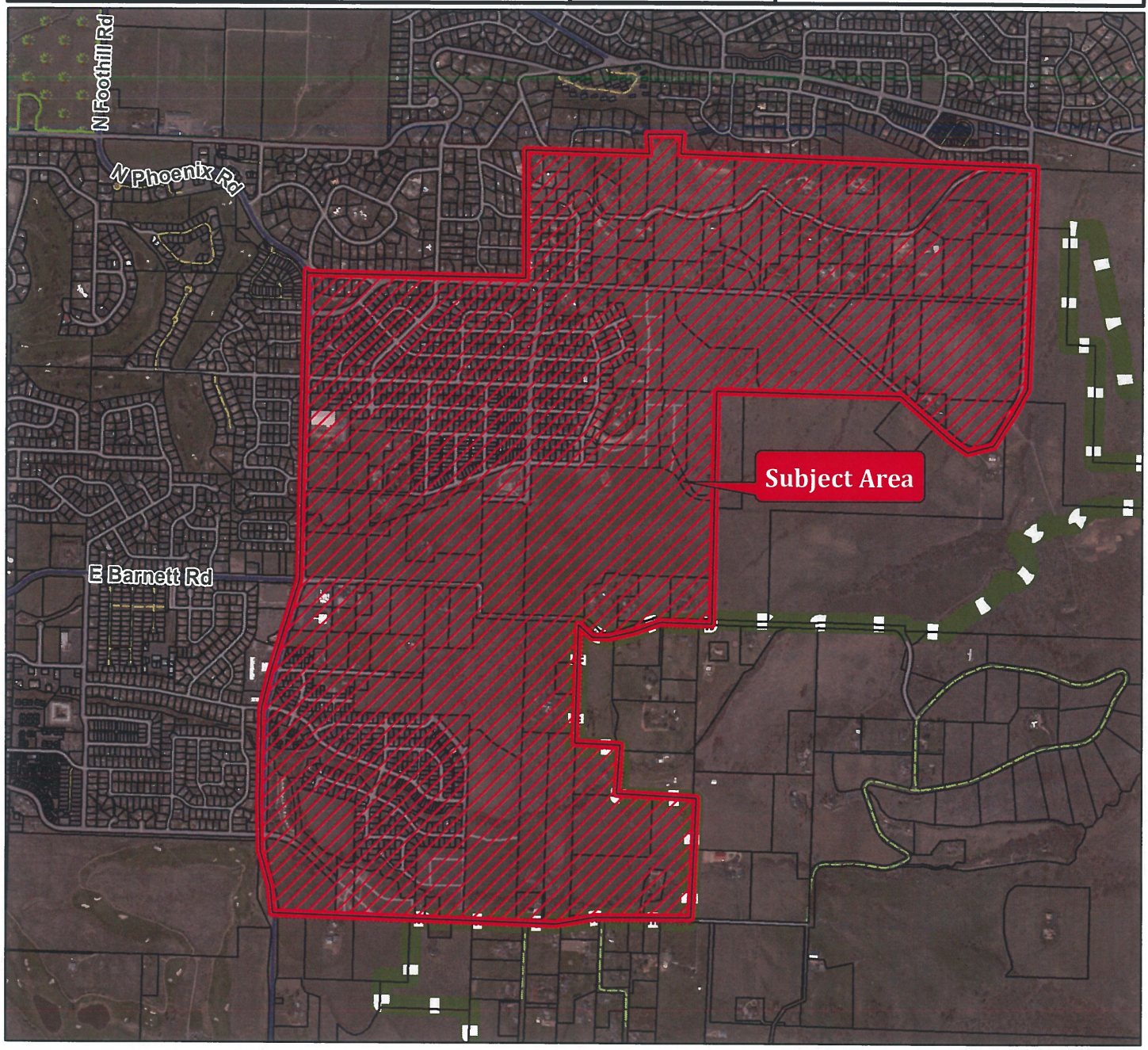
To: City Medford Planning Dept. & Engineering Dept.
From: Dan Mahar
Date: 01/21/2020

As the developer and builder of Meadow Park subdivision, I believe that right turn only on Calle Vista is a mistake. There should be a traffic light installed there so people that live in that area would have the option to go left (north). Shamrock would be ok to have a right (south) turn only if you have a traffic light on Calle Vista. It would be too big of a burden on Meadow Park Subdivision and their neighbors to not have the option to go north.

Thank you,
Dan Mahar

EXHIBIT L

MEDFORD PLANNING	Vicinity Map	File Number: CP19-002 & DCA19-007



Project Name:

Southeast Plan Amendment

Map/Taxlot:

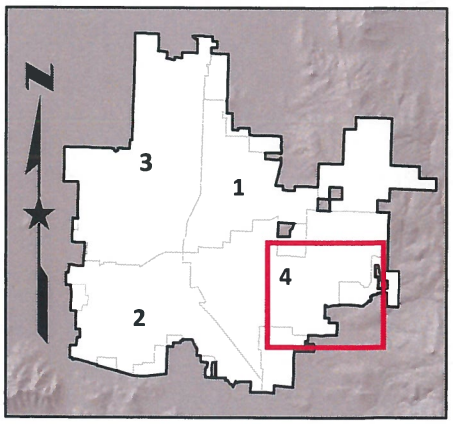
Southeast Plan Area

0 1,250 2,500 Feet

Legend

Tax Lots selection

Tax Lots



12/30/2019

MEDFORD
OREGON
cityofmedford.org

Item No: 80.2

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-22

An ordinance amending Sections 10.108 and 10.216 of the Medford Land Development Code in order to update the processes and approval criteria for the annexation of property into the city limits. (DCA-19-006)

SUMMARY AND BACKGROUND

Council is requested to consider a legislative amendment to Sections 10.108 and 10.216 of the Medford Land Development Code (MLDC), in order to update the processes and approval criteria for the annexation of property into the city limits. By updating the approval criteria to reference the Urbanization Element of the Comprehensive Plan, the amendment will help ensure that all of the applicable conditions specified in the Urbanization Element have been met for those lands that were brought into the Urban Growth Boundary from the Urban Reserve areas in 2018.

The Planning Commission voted 7-0 in favor of adopting the amendment during its January 23, 2020, public hearing. (File No. DCA-19-006)

PREVIOUS COUNCIL ACTIONS

On December 17 and 19, 2019, the amendment was discussed with members of City Council at G-3 meetings.

ANALYSIS

The City of Medford's procedures and criteria for the annexation of land into the city limits are spelled out in the Urbanization Element of the Medford Comprehensive Plan, and Section 10.216 of the MLDC. The expansion of Medford's Urban Growth Boundary (UGB) in 2018 brought approximately 4,000 acres into the UGB from the City's Urban Reserve area. Section 2.1.7 of the Urbanization Element of the Comprehensive Plan specifies that several conditions must be met in order for those lands that were brought into the UGB to be annexed; however, the conditions specified in Section 2.1.7 of the Urbanization Element are not currently referenced in the City Council's Approval Criteria for Annexation, which are located in MLDC Section 10.216. The following outline summarizes the proposed amendment:

- Updating of MLDC Section 10.216 to include an approval criterion that the conditions specified in the Urbanization Element of the Comprehensive Plan must be met where applicable.
- Clarification of language regarding public noticing requirements, and specifying when a public hearing is required.
- Updating of the annexation application requirements.
- Rearrangement and minor editing of text.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

The amendment is necessary in order to ensure lands brought into the UGB from the Urban Reserve comply with the requirements in the Urbanization and Neighborhood Elements of the Comprehensive Plan prior to or concurrently with a request for annexation.

COUNCIL OPTIONS

Approve the ordinance as presented.
Modify the ordinance as presented.
Decline to approve the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance to adopt the amendment to the Medford Land Development Code.

SUGGESTED MOTION

I move to approve the ordinance authorizing the Land Development Code Amendment as described in the Council Report dated February 13, 2020.

EXHIBITS

Ordinance
Council Report, including Exhibits A through E

ORDINANCE NO. 2020-22

AN ORDINANCE amending Sections 10.108 and 10.216 of Medford Land Development Code (MLDC), in order to update the processes and approval criteria for the annexation of property into the city limits. (DCA-19-006)

Section 1. Section 10.108 of the Medford Municipal Code is amended to read as follows:

10.108 Land Use Review Procedures.

***

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Urban Growth Boundary Amendment, Minor	IV	Urbanization, 10.222	City Council	No
Urbanization Plan	IV	10. ~~200~~**220**(B)(4)	City Council	No
Vacation of Public Right-of-Way	IV	10.22~~6~~**8**	City Council	No
***				

Section 2. Section 10.216 of the Medford Municipal Code is amended to read as follows:

(A) Annexation is the action taken to incorporate land into a city. ~~The state~~ **Under State law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits.** ~~requires annexation of property that is contiguous to city limits and within the city's Urban Growth Boundary.~~

(B) Application for Annexation. Except for the annexation of unincorporated territory surrounded by the city as provided in Subsection (**G**) below, applications for annexation shall~~, in addition to requirements contained in the application form,~~ **include all of the requirements listed in Subsection (F) below**, and be subject to the provisions of ORS 222.111 to 222.180 **(Authority and Procedures for Annexation)** or 222.840 to 222.915 **(Health Hazard Abatement Law).**

(C) **Public Hearing for Annexation. A public hearing shall be held prior to the Council's adoption of an ordinance for annexation. The City shall publish notice of the public hearing once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall post notices of the hearing in at least four public places in the city for a like period.**

(1) Exception: A public hearing is not required when all of the owners of land in the unincorporated territory consent in writing to the annexation, and file a statement of their consent with the Council per ORS 222.125.

(D) Annexation Approval Criteria. The City Council must find that the following State and City requirements are met in order to approve an annexation:

(1) The land is within the City's Urban Growth Boundary,

(2) The land is contiguous **with** the current city limits,

(3) Unless the land being considered for annexation is unincorporated territory surrounded by the incorporated boundary, or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170, and

(4) For lands added to the Urban Growth Boundary, all of the applicable conditions in Section 2.1.7 of the Urbanization Element of the Comprehensive Plan have been met.

(~~D~~**E**) Zoning of Annexed Property.

At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-OO (Limited Industrial Overlay) shall be applied.

~~(E) Annexation of Territory Surrounded by the City.~~

~~(1) As authorized in ORS 222.750, the City Council may, by ordinance, annex territory surrounded by the corporate boundaries of Medford with or without the consent of any owner of property within the territory or resident of the territory.~~

~~(2) Such annexation may be initiated at the request of the Planning Department or City Council and shall not be subject to the requirements of Sections 10.106, 10.110(D), 10.112, 10.124, 10.214, and 10.216.~~

~~(3) A public hearing shall be held prior to the Council's adoption of an ordinance for annexation.~~

~~(4) Prior to the public hearing, notification shall be mailed to all owners of property within the area proposed for annexation.~~

~~(5) For property that is zoned for, and in, residential use when annexation is initiated by the City, the City shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the City proclaims the annexation approved.~~

~~(6) The City shall notify the Jackson County Clerk of the territory subject to delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.~~

(F) Annexation Application Form

An application for annexation shall contain the following information:

(1) Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of annexation and existing city limits.

(2) Assessor's Maps of the proposed annexation area. The assessor's maps shall have identified those parcels for which consents to annex have been acquired and adjacent right-of-way to be annexed.

(3) Consent to annex forms completed and signed by all consenting property owners within the proposed annexation area.

(~~5~~4) **Restrictive Covenant forms waiving Measure 37 claims for combined annexation and zone change, completed and signed by all consenting property owners within the proposed annexation area.**

(45) Legal metes and bounds or lot and block description of the annexation area ~~including to the centerline of the adjacent right-of-way in electronic form per the instructions of the City of Medford Planning Department~~. **Prior to submittal of the Annexation application, the applicant shall consult with the Public Works Department on the extent of any adjacent right-of-way that is to be included in the legal description. All**

legal descriptions shall be reviewed and approved by the Public Works Department prior to submittal of the Annexation application.

(~~5~~**6**) Specific information on each parcel within the proposed annexation area:

(a) Current assessed valuation shown on County Assessor's tax rolls.

(b) Acreages of ~~both~~ public and private property**, and public right-of-way** to be annexed.

(c) Map and tax lot number.

(~~6~~**7**) Addresses of all dwelling units and businesses located within the annexation area, and names of all residents and whether they are registered voters.

(~~7~~**8**) The following **additional** information shall **also** be supplied by the applicant:

(a) Existing land uses within annexation area.

(b) Existing zoning within the annexation area.

(c) Existing improvements **(such as)**:

-water system
- streets
- sanitary sewer
- storm drainage

(d) Special Districts within the area **(such as)**:

- water district
- irrigation district
- fire district
- school district
- Rogue Valley Sewer Services
- other

(e) A completed **Confidential** Census Information Sheet for ~~all parcels~~ **each housing unit within the proposed** ~~being considered for~~ annexation **area**.

(f) Written findings indicating compliance with all of the ~~annexation~~ criteria ~~1 through 3~~ contained in Section 10.216(~~C~~**D**) ~~Annexation Approval Criteria~~.

(~~8~~**9**) Property owners' ~~(and agents')~~ names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

(~~9~~**10**) **Payment of the application fee(s).**

(G) Annexation of Territory Surrounded by the City.

(1) As authorized in ORS 222.750, the City Council may, by ordinance, annex territory surrounded by the corporate boundaries of Medford with or without the consent of any owner of property within the territory or resident of the territory.

(2) Such annexation may be initiated at the request of the Planning Department or City Council and shall not be subject to the requirements of Sections 10.106, 10.110(D), 10.112, 10.124, 10.214, and 10.216.

(3) A public hearing shall be held prior to the Council's adoption of an ordinance for annexation.

(4) No later than 21 days prior to the public hearing, notification shall be mailed to all owners of property within the area proposed for annexation.

(5) For property that is zoned for, and in, residential use when annexation is initiated by the City, the City shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the City proclaims the annexation approved.

(6) The City shall notify the Jackson County Clerk of the territory subject to delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.

PASSED by the Council and signed by me in authentication of its passage this ___ day of February, 2020.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2020. _____

Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

* * *

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(H)(2)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(D)(1)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	10.184(E)(2)	Planning Director	No
Minor Modification to an Approved Park Development Review	I	10.185(C)(2)	Planning Director	No
Nonconformities	I	10.032 – 10.036	Planning Director	No
Portable Storage Container	II	10.840(D)(6)	Planning Director	Yes
Park Development Review	III	10.185	Planning Commission	Yes
Pre-Application	I	10.156	Not Applicable	No
Preliminary PUD Plan	III	10.190 – 10.198	Planning Commission	Yes
Property Line Adjustment	I	10.158	Planning Director	No
PUD Plan Revision(s)	III	10.198	Planning Commission	Yes
PUD Plan Termination	III	10.198	Planning Commission	Yes
Riparian Corridors, Reduction or Deviation	I	10.927	Planning Director	No
Sign Permit	I	10.1000 – 10.1810	Planning Director	No
Site Plan and Architectural Review	III	10.200	SPAC	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
Tentative Plat, Subdivision	III	10.202	Planning Commission	Yes
Transportation Facility Development	IV	10.226	City Council	No
Urban Growth Boundary Amendment, Major	IV	Urbanization, 10.220	City Council	No
Urban Growth Boundary Amendment, Minor	IV	Urbanization, 10.222	City Council	No
Urbanization Plan	IV	10.~~200~~220(B)(4)	City Council	No
Vacation of Public Right-of-Way	IV	10.226~~8~~	City Council	No
Wireless Communication Facilities in Public Right-of-Way	I	10.824(G)	Planning Director	Yes
Zone Change, Major	IV	Review & Amendment, 10.220	City Council	No
Zone Change, Minor	III	10.204	Planning Commission	Yes

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* * *

10.216 **Annexation.**

(A) Annexation is the action taken to incorporate land into a city. ~~The state~~ Under State law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. ~~requires annexation of property that is contiguous to city limits and within the city's Urban Growth Boundary.~~

(B) Application for Annexation. Except for the annexation of unincorporated territory surrounded by the city as provided in Subsection (~~E~~G) below, applications for annexation shall~~, in addition to requirements contained in the application form,~~ include all of the requirements listed in Subsection (F) below, and be subject to the provisions of ORS 222.111 to 222.180 (Authority and Procedures for Annexation) or 222.840 to 222.915 (Health Hazard Abatement Law).

(C) Public Hearing for Annexation. A public hearing shall be held prior to the Council's adoption of an ordinance for annexation. The City shall publish notice of the public hearing once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall post notices of the hearing in at least four public places in the city for a like period.

(1) Exception: A public hearing is not required when all of the owners of land in the unincorporated territory consent in writing to the annexation, and file a statement of their consent with the Council per ORS 222.125.

(D) Annexation Approval Criteria. The City Council must find that the following State and City requirements are met in order to approve an annexation:

(1) The land is within the City's Urban Growth Boundary,

(2) The land is contiguous ~~to~~ with the current city limits, ~~and~~

(3) Unless the land being considered for annexation is ~~enclaved~~ unincorporated territory surrounded by the incorporated boundary, ~~by the City~~ or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170~~.~~, and

(4) For lands added to the Urban Growth Boundary, all of the applicable conditions in Section 2.1.7 of the Urbanization Element of the Comprehensive Plan have been met.

(~~D~~E) Zoning of Annexed Property.

At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-OO (Limited Industrial Overlay) shall be applied.

~~(E) Annexation of Territory Surrounded by the City.~~

~~(1) As authorized in ORS 222.750, the City Council may, by ordinance, annex territory surrounded by the corporate boundaries of Medford with or without the consent of any owner of property within the territory or resident of the territory.~~

~~(2) Such annexation may be initiated at the request of the Planning Department or City Council and shall not be subject to the requirements of Sections 10.106, 10.110(D), 10.112, 10.124, 10.214, and 10.216.~~

~~(3) A public hearing shall be held prior to the Council's adoption of an ordinance for annexation.~~

~~(4) Prior to the public hearing, notification shall be mailed to all owners of property within the area proposed for annexation.~~

~~(5) For property that is zoned for, and in, residential use when annexation is initiated by~~

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~~the City, the City shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the City proclaims the annexation approved. (6) The City shall notify the Jackson County Clerk of the territory subject to delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.~~

(F) Annexation Application Form

An application for annexation shall contain the following information:

(1) Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of annexation and existing city limits.

(2) Assessor's Maps of the proposed annexation area. The assessor's maps shall have identified those parcels for which consents to annex have been acquired and adjacent right-of-way to be annexed.

(3) Consent to annex forms completed and signed by all consenting property owners within the proposed annexation area.

(~~5~~4) Restrictive Covenant forms waiving Measure 37 claims for combined annexation and zone change, completed and signed by all consenting property owners within the proposed annexation area.

(~~4~~5) Legal metes and bounds or lot and block description of the annexation area ~~including to the centerline of the adjacent right-of-way in electronic form per the instructions of the City of Medford Planning Department~~. Prior to submittal of the Annexation application, the applicant shall consult with the Public Works Department on the extent of any adjacent right-of-way that is to be included in the legal description. All legal descriptions shall be reviewed and approved by the Public Works Department prior to submittal of the Annexation application.

(~~5~~6) Specific information on each parcel within the proposed annexation area:

(a) Current assessed valuation shown on County Assessor's tax rolls.

(b) Acreages of ~~both~~ public and private property, and public right-of-way to be annexed.

(c) Map and tax lot number.

(~~6~~7) Addresses of all dwelling units and businesses located within the annexation area, and names of all residents and whether they are registered voters.

(~~7~~8) The following additional information shall also be supplied by the applicant:

(a) Existing land uses within annexation area.

(b) Existing zoning within the annexation area.

(c) Existing improvements (such as):

- water system
- streets
- sanitary sewer
- storm drainage

(d) Special Districts within the area (such as):

- water district
- irrigation district
- fire district
- school district
- Rogue Valley Sewer Services
- other

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(e) A completed Confidential Census Information Sheet for ~~all parcels~~ each housing unit within the proposed ~~being considered for~~ annexation area.

(f) Written findings indicating compliance with all of the ~~annexation~~ criteria ~~1 through 3~~ contained in Section 10.216(~~C~~ D) ~~Annexation Approval Criteria~~.

(~~8~~9) Property owners' ~~(and agents')~~ names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

(~~9~~10) Payment of the application fee(s).

(G) Annexation of Territory Surrounded by the City.

(1) As authorized in ORS 222.750, the City Council may, by ordinance, annex territory surrounded by the corporate boundaries of Medford with or without the consent of any owner of property within the territory or resident of the territory.

(2) Such annexation may be initiated at the request of the Planning Department or City Council and shall not be subject to the requirements of Sections 10.106, 10.110(D), 10.112, 10.124, 10.214, and 10.216.

(3) A public hearing shall be held prior to the Council's adoption of an ordinance for annexation.

(4) ~~Prior~~ No later than 21 days prior to the public hearing, notification shall be mailed to all owners of property within the area proposed for annexation.

(5) For property that is zoned for, and in, residential use when annexation is initiated by the City, the City shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the City proclaims the annexation approved.

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MEDFORD
PLANNING

COUNCIL REPORT

for a Type-IV legislative decision: **Development Code Amendment**

Project	Annexation Code Amendment	
Applicant	City of Medford	
File no.	DCA-19-006	
To	Mayor & City Council	*for 02/20/2020 hearing*
From	Planning Commission via Seth Adams, AICP, Planner III	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	February 13, 2020	

BACKGROUND

Proposal

An amendment (Exhibit A) to Sections 10.108 and 10.216 of the Medford Land Development Code (MLDC), in order to update the processes and approval criteria for the annexation of property into the city limits. By updating the approval criteria to reference the Urbanization Element of the Comprehensive Plan, the amendment will help ensure that all of the applicable conditions specified in the Urbanization Element have been met for those lands that were brought into the Urban Growth Boundary from the Urban Reserve areas in 2018.

Authority

This proposed plan authorization is a Type IV legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.214 and 10.218.

Study Sessions

Staff reviewed the proposal with the Planning Commission at its December 9, 2019. study session (Exhibit B), and with City Council at its G-3 meetings on December 17 and 19, 2019. The Planning Commission and City Council were supportive of the proposed amendment, with the Planning Commission noting that in the future, staff

should examine and potentially modify the City's process for zoning properties at the time of their annexation.

On January 23, 2020, the Planning Commission met at a regularly scheduled hearing to review the proposed amendment, and voted 7-0 to recommend adoption of DCA-19-006 (Exhibit C).

ISSUES AND ANALYSIS

Background

Under State law, land that is contiguous to city limits and within an Urban Growth Boundary may be annexed to a city. The act of annexation adjusts the city limit boundary line to include the subject property. Annexation is required before land can be developed at urban densities, or in order to typically connect to sewer, water, and other public facilities services provided by the City.

The City of Medford's process and approval criteria for annexation are spelled out in the Urbanization Element of the Medford Comprehensive Plan, and in Section 10.216 of the Medford Land Development Code (MLDC). In 2018, the expansion of Medford's Urban Growth Boundary (UGB) was approved by the State of Oregon, bringing approximately 4,000 new acres into the UGB from the City's Urban Reserve area. Section 2.1.7 of the Urbanization Element of the Comprehensive Plan specifies that several conditions must be met (in addition to the standard criteria for all annexations) for the annexation of land that was added to the UGB from the Urban Reserve. Those conditions are not currently referenced in City Council's Annexation Approval Criteria for Annexation, which are located in MLDC Section 10.216, and a code amendment is therefore necessary because City Council uses the regulatory text in MLDC Section 10.216 to render its decisions on annexation applications.

Proposed Amendment

The following outline summarizes the proposed amendments:

- Updating of MLDC Section 10.216 to include an approval criterion that the conditions specified in the Urbanization Element of the Comprehensive Plan must be met where applicable.
- Clarification of language regarding public noticing requirements, and specifying when a public hearing is required.
- Updating of the annexation application requirements.
- Rearrangement and minor editing of text.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics; findings and conclusions in roman type.

The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

10.218(A). Explanation of the public benefit of the amendment.

Findings

The proposed code amendments are intended to benefit the public by clarifying, updating, and improving the existing Land Development Code. The amendment updates the annexation approval criteria to include the special conditions required in the Urbanization Element of the Comprehensive Plan for lands that were added to the Urban Growth Boundary in 2018. The amendment also updates the application requirements to include all of the items listed on the application forms that are given to applicants by the Planning Department. The amendment also includes language clarifying when a public hearing is required for an annexation application, and the noticing procedures for said hearings. Finally, the amendment also reorganizes and rephrases portions of Section 10.216 for purposes of clarity, and it also makes corrections to minor typographical errors in Table 10.108.1 (Land Use Review Procedures).

Conclusions

The proposed changes serve to update and help clarify the code provisions surrounding the annexation of property. These types of changes help make administering and understanding the code easier for both staff and the general public. This criterion is satisfied.

10.218(B). The justification for the amendment with respect to the following factors:

1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The following policy is from the Annexations section of the Urbanization Element:

1. **General Policy.** The City of Medford has planned to provide areas within the Urban Growth Boundary as defined in the Comprehensive Plan, with public sewer and water supply facilities, zoning, police and fire protection, and with all other municipal services required to support urban levels of development. Therefore, the City does hereby encourage such areas to annex and receive the benefits offered by the City, and shall facilitate the process whereby which such areas may become a part of the City.

Conclusions

The processes and approval criteria for the annexation of property into the city limits is spelled out in Section 10.216 of the Medford Land Development Code. The amendment updates Section 10.216 to include the special conditions required in the Urbanization Element of the Comprehensive Plan for lands that were added to the Urban Growth Boundary, and it also updates and clarifies the code sections on public noticing and application submittal requirements for annexation. As such, the amendment will help to facilitate the City's processing of future annexations. This criterion has been satisfied.

2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

The proposed development code amendment was distributed to internal and external agencies for review and comments. The Public Works Department provided a memorandum specifying that they had no comments on the proposal (Exhibit D), and no other comments were provided.

Conclusions

No comments were received from applicable referral agencies. This criterion is satisfied.

3) Public comments.

Findings

A draft of the proposed text was emailed to a group of 45 citizens, developers, business owners, land use consultants, and non-profit representatives who have requested notification of code amendment projects. Staff received one comment from a land use consultant (Exhibit E) regarding the legal descriptions that the City requires at time of application for annexation, and the amendment was modified to address the comment. Draft language is made available, with the staff report, to the public on the City's webpage seven days prior to the hearing and two public hearings will be provided to allow for public testimony.

Conclusions

The language was provided to members of the public interested in reviewing code amendments proposed by the City. This criterion is satisfied.

4. Applicable governmental agreements.

Findings

The City of Medford and Jackson County are partners to an Urban Growth Management Agreement and an Urban Reserve Management Agreement that specify County Roads will be surrendered to the City's jurisdiction upon annexation, and who is responsible for their maintenance until such time. The agreements also specify that the City will take responsibility for public stormwater management services and may require sanitary sewer connections for properties that are annexed into the city limits. The amendment does not include any proposals to alter any of these responsibilities of the City under said agreements.

Conclusions

The City has agreements with Jackson County that spell out certain responsibilities for each party whenever property is annexed into city limits; however, the amendment does not include any proposals that would conflict with or otherwise change those agreements between the City and County. This criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied, adopt the ordinance for approval of DCA-19-006 per the Council Report dated February 13, 2020, including Exhibits A through E.

EXHIBITS

A Proposed amendment
B Planning Commission Study Session Minutes – December 9, 2019
C Planning Commission Hearing Draft Minutes – January 23, 2020
D Public Works Staff Report – January 10, 2020
E Email correspondence from Clark Stevens – January 2, 2020

CITY COUNCIL AGENDA: FEBRUARY 20, 2020

* * *

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(H)(2)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(D)(1)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	10.184(E)(2)	Planning Director	No
Minor Modification to an Approved Park Development Review	I	10.185(C)(2)	Planning Director	No
Nonconformities	I	10.032 – 10.036	Planning Director	No
Portable Storage Container	II	10.840(D)(6)	Planning Director	Yes
Park Development Review	III	10.185	Planning Commission	Yes
Pre-Application	I	10.156	Not Applicable	No
Preliminary PUD Plan	III	10.190 – 10.198	Planning Commission	Yes
Property Line Adjustment	I	10.158	Planning Director	No
PUD Plan Revision(s)	III	10.198	Planning Commission	Yes
PUD Plan Termination	III	10.198	Planning Commission	Yes
Riparian Corridors, Reduction or Deviation	I	10.927	Planning Director	No
Sign Permit	I	10.1000 – 10.1810	Planning Director	No
Site Plan and Architectural Review	III	10.200	SPAC	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
Tentative Plat, Subdivision	III	10.202	Planning Commission	Yes
Transportation Facility Development	IV	10.226	City Council	No
Urban Growth Boundary Amendment, Major	IV	Urbanization, 10.220	City Council	No
Urban Growth Boundary Amendment, Minor	IV	Urbanization, 10.222	City Council	No
Urbanization Plan	IV	10.~~200~~220(B)(4)	City Council	No
Vacation of Public Right-of-Way	IV	10.22~~6~~8	City Council	No
Wireless Communication Facilities in Public Right-of-Way	I	10.824(G)	Planning Director	Yes
Zone Change, Major	IV	Review & Amendment, 10.220	City Council	No
Zone Change, Minor	III	10.204	Planning Commission	Yes

EXHIBIT A

* * *

10.216 **Annexation.**

(A) Annexation is the action taken to incorporate land into a city. ~~The state~~ Under State law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. ~~requires annexation of property that is contiguous to city limits and within the city's Urban Growth Boundary~~.

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(~~7~~8) The following additional information shall also be supplied by the applicant:

(a) Existing land uses within annexation area.

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(c) Existing improvements (such as):

- water system
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(d) Special Districts within the area (such as):

- water district
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- other

(e) A completed Confidential Census Information Sheet for ~~all parcels~~ each housing unit within the proposed ~~being considered for~~ annexation area.

(f) Written findings indicating compliance with all of the ~~annexation~~ criteria ~~1 through 3~~ contained in Section 10.216(~~C~~ D)~~ Annexation Approval Criteria~~.

(~~8~~9) Property owners' ~~(and agents')~~ names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

(~~9~~10) Payment of the application fee(s).

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* * *

PLANNING COMMISSION STUDY SESSION MINUTES

MEDFORD OREGON

December 9, 2019
12:00 P.M.
Lausmann Annex, Room 151
200 S. Ivy Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
Bill Mansfield
David McFadden
E.J. McManus
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Madison Simmons, Assistant Deputy City Attorney
Carla Paladino, Principal Planner
Seth Adams, Planner III

Commissioners Absent
David Culbertson, Excused Absence
Jared Pulver, Unexcused Absence

20. Subjects
20.1 DCA-19-006 Annexation Updates

Seth Adams, Planner III reported that staff is asking the Commission to identify any changes to be made to the proposal and should the process for zoning of annexed property be modified.

Annexation is the process of land that must be contiguous to city limits and within the Urban Growth Boundary. It is required to develop at urban densities and / or to connect to sewer, water and other public facilities.

The Annexation approval criteria needs to be updated in the Medford Land Development Code to be consistent with the criteria in the Comprehensive Plan, which state that the City Council must find that the following conditions are met in order to approve an annexation of land was added to the urban area from the Urban Reserves:

1. Adoption of revised TSP
2. Adoption of Local Wetlands Inventory
3. Goal 5 resources identified and protected
4. Adoption of an urbanization plan

5-6 Site / Area specific requirements

EXHIBIT B

Summary of the Proposed Changes:

- Inclusion of annexation approval criteria for urban reserve properties
- Clarifying language on annexation public hearings and noticing
- Updating of annexation application requirements
- Minor text edits and rearrangement for clarity

At present, the language in the Medford Land Development Code says that, at the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation, and where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per exiting lot) zone or the I-00 (Limited Industrial Overlay) shall be applied. Staff feels that this existing language is somewhat ambiguous and could be made clearer. In addition, there are other questions about zoning at time of annexation that should be considered.

Questions on Zoning of Annexed Property:

- Include a table listing County zones and the comparable City zones that will be applied for each?
- What if the comparable City zone is not consistent with the GLUP?
- What about testing for Category A facility adequacy?

It seems to Vice Chair Foley that the bigger concern is the adequacy of facilities as opposed to the GLUP. The Planning Commission just had a discussion on the process used to change the zoning on properties under one acre. Can that similar type process be used here? In other words, here is the GLUP designation, pick a City zone in that GLUP designation then go through the category A facility testing at that point. If the facilities are adequate then the zoning is done, and if not then it is a different discussion. Does that make any sense? Kelly Evans, Assistant Planning Director responded it could. It begs the question of whether or not we want the City Council to make those adequacy decisions. Currently the code is structured so that the only time the City Council has the ability to give zoning is through a legislative process; which is a group of properties, or through annexation. Neither of those actions require category A testing. Do we want the City Council to make site specific Quaisi Judicial decisions? That is what would happen in this type of situation.

Commissioner Mansfield suggested including a table listing the City zone that will be applied, and including a proviso that makes it clear that the GLUP would supersede the table if the comparable zone is inconsistent with the GLUP. To him, the real problem is facility adequacy. What kind of proviso do you add for that? Carla Paladino, Principal Planner commented that there is restrictive zoning. Commissioner Mansfield suggested adding a second proviso that if facilities are inadequate, then apply restrictive zoning. The GLUP should override the table.

Vice Chair Foley asked, does concurrency make this easier? Ms. Paladino stated that concurrency was about transportation but does not look at water, sewer or storm drain.

Vice Chair Foley asked, doesn't an applicant have to bring in a detailed urbanization plan that includes zoning, etc.? Ms. Paladino responded that they do not have to have zoning at the time of urbanization.

Chair McKechnie asked, is there a difference in property taxes for zoning? Ms. Paladino reported she believes this question came up in urbanization discussions and thought that until the property becomes what the zoning permits the tax rate does not change. She does not want to speak for the County. Ms. Evans stated that the tax rates will change when they are annexed. City taxes are different.

Chair McKechnie asked, if a property is annexed does the valuation change because it has zoning with it. He thinks that would have an impact on what would happen with this.

Vice Chair Foley asked, are property taxes based on value? Until the property is built out it would not change. The only difference is the property now has City taxes on it.

Commissioner McFadden cannot imagine the Assessor making the property more valuable because of its zoning and GLUP designation.

Commissioner Mansfield reported there is no question that the zoning or potential zoning plays a part in the appraiser's evaluation.

Commissioner McFadden stated that whether it be commercial or residential category A facilities have to handle not only that development but developments past it that the City may work into. Isn't it almost automatically that a new application has to have maximum category A facilities? Whatever provides the highest usage? Ms. Evans responded that traffic has numbers they use. For commercial it is 1500 trips per acre. She does not know what they use to teste for other facilities. For residential in UR they look at SFR-10 to figure the capacity needs.

Chair McKechnie asked, does the process involve three steps: getting it annexed, going through a zone change, and at the same time they may have to go through a GLUP change? Ms. Evans responded that it could be. It depends.

Chair McKechnie asked, is it definitely two steps, annexation and zone change? Ms. Evans reported it is now.

Chair McKechnie asked, if these are combined does it save time and money? Ms. Paladino stated they can run concurrently, but they are separate applications. It seems to Chair McKechnie that if

the applications were combined it would simplify the process or speed it up, both of which may be of particular value. Ms. Evans commented that it is a ton of work at the time of annexation that would normally happen at the time of zoning. Chair McKechnie stated it is the same ton of work. Ms. Evans agreed. Chair McKechnie supposes the disadvantage is that if the property owner wants to get into the City and does not have the foggiest idea of what is going to happen, then he is doing all that work for the zoning part of it which may or may not ultimately pan out. Ms. Evans responded that it makes the annexation process more cumbersome and the criteria would be different. Right now there are two criteria – the property must be contiguous and in the Urban Growth Boundary.

It is confusing to Mr. Adams that we have the adequacy testing at time of zone change versus time of development. It seems to complicate matters.

Chair McKechnie asked, has the City GLUPed all the areas in the Urban Reserve? Ms. Evans replied yes. Chair McKechnie asked, did he understand that if a property to be annexed was UM or UH, was it determined to be serviced with only transportation? Ms. Paladino stated that when the City did the Urban Growth Boundary, water, sewer, storm drainage was looked at in a general sense.

It makes sense to Chair McKechnie to do the facility adequacy test at the time of the project. Does that make sense? Mr. Adams replied that it makes sense. It is common in a lot of communities to do it that way, and that we may want to consider amending the zoning designation portion as another project, and moving the annexation criteria portion forward now. Ms. Paladino commented that staff has had these conversations a couple of times. The City of Medford has done it this way. She is not sure why. They had this conversation when they were doing the concurrency items and the developers in the room, at the time, were staunchly against changing how this is done. To change, the conversation would have to be opened to the broader development community to get an understanding of why the City has done it that way and why the City cannot shift. Other communities do it the way we are talking about it, but the City of Medford had not moved towards that way.

Commissioner McManus asked, have areas in the Urban Growth Boundary been identified that do not have a comparable County zone with the City's GLUP map? Ms. Paladino responded that most of it is EFU land. Staff has not done a comparison.

Staff will continue this zoning conversation, and will move forward on the other portions of the amendment.

Mr. Adams stated that the annexation criteria, excluding the zone change portion, would go before the Planning Commission hearing on January 23, 2020 and to the City Council hearing on February 20, 2020.

PLANNING COMMISSION MINUTES

MEDFORD OREGON

January 23, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
David Jordan
Bill Mansfield
David McFadden
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Seth Adams, Planner III

Commissioners Absent
E.J. McManus, Excused Absence
Jared Pulver, Excused Absence

New Business

50.2 DCA-10-006 An amendment to Section 10.216 (Annexations) of the Medford Land Development Code to update the processes and approval criteria for the annexation of property into the city limits. Applicant, City of Medford; Planner, Seth Adams.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. None were disclosed.

Chair McKechnie inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Seth Adams reported that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Adams gave a staff report.

DRAFT

EXHIBIT C

Commissioner McFadden asked, does staff see anything in the new arrangement that would affect the City's ability to annex by the enclave procedure? Would something new in these requirements be applicable to the annexation of an enclave area? Mr. Adams responded that it is the City's policy to not force annexation on the enclaves that remain. Applications to annex are at the property owner's request. None of the criteria for the urban reserve areas that were recently added into the urban growth boundary are applicable to those enclaves that remain floating out there.

The public hearing was opened and there being no testimony the public hearing was closed.
Motion: The Planning Commission, based on the findings and conclusions that all of the approval criteria are satisfied, forwards a favorable recommendation for approval of DCA-19-006 to City Council per the staff report dated January 16, 2020, including Exhibits A through D.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

DRAFT

MEDFORD
PUBLIC WORKS

LD DATE: N/A
File Number: DCA-19-006

PUBLIC WORKS DEPARTMENT STAFF REPORT

Development Code Amendment for Annexations
City of Medford *(Code Amendment – Chapter 10)*

Project: An amendment to Section 10.216 (Annexations) of the Medford Land Development Code to update the processes and approval criteria for the annexation of property into the city limits.

Applicant: City of Medford

Planner: Seth Adams, Planner III – Long Range Division

Public Works has no comments on the proposed amendment.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

EXHIBIT D

From: cstevens@mind.net
To: Seth A. Adams
Cc: "Joe Slaughter"
Subject: RE: City-Initiated Development Code Amendment (DCA-19-006)
Date: Thursday, January 2, 2020 8:37:10 AM
Attachments: image001.png

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Hello Seth,

We have one comment at this time regarding subsection (F)(5) regarding the legal description including ½ of the public right of way. Historically, Jackson County Roads and at times Medford Public Works requests that the full right of way be included in the annexation legal. This is due to the eventual ½ + 8-feet improvements requested. Not sure if any state law prohibits this; however, if possible it should require that all of the abutting right of way not in the city limits be included in the legal description.

Thanks,

Clark Stevens

RICHARD STEVENS & ASSOCIATES, INC.
100 EAST MAIN ST., SUITE O
MEDFORD, OR 97501
541-773-2646
www.rsaoregon.com

From: Seth A. Adams <Seth.Adams@cityofmedford.org>
Sent: Tuesday, December 31, 2019 2:22 PM
To: Bandana Shrestha <BShrestha@aarp.org>; Belle Shepherd <belle.shepherd@dhsoha.state.or.us>; Bob Neathamer <bob@neathamer.com>; Brad Bennington <brad@buildso.com>; Brad Earl <brad.earl@medford.k12.or.us>; Brad Hicks <brad@medfordchamber.com>; Brian McLemore <brian@retirement.org>; Clark Stevens <cstevens@mind.net>; Dan Horton <dan@hortonarchitecture.com>; Dan O'Connor <dano@oconnorlawgroup.net>; Darrell Huck <dlh@hoffbuhr.com>; Dave Wright <dwright@cpmrealestateservices.com>; Debra Lee <debralee@cnpls.net>; Dennie Conrad <dennie.conrad@asante.org>; Dunbar Carpenter <dcarpen186@aol.com>; Edgar Hee <ejhee@juno.com>; Gayle Johnson <gayle.johnson@providence.org>; Greg Holmes <greg@friends.org>; Harlan Bittner <hbittner3@gmail.com>; Jason Elsy <jason@hajc.net>; Jay Harland <jay@csaplanning.net>; Jenna Marmon <jenna.marmon@odot.state.or.us>; Jim Maize <jmaize3145@charter.net>; John Chmelir <johnchmelir@jcsoregon.com>; Josh LeBombard <josh.lebombard@state.or.us>; Kim Parducci <kim.parducci@gmail.com>; Laz Ayala <laz@kda-homes.com>; Lilia C. Caballero <Carmen.Caballero@cityofmedford.org>; Lindsay Berryman <lindsay1694@gmail.com>; Mark Bartholomew <msb@roguelaw.com>; Mark Knox <knox@mind.net>; Megan LaNier <megan@lanierlandconsulting.com>; Micah Horowitz <Micah.HOROWITZ@odot.state.or.us>; Mike Montero <montero-associates@charter.net>; Mike Naumes <mnaumes@naumes.com>; Mike Savage <mike@csaplanning.net>; Paige West

EXHIBIT E

MEDFORD
OREGON
cityofmedford.org

Item No: 80.3

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director
AGENDA SECTION: Public Hearings
MEETING DATE: February 20, 2020

COUNCIL BILL 2020-23

An ordinance amending Sections 10.106, 10.108, 10.110, 10.124, 10.134, 10.140, 10.141, 10.168, 10.169A, 10.175A, 10.182, 10.200, 10.358, 10.714, 10.717, 10.719, and 10.790 of the Medford Municipal Code pertaining to land use. (DCA-19-002)

SUMMARY AND BACKGROUND

Council is requested to consider a legislative amendment to portions of Chapter 10 of the Medford Municipal Code (MMC) to create a new Type II, administrative land use review process, for certain multi-family residential developments. As proposed, multi-family developments of three net acres or less would be approved by the Planning Director. Larger sites or projects that include other concurrent requests such as an exception would still be reviewed during a public hearing through the Site Plan and Architectural Commission or Planning Commission. The name of the proposed land use review is the Site Plan and Architectural Review (SPAR) – Type II, or SPAR – Type II.

The Planning Commission voted 6-1 in favor of adopting the amendment during its January 9, 2020, hearing. (File No. DCA-19-002)

PREVIOUS COUNCIL ACTIONS

On December 17 and 19, 2019, the proposal was discussed with City Council during G-3 meetings.

On January 30, 2020, City Council discussed the proposal during a study session.

ANALYSIS

The proposed amendment aims to streamline the review of multi-family residential development (three or more dwelling units on a parcel). The aim of multi-family housing is to provide a varying range of housing types for all income levels at an affordable price range. As estimated in the 2019 *Downtown Housing and Residential Market Analysis* conducted by Johnson Economics, LLC, 172 rental apartment units are needed annually to meet the demand over the ten-year forecast period to support Medford residents. The City's land use review procedures are the first step in development and construction of projects. This is also where the City has an opportunity to make adjustments by reducing timeframes in order to see projects come to fruition faster.

Currently, the ability to produce housing with a quick and expedited review process is reserved for single-family and duplex dwellings. The SPAR – Type II land use review enables a more consistent review process for a wide range of housing types in Medford as opposed to a select few. The processing time for a Type III application is approximately 100 days. The processing time for a Type II application is approximately 41 days, helping to reduce the review period significantly and save time for the applicants.

The proposed changes are as follows:

Sections 10.106 – 10.124: SPAR – Type II Creation and Noticing Requirements

- Creation of the Site Plan and Architectural review process, Planning Director's decision
- Changed the Type II land use noticing requirements from 200 feet to 300 (above the required distance in State law).

Sections 10.134 – 10.140: Appeals of SPAR – Type II

- Set City Council as the appeal body for the SPAR – Type II land use review.

Sections 10.141 – 10.175: SPAR – Type II Criteria

- Criteria for when a SPAR – Type II land use review shall be used:
    - 10.141: Points to the SPAR – Type II process for affordable housing projects as opposed to the section that does not outline the process used.
    - 10.168: Planning Director discretion to send SPAR – Type II land use reviews to the Site Plan and Architectural Commission.
    - 10.175A: Establishes the criteria for when a SPAR – Type II shall be used as opposed to a Type II land use review. The criteria recommended by Planning Commission is that all multi-family development of three net acres or less, without a Type III or IV land use review associated with the development, be reviewed as an administrative, Type II land use review with public notice.

Section 10.200: Site Plan and Architectural Review

- Amend current language to distinguish between the Site Plan and Architectural Review – Type II land use review and the Site Plan and Architectural Commission (Type III) land use review. The materials needed in submitting a site plan are to remain unchanged for both.

Article III & V Changes

- 10.358: Updates to the Central Business (C-B) zoning overlay to clarify the intended site design standards for residential development, remove the conditional use permit (CUP) requirements for residential development in the C-B Overlay, and permit 100% lot coverage in the C-B Overlay.
- 10.714: Removed requirement that multi-family development in the SFR-10 zone be owner occupied and provided direct reference to the multi-family design standards of 10.715A-10.719.
- 10.717: Clarification of multi-family design standards in the C-B Overlay as it relates to parking and maneuvering areas.

- 10.719 & 10.790: Amended language to reflect changes of SPAR – Type II process.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The Department anticipates a modest reduction in staff hours committed to processing affected applications. Planner staff time required to process a Type II permit application is typically less than a Type III application. Planners would not be needed to present at a SPAC public hearing, eliminating staff time consumed by presentation preparation and meeting attendance. In addition, less administrative time would be required in the preparation of meeting packets. File preparation and maintenance would remain unchanged. Improved efficiency would support the Department's goal of meeting increasing demand without adding new staff.

TIMING ISSUES

There are no timing issues; however, the benefits of this code amendment cannot be brought to fruition without adoption.

COUNCIL OPTIONS

Approve the ordinance as presented.
Modify the ordinance as presented.
Decline to adopt the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing the Land Development Code Amendment as described in the Council Report dated February 13, 2020, and as recommended by the Planning Commission.

EXHIBITS

Ordinance
Council Report, including Exhibits A-Q (Exhibits B, H, P, and Q are attached) All other exhibits can be found at the link below.
https://www.ci.medford.or.us/SIB/files/DCA-19-002%20Council%20Rpt%20w%20Exhibits_02_20_20(1).pdf

ORDINANCE NO. 2020-23

AN ORDINANCE amending Sections 10.106, 10.108, 10.110, 10.124, 10.134, 10.140, 10.141, 10.168, 10.169A, 10.175A, 10.182, 10.200, 10.358, 10.714, 10.717, 10.719, and 10.790 of the Medford Municipal Code pertaining to land use.

Section 1. Section 10.106 of the Medford Municipal Code is amended to read as follows:

10.106 Procedural Types.

***

(B) Type II Administrative Procedures.
(1) Administrative decisions shall be made by applying clear, objective approval criteria and standards while using limited discretion to determine impact(s) on adjacent properties and the surrounding vicinity, public infrastructure and services, and the health, welfare, and safety of the community at-large.
(2) Decisions shall be made by the Planning Director or designee.
(3) Public notice and a public comment period are required according to Section 10.124 of this Chapter, but a public hearing shall not be required.
(4) Requested action shall be initiated by the applicant.
(5) Appeals of **Site Plan and Architectural Reviews – Type II are appealed to the City Council, at a public hearing, per Section 10.140(F)(2); all other appeals of** Type II decisions **are** heard by the Planning Commission, at a public hearing, per Section 10.140(G).

***

Section 2. Section 10.108 of the Medford Municipal Code is amended to read as follows:

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
*	*	*	*	*
Riparian Corridors, Reduction or Deviation	I	10.927	Planning Director	No
Sign Permit	I	10.1000 – 10.1810	Planning Director	No
Site Plan and Architectural Review (SPAR) – Type II	II	**10.200**	**Planning Director**	**Yes**
Site Plan and Architectural **Commission (SPAC)** Review – **Type III**	III	10.200	SPAC	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
*	*	*	*	*

Section 3. Section 10.110 of the Medford Municipal Code is amended to read as follows:

10.110 Designation and Duties of Approving Authorities.

***

(H) Site Plan and Architectural Commission Authority.
The Site Plan and Architectural Commission is hereby designated as the approving authority for the following land use reviews:

Land Use Review
Exception
Major Modification of Site Plan and Architectural **Commission** Review Approval
Site Plan and Architectural **Commission** Review

***

(Q) Planning Director Authority. The Planning Director is hereby designated as the approving authority for Type I and II land use reviews as well as issuance of the Development Permit. This includes the following land use reviews:

Land Use Review
***
Major Modifications to Site Plan and Architectural Review
***
Site Plan and Architectural Review Tentative Plat, Partition

***

Section 4. Section 10.124 of the Medford Municipal Code is amended to read as follows:

10.124 Due Process Element 2: Notification.

(A) Content of Public Hearing Notice/**Notice of Decision**. The Public Hearing/**Decision** notice shall:

***

(8) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; or for a Type II application the staff report will be available on the day the decision is rendered; and

(9) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings**, when applicable**.

(B) Public Hearing Signs. On-Site Posting. Public hearing signs shall be posted on the project site for any proposed Type III or IV (minor) land use actions according to the following:

***

~~(4) Consequences of failing to post the property as required. Failure to post the signs as required by this section is a violation of the Medford Municipal Code.~~

(C) Notification, Affected Property Owners.

***

(ii) Property owners within ~~200~~**300** feet of the entire contiguous site for which the application is made. This list shall be compiled from the most recent property tax assessment roll.

***

(c) Notice of Comment Period Content, Type II. The notice shall:

(i) State that issues which may provide the basis for an appeal shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue.

Note: The above language is required by ORS 197.195 for Limited Land Use Decisions, even though the procedures provide for appeal of a Type II decision to the Planning Commission**, or City Council for Site Plan and Architectural Review (SPAR) – Type II,** through a de novo hearing, which allows new issues to be raised and allows the introduction of new evidence. The 'notice of comment period' and 'notice of decision' language below is slightly different than the statutory language to reflect the fact this code allows for local appeal.

***

(ix) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice in Subsection **10.124** (C).(1).(b) above, and anyone who provides written comments during the comment period may appeal the decision by filing an appeal in accordance with this Code within 14 days of the date the written notice of decision is mailed.

***

Table 10.124-1: Notice of Public Hearing Schedule by Procedure Type			
Procedure Type	Newspaper Publication	On-Site Public Hearing Sign	Affected Property Owners Notice
Type I	None	None	None

Table 10.124-1: Notice of Public Hearing Schedule by Procedure Type			
Procedure Type	Newspaper Publication	On-Site Public Hearing Sign	Affected Property Owners Notice
Type II	None	None	Within 14 calendar days of deeming an application complete, notice will be sent to all property owners within ~~200~~**300** feet of the project boundaries.

***

Section 5. Section 10.134 of the Medford Municipal Code is amended to read as follows:

10.134 Due Process Element 7: Action, Decision Time, and Notice of Decision.

***

(3) Appeal, Type II. **Type II land use decisions shall be appealed as follows:**

(a) Site Plan and Architectural Review – Type II land use decisions may be appealed to the City Council as provided in Section 10.140 of this Code.

(b) All other Type II land use decisions, not identified in 10.134(D)(3)(a) above, A final decision may be appealed to the Planning Commission as provided in Section 10.140 of this Code.

Section 6. Section 10.140 of the Medford Municipal Code is amended to read as follows:

10.140 Appeal of Land Use Decision.

***

(3) For a Type II land use decision, a person with standing is an applicant or owner of the subject property, **or** was entitled to written notice of the decision, or participated in the proceeding by submitting written comments.

(B) Notice of Appeal.

(1) A notice of appeal shall be signed by the appellant or their agent and shall contain:

(a) An identification of the decision sought to be reviewed, including the date of the decision.

(b) A statement demonstrating that the appellant has standing to appeal as required by Subsection **10.140**(A) above.

***

(G) Appeal of Type II Land Use Decisions.

Type II land use decisions may be appealed as follows:

(1) Site Plan and Architectural Review – Type II land use decisions made by the Planning Director or designee may be appealed to the City Council as a de novo hearing. The City Council decision on appeal shall be the final local decision on the matter.

(2) All other Type II land use decisions made by the Planning Director or designee, may be appealed to the Planning Commission as a de novo hearing. The Planning Commission decision on appeal shall be the final local decision on the matter.

***

Section 7. Section 10.141 of the Medford Municipal Code is amended to read as follows:

10.141 Review and Appeal of Certain Affordable Housing Projects.

Notwithstanding other code provisions to the contrary, when an application involves a residential development that: (1) contains five or more residential units; (2) will sell or rent at least 50 percent of the residential units as housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater; and (3) is subject to a covenant appurtenant restricting the owner and each successive owner of the development (or a residential unit of the development) from selling or renting any affordable residential unit within the development as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy, the following review and appeal procedures apply.

If the applicant has not requested an Exception as set forth in Section 10.717(F) or any adjustment from the Special Development Standards as set forth in Sections 10.718 – 10.719, the application shall be reviewed by the Planning Director with a substantive review consisting of the type of review described in Section 10.~~200~~**175**. Notification for such applications shall be the same as those for Type II land use actions described in Section 10.124. ~~,with the addition of posting an on site notification sign that describes the application and the public comment period.~~ Any appeal from the Planning Director decisions shall be made to the City Council, and final action shall be taken within 100 days unless an applicant has made a written request to extend the 100-day period for a specified period of time, and any appeal therefrom shall be made to the Land Use Board of Appeals (LUBA).

***

Section 8. Section 10.168 of the Medford Municipal Code is amended to read as follows:

10.168 Type II Land Use Actions.

(A) Type II actions comprise the following land use reviews:

<u>Land Use Actions</u>
Partition, Tentative Plat

Portable Storage Containers
Major Modifications to a Site Plan and Architectural Review
Site Plan and Architectural Review (SPAR)

(B) Type II Action and Decision Time.
The Planning Director shall take final action within 120 days after the application is deemed complete. An applicant may make a written request to extend the 120-day period for a specified period of time. In no case may the total extensions exceed 245 days. At the Planning Director's discretion, an application requiring a Type II land use action may be referred directly to the Planning Commission for review through a Type III land use action**, with the exception of the Site Plan and Architectural Review – Type II land use actions, which may be referred directly to the Site Plan and Architectural Review Commission as a Type III land use action**.

Section 9. Section 10.169A of the Medford Municipal Code is added to read as follows:

10.169A Major Modifications to a Site Plan and Architectural Review – Type II
See Section 10.200.
***

Section 10. Section 10.200 of the Medford Municipal Code is amended to read as follows:

***
(B) Site Plan and Architectural Review – Type II Required.
~~Projects which are not exempt from Site Plan and Architectural Commission Review pursuant to Subsection (C) below, except that exterior alterations to a building or site and new construction in a Historic Overlay shall require Historic Review pursuant to Section 10.188, but shall not require Site Plan and Architectural Review.~~ **The type of Site Plan and Architectural Review required shall be determined as follows:**

(1) The Site Plan and Architectural Review – Type II (SPAR – Type II) shall be used when the applicable criteria in Section 10.175A(B) is met.

(2) The Site Plan and Architectural Commission Review – Type III (SPAC – Type III) shall be used when a SPAR – Type II is not applicable.

Exterior alterations to a building or site and new construction in a Historic Overlay shall require Historic Review pursuant to Section 10.188, but shall not require Site Plan and Architectural Review.

(C) Exemptions from the Site Plan and Architectural ~~Commission~~ Review**, SPAR - Type II & SPAC - Type III,** Requirement.

(1) An exemption from Site Plan and Architectural ~~Commission (SPAC) r~~Review does not exempt the use or development from compliance with the applicable standards of this chapter, including but not limited to access, parking, riparian protection, and landscaping. Exemptions under this section do not apply to uses subject to a conditional use permit or park development review or **a** major modification thereof.

(2) The following uses or developments do not require **Site Plan and Architectural Review** ~~SPAC review~~.

(a) Parking lots and parking lot additions, when not associated with building construction required to be reviewed ~~by the Site Plan and Architectural Commission~~ **as a Type II or III Site Plan and Architectural Review**, except any parking lot or parking lot additions located within a Historic Overlay requires Historic Review. (Effective Dec. 1, 2013.)

***

(D) Site Plan and Architectural Review approval ~~and a development permit~~ shall be required prior to the application for a building permit.

(E) Site Plan and Architectural Review Approval Criteria **(Type II & III)**.

(1) The Site Plan and Architectural Commission**, SPAC – Type III** Review, shall approve a site plan and architectural review application for a commercial or industrial development, if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

(a) The proposed development is compatible with uses and development that exist on adjacent land, and

(b) The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in Section 10.186.

(2) The ~~Site Plan and Architectural Commission~~ **approving authority** shall approve a site plan and architectural review application for a residential development if the proposed development complies with the applicable provisions of all city ordinances, or if the Site Plan and Architectural Commission has approved either of the following:

(a) Any Exceptions, as provided for in MLDC Section 10.186, which resolve(s) any instances of non-compliance with those provisions.

(b) Any Adjustments or Exceptions from the Special Development Standards for Multiple-Family Dwellings, as provided for in MLDC Section 10.715A through 10.717.

(c) Any Adjustments or Exceptions from the Development Standards for a Cottage Cluster Development, as provided for in MLDC Section 10.818A.

(F) Site Plan and Architectural Review Conditions of Approval. In approving a site plan and architectural review application, the ~~Site Plan and Architectural Commission~~ **approving authority** may impose, in addition to those standards expressly specified in this code, conditions determined to be reasonably necessary to ensure compliance with the standards of the code and the criteria in Subsection (E) above, and to otherwise protect the health, safety and general welfare of the surrounding area and community as a whole. These conditions may include, but are not limited to the following:

***

(G) Expiration of a Site Plan and Architectural Review Approval.

(1) Approval of a Site Plan and Architectural ~~Commission~~ Review application shall take effect on the date the final order for approval is signed**, or for SPAR – Type II Reviews when the Planning Director has signed the staff report**, unless appealed and shall expire two years from the effective date. Within two years following the effective date, issuance of building permit for vertical construction must have occurred or an extension of the approval will be necessary. If a request for an extension is filed with the Planning

Department within two years from approval of the final order, the ~~Site Plan and Architectural Commission~~ **approving authority** shall grant an extension not to exceed one additional year. Extensions shall be based on findings that the facts upon which the Site Plan and Architectural ~~Commission~~ **Review** application was first approved have not changed to an extent sufficient to warrant re-filing of the application.

(2) When it is the developer's intent to complete an approved project in phases, the approving authority may authorize a time schedule for the issuance of building permits for a period exceeding one year, but in no case shall the total time period for the issuance of building permits be greater than five years without having to resubmit a new application for Site Plan and Architectural ~~Commission r~~**R**eview. Phases developed after the passage of one year from approval of the Site Plan and Architectural ~~Commission~~ **Review** application will be required to modify the plans as necessary to avoid conflicts with changes in the Comprehensive Plan or this chapter.

(H) Modifications of an Approved Site Plan and Architectural Review.

(1) Major Modification. Any modification that is not a minor modification is a major modification. When **a** modification to an approved plan is determined to be a Major Modification, the **modifications to the** plan shall be processed **as identified below. The Planning Director may waive submittal requirements deemed unnecessary or inapplicable to the proposal.**

(a) Major modifications to SPAR – Type ~~III~~ **land use reviews shall be processed as a Type II land use review and submitted to the Planning Director, or designee, for review and decision.** ~~application for Site Plan and Architectrual Review. The Planning Director may waive submittal requirements deemed unnecessary or inapplicable to the proposal.~~

(b) Major modifications to SPAC – Type III land use reviews shall be processed as Type III land use review and submitted to the Site Plan and Architectural Commission for review and decision.

***

(3) Modifications to an Approved SPAR – Type II. The criteria in 10.200(H)(1-2) shall be used in determining whether a modification to a SPAR – Type II is major or minor. Modifications to a SPAR – Type II approval shall be reviewed and approved by the Planning Director. At the Planning Director's discretion, major modifications to a SPAR – Type II approval may be referred directly to the Site Plan and Architectural Commission for review as a Type III land use decision.

(I) Issuance of Building Permits, Consistent with Site Plan and Architectural Review Approval.

***

(2) Agreement for Completion of Private Improvements (for projects with signed agreements prior to January 1, 2015). The following regulations shall apply to all Building Site Improvement Agreements (BSIA) signed prior to January 1, 2015. After said date, the provisions of Building Site Improvement Agreements (BSIA) shall no longer be used as a means to ensure the completion of private improvements. If all required private improvements, as specified in the conditions of site plan and architectural review approval, have not been satisfactorily completed before issuance of a building permit, the permit

shall not be issued unless the owner and all other parties having an interest in the property enter into a written and recorded agreement, called a Building Site Improvement Agreement (BSIA), (provided by the City) with the City. The agreement shall be in a form acceptable to the City Attorney and shall specify that, within six months after signing the agreement or such longer time period as specified by the ~~Site Plan and Architectural Commission~~ **approving authority**, all improvement work shall be completed according to the approved plans. The Planning Director or other person designated by the City Manager shall sign the agreement on behalf of the City.

***

(J) Site Plan and Architectural Review Application Form

The application for Site Plan and Architectural Review ~~(SPAR)~~ shall contain the following plans, submitted in the quantity and sizes specified on the Site Plan and Architectural Review application form, including legible reduced copies of all plan documents.

Section 11. Section 10.358 of the Medford Municipal Code is amended to read as follows:

***

ARTICLE III - ZONING DISTRICTS

***

10.358 Central Business, C-B.

***

(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 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 ~~for the MFR-30 zoning district contained in Article V, Section 10.713, Duplex, through 10.715, Apartment.~~ **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 ~~and shall be allowed only as a conditional use pursuant to Article II,~~

~~Section 10.184.~~

(d) 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%).

***

Section 12. Section 10.714 of the Medford Municipal Code is amended to read as follows:

10.714 Multiple-Family Dwellings.

The following standards apply to the development of multiple-family dwellings within the various residential districts. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Special Standards	**See sections 10.715A – 10.719 for Multiple-Family Dwelling Special Development Standards** ~~Multiple family dwellings in SFR-10 are permitted ONLY if the units can be individually owned~~			
***				

Section 13. Section 10.717 of the Medford Municipal Code is amended to read as follows:

***

ARTICLE V - ZONING DISTRICTS

***

10.717 Multiple-Family Dwellings, Special Development Standards.

***

F. Vehicle Circulation and Parking.

(1) In order to strengthen the presence of buildings on the street, no parking spaces shall be located within any required front yard area, and no automobile circulation or parking areas shall be located between buildings and the street. Any proposed deviation from this standard shall be subject to a request for an Exception as outlined in Section 10.186, **except when within the C-B Zoning Overlay. Applicants electing to deviate from this standard when within the C-B Zoning Overlay shall be subject to Section 10.719, Optional Adjustments of Special Development Standards, Review Criteria.**

***

Section 14. Section 10.719 of the Medford Municipal Code is amended to read as follows:

10.719 Optional Adjustment of Special Development Standards, Review Criteria.

A. Notwithstanding Sections 10.715A through 10.717, if an applicant affirmatively elects to request review (in writing) under this section, the ~~Site Plan and Architectural Commission~~ **approving authori**ty may approve a site plan and architectural review application for a multiple-family dwelling development if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

***

B. Denial of the application. If the ~~Site Plan and Architectural Commission~~ **approving authority** finds that an application for residential development reviewed under this section does not satisfy the conditions of 10.719A, the ~~Site Plan and Architectural Commission~~ **approving authority** shall also review the application as set forth in Sections 10.715A through 10.717. If the application does not satisfy the requirements of Sections 10.715A through 10.717 either, the ~~Site Plan and Architectural Commission~~ **approving authority** shall make such findings on the record.

***

Section 15. Section 10.790 of the Medford Municipal Code is amended to read as follows:

10.790 Bufferyards.
(1) This Subsection provides the width of the bufferyard, type of wall required, and the required planting scheme to provide effective screening between adjacent properties having dissimilar land use. For an administratively approved bufferyard, the Standard Planting Scheme as required by 10.790 (E)(1)(a) shall be used unless the applicant wishes to submit a Site Plan and Architectural Review application to have the ~~Commission~~ **approving authority** consider modifying the requirement.
***

PASSED by the Council and signed by me in authentication of its passage this ___ day of February, 2020.

ATTEST: _____
City Recorder

_____
Mayor

APPROVED _____, 2020.

_____
Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

MEDFORD
PLANNING

COUNCIL REPORT

for a Type- IV legislative decision: **Development Code Amendment**

Project	Streamlined Residential Review Process – SPAR Type II	
File no.	DCA-19-002	
To	Mayor & City Council	*for 02/20/2020 hearing*
From	Planning Commission via Kyle Kearns, AICP, Planner II	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	February 13, 2020	

BACKGROUND

Proposal

An amendment to portions of Chapter 10, the Medford Land Development Code (MLDC), creating a Type II administrative review land use process for certain multi-family residential developments.

Authority

The amendments will be reviewed as a Type IV Legislative Development Code Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Municipal Code under Medford Municipal Code Section 10.214 and 10.218.

History

Starting after the most recent adoption of the Housing and Regional Plan Elements of the Comprehensive Plan, the City's Planning Department has been developing land use strategies to aid in the development of a range of housing options. The Regional Plan Element, in particular, was the result of a partnership between six cities in the Rogue Valley and Jackson County municipalities to plan collaboratively for regional population growth in the Valley.

The Regional Plan Element of the Comprehensive Plan states, "Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan," (Medford Comprehensive Plan, Regional Plan Element 4.1.12.). Acting on

the aforementioned action, at the end of 2017 the then Housing Advisory Committee (HAC) completed a list of recommended regulatory strategies and financial incentives to promote the creation of affordable and market-rate housing (Ordinance 2018-15).

This proposal is one of several strategies the have been developed out of the HAC recommendations; other strategies, which have been adopted, include the allowance for cottage housing, the creation of the Construction Excise Tax (CET), creation of Type II land use process for minor lot partitions, and updated Accessory Dwelling Unit (ADU) standards. Additionally, the 2019 Housekeeping ordinance, included updates to the zone change criteria, duplex densities and building height measurements.

Staff has reviewed the proposal (Exhibit A) with the Planning Commission, Housing Advisory Commission and Site Plan and Architectural Commission. Below is a summary of the input and processes used in developing the proposed language. Planning Commission recommended approval of the project, as proposed in Exhibit A; for further detail of that recommendation see below or Exhibit Q for the minutes.

Housing Advisory Commission (HAC) Meeting October 09, 2019 – Minutes Exhibit C

At a regularly scheduled meeting of the City's Housing Advisory Commission (HAC) staff provided a presentation summarizing the proposal. At the time of the October 9th meeting, the proposal identified that the Type II administrative review process would only apply for multi-family housing of one gross acre or less and no more than 30 dwelling units. This particular standard was the point of the discussion with the HAC.

Upon conclusion of the discussion regarding the proposal (as it existed then) staff was provided with direction to bring back additional options for consideration at the HAC's November meeting; in November the HAC determined that a review and recommendation on the proposal would be made. The comments/direction provided are summarized as follows:

- The acreage limit should be increased beyond an acre;
- Some members were supportive of increasing beyond 30 dwelling units;
- Some members of the HAC questioned why we should have any limits to the number of dwelling units that eligible for an administrative review;
- Additionally they had directed staff to incorporate "flexible" design standards to allow for a deviation from Article V standards without a Type III Exception.

Planning Commission Study Session October 28, 2019 – Minutes Exhibit D

The Planning Commission was provided an amended version of the text that had incorporated the aforementioned direction of the HAC. Much like the HAC, the majority of the discussion focused on the threshold that would "trigger" a SPAR – Type II land use review. The Planning Commission provided direction that was generally more restrictive than that of the HAC; directives were to limit the use of the administrative review process for multi-family housing.

Some Commissioners voiced a desire to keep the current processes in place or to extend the administrative review process on a limited basis. The direction provided can be summarized as follows:

- Limit the review process when abutting low-density zones;
- Remove the Type II allowance for cottage housing;
- Separate the "flexible" design standards into their own project;
- The total dwelling unit number permitted under the new process should be limited in the criteria (3-5 units proposed);
- Supportive of three net acres.

Staff removed the cottage housing from the proposal and separated the "flexible" design standards into their own project (DCA-19-012).

"Final Options" Meeting - Housing Advisory Commission (HAC) Meeting November 13, 2019 – Minutes Exhibit E

To garner a formal recommendation from the HAC, staff presented an amended proposal incorporating feedback from the previous HAC and Planning Commission meetings. Direction sought at the November 13 meeting mostly pertained to the criteria to use in applying the new administrative review process for multi-family housing. Staff provided the following options for selection:

Option 1 – All multi-family reviewed as Type II (HAC & Staff Recommended)
Option 2 – All multi-family reviewed as Type II, except when abutting SFR-00, SFR-2, SFR-4 and SFR-6 zones (Mapped in Exhibit B)
Option 3 – All multi-family housing when up to three net acres

These above options have been refined through the aforementioned meetings to attempt to balance the directives provided. The HAC recommended Option 1 with a unanimous vote of 5 to 0.

Site Plan and Architectural Commission (SPAC) Meetings June 15, 2018 & November 15, 2019 – Minutes Exhibit F & G, respectively

In two separate meetings, the topic of an administrative review process for multi-family housing has been discussed with SPAC. In 2018 the topic was discussed more broadly as it related to the multi-family residential design standards (adopted per Ordinance No. 2018-100). While deliberating on the multi-family design standards, SPAC acknowledged that its review and public hearing process added little to staff analysis and recommendation.

And because clear and objective standards have been adopted for multifamily development, SPAC questioned whether or not the Commission would still need to review multi-family proposals that meet those standards. At the June 15, 2018 meeting it was suggested that SPAC would only need to review in the case of an appeal of staff's decision. Specifically, the minutes state, "Staff would have primary responsibility for determining whether this list of clear and objective standards is met or not."

In further discussing the administrative review process, SPAC voiced a desire to only see exceptions and appeals of the multi-family review process. In drafting the proposal (Exhibit A) staff has recommended that the current exception process be maintained (i.e. exceptions go before Planning Commission and/or SPAC) and that appeals of the SPAR – Type II decisions go before City Council.

While drafting the language, staff determined that it would be beneficial to bring the proposal back to SPAC as they had provided direction previously. At the November 15, 2019 SPAC hearing (Minutes Exhibit G) staff provided an update on the development of the administrative review process. SPAC provided the following comments and recommendation:

- The acreage criteria is not important to SPAC.
- City Council should determine the criteria set in the administrative review process (Exhibit A).
- **Motion**: "Recommend to City Council that the Site Plan & Architectural Commission not be involved in multi-family development proposals where there is no SPAC discretion that can be exercised," (Exhibit G). Motion passed 5-1.

Planning staff emailed the SPAC following the Planning Commission's recommendation on January 9, 2020, no additional comments from SPAC members have been received.

Planning Commission Hearing January 9, 2020 – Minutes Exhibit Q

The Planning Commission, at a regularly scheduled public hearing, reviewed and recommended on the proposal (Exhibit A). Staff presented the staff report dated January 2, 2020 and answered questions of the Commission. Public testimony was provided and one Medford resident provided comment for the record (Exhibit P); that public testimony is discussed further in the Findings and Conclusions.

The majority of the discussion by the Planning Commission was in regards to how the public involvement would occur for the SPAR – Type II process, the importance of maintaining a public hearing for projects requiring discretion and which criteria to set for the new land use review. Staff provided insight in regards to the current public hearing process, the Type II public comment period (applicable to all current and proposed Type II procedures) and the options available for the SPAR – Type II criteria. The Planning Commission recommended Option 3 be forwarded to the City Council for adoption. This option provides the use of the SPAR – Type II process for developments of three net acres or less. Planning Commission voted 6-1 to recommend approval, with Commissioner Mansfield being the dissenting vote.

Note: Planning staff removed the allowance for cottage clusters to be reviewed as a Type II procedure after the first study session with the Planning Commission. Based on the Commission's final recommendation, the Council may want to consider adding this type of housing back into the proposal as well so they are reviewed similarly to other multi-family projects. Some modifications to the proposed text will be needed in order to make this adjustment.

Proposal, Summarized

As proposed, the project creates the Site Plan and Architectural Review – Type II (SPAR – Type II) land use review. This would be an administrative review process for multi-family developments of three net acres or less, as defined in the proposal (Exhibit A). This new review is in lieu of the current process, when applicable, which requires a Site Plan and Architectural Commission (SPAC) Review, which is a Type III land use decision with a public hearing. Below is a brief summary of the various amendments to the MLDC.

Sections 10.106 – 10.124: SPAR – Type II Creation, Noticing Requirements, and 14-day Comment Period

These amendments add the Site Plan and Architectural review process to the Planning Directors review and set the noticing requirements for Type II land use processes to 300 feet as opposed to 200 (above required distance in State law). Public

testimony would not be eliminated by the proposal; rather, written public testimony would be accepted or taken during a meeting with the Planning Director (a written account of the meeting would be submitted into the record).

Sections 10.134 – 10.140: Appeals of SPAR – Type II

City Council is set as the appeal body for the SPAR – Type II land use review. It is necessary to have City Council set as the appeal body in order to meet the "120-day rule," (see Issues and Analysis section for further detail).

Sections 10.141 – 10.175: SPAR – Type II Criteria

Provisions outlined in Sections 10.141-10.175 set the criteria for when a SPAR – Type II land use review shall be used. The following criteria have been set:

- 10.141: Points to the SPAR – Type II process for affordable housing projects as opposed to the section that does not outline the process used.
- 10.168: Amended language gives the Planning Director discretion to send SPAR – Type II land use reviews to the Site Plan and Architectural Commission.
- 10.175A: Establishes the criteria for when a SPAR – Type II shall be used as opposed to a Type II land use review. The criteria recommended by Planning Commission is that all multi-family development of three net acres or less, without a Type III or IV land use review associated with the development, be reviewed as an administrative, Type II land use review with public notice.
    - **NOTE:** The previous options for the criteria, presented before the Housing Advisory Commission (HAC) and Planning Commission included the following:
        - Option 1 – All multi-family reviewed as Type II
        - Option 2 - All multi-family reviewed as Type II, except when abutting SFR-00, SFR-2, SFR-4 and SFR-6 zones (See Exhibit B)
        - Option 3 – All multi-family housing when under three net acres
        - Option 4 – An option not yet defined

    At the Planning Commission hearing on January 9, 2020, Staff recommended Option 1 for the SPAR – Type II criteria.

Section 10.200: Site Plan and Architectural Review

Amend current language to distinguish between the Site Plan and Architectural Review – Type II land use review and the Site Plan and Architectural Commission (Type III) land use review. The materials needed in submitting a site plan are to remain unchanged for both.

Article III & V Changes

Additional amendments to the Medford Land Development Code (MLDC) proposed within DCA-19-002 include:

- 10.358: Updates to the Central Business (C-B) zoning overlay to clarify the intended site design standards for residential development, remove the conditional use permit (CUP) requirements for residential development in the C-B Overlay, and permit 100% lot coverage in the C-B Overlay.
- 10.714: Removed requirement that multi-family development in the SFR-10 zone be owner occupied and provided direct reference to the multi-family design standards of 10.715A-10.719.
- 10.717: Clarification of multi-family design standards in the C-B Overlay as it relates to parking and maneuvering areas.
- 10.719 and 10.790: Amended language to reflect changes of SPAR – Type II process.

ISSUES AND ANALYSIS

In determining how a new administrative review would work, staff conducted research that first looked at what other cities are doing. Second, staff reviewed the types of multi-family developments in the City of Medford. Lastly, the proposal was presented in several public forums to the City's commissions that review housing development proposals. Substantiating the benefits of a streamlined, administrative review process can be difficult, however the adage quoted by many developers and planners alike is "Time is money." This is likely the case due to the need to pay staff, potential for inflation on other hard costs (e.g. concrete, wood, etc.) and the added complexity and uncertainty that public hearings can add to development timelines.

Furthermore, with the adoption of the multi-family special development standards (see MLDC Sections 10.715A-10.719), multi-family development, in large part, can be designed through reviewing, and then implementing, the MLDC. Given the newly adopted development standards and the requirement per Senate Bill 1051 that, "A city may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including but not limited to clear and objective design standards contained in the city comprehensive plan or land use regulations." The discretion a public hearing is able to provide has been removed from the site plan review process. The creation of the SPAR – Type II land use review is to supplement the newly adopted development standards and to simplify the review process for multi-family housing. It would also create consistency with comparable cities in the Rogue Valley and Oregon.

What Do Other Cities Do?

Staff looked at comparable cities for what land use processes are used for reviewing residential development. Type I reviews are building permits and administrative review without noticing; Type II reviews are administrative reviews with noticing; Type III reviews require a public hearing for approval. Generally, Medford is not consistent with comparable municipalities in reviewing multi-family housing but is consistent in regards to subdivisions, Planned Unit Developments, zone changes and other larger scale projects related to residential development.

	Type I Review	Type II Review	Type III Review
Ashland	All structures under 10,000 sq. ft.	Residential over 10,000 sq. ft. & Subdivisions	Zone (some type II) & Comp. Plan change
Central Point	3 or less units	4 or more units (attached)	Subdivision, PUD, zone change
Phoenix	Duplex, Triplex	Multi-family < 2 acres, townhouses	Multi-family greater than 2 acres
Bend	Single Family, attached single family (duplex & townhouse)	Triplex, subdivisions, multi-family generally	Zone change, master plan, PUD
Eugene	Type II Design Reviews & Site Reviews. Subdivisions Type II. Large number of overlay zones with design standards		Zone Change, CUP, PUD
Medford	**Single-family, duplex (one only), ADU**	**Partition (3 or less lots)**	**All multi-family, subdivisions**

Multi-Family Development in Medford

To understand the scale at which multi-family development occurs in Medford, staff used Jackson County Assessor data to derive the statistics summarized in a table below. Data was used analyzing the property class of individual tax lots; property class is a three-digit classification that distinguishes things such as land use, zone, level of development, tax-exempt status, and other factors used in establishing the taxable value of a property.

Using this dataset, paired with a date of construction and land use approvals recorded by the City, staff assembled a comprehensive look at multi-family development in Medford over the last 20 years. However, it is important to note that some parcels were missed in the data analysis, most notably The Concord development downtown. The Concord is a 50 unit apartment complex built on 1.09 gross acres at a density of 46 units per acre. The following table is a summary of the aforementioned analysis:

Stat	MFR Zones (includes SFR-10)	Commercial Zones
Average Size	1.54 acres (median 0.89)	1.68 acres (median 0.61)
Maximum Size	3.87 acres (Stewart Meadows)	29 acres (Charles Point)
Minimum Size	0.23 acres (5 unit complex)	0.25 acres (5 unit complex)
Average Density	21 units/acre (median: 20)	23 units/acre (median: 21)
Maximum Density	35 units/acre (Stewart Meadows)	30 units/acre (Orchard Glen)
Minimum Density	14 units/acre (Finley Square)	19 units/acre (Charles Point)
Total # of Developments	20 developments	5 developments

Drafting the Recommended Text

In preparing the proposed text staff sought direction from several of the City's Commissions, as previously discussed (see History above). A bulk of the focus of the City's Commissions pertained to criteria that would trigger the use of the SPAR – Type II process; other discussion pertained to the appropriate appeals body.

Staff previously recommended that all multi-family development, without a Type III land use review (e.g. Subdivision, PUD, or Exception), be reviewed administratively; Planning Commission recommendation is more restrictive, but will provide many opportunities for multifamily developments proposals to benefit from the streamlined Type II process. Staff was not supportive of "Option 2" (mapped in Exhibit B) as it is was found to be overly restrictive, allowing for application of the Type-II process to only 36 acres of vacant multifamily-zoned land. By comparison, there are nearly 1,000 acres of single family-zoned land within Medford that are not required

to meet any design standards nor are subject to any other review after land division has occurred.

In regards to the decision to have City Council as the appeal body for the SPAR – Type II, timing and public interest were in mind. Per Oregon Revised Statute (ORS) 227.181 it states "...the governing body of the city or its designee shall take final action on an application for a permit, limited land use decision or zone change within 120 days of the effective date of the final order issued by the board," [ORS 227.181(1)]. In reviewing public testimony received (Exhibit H) and in conferring with the City's Legal Department, staff has determined that a SPAR – Type II land use decision would be a limited land use decision, thus limiting the timelines for approval. Since there are consistently items reviewed by City Council, and two meetings a month, the odds of maintaining the "120-day rule" are higher with selecting Council as the appeal body. Furthermore, Council represents an elected governance body as opposed to an appointed one; thus, having Council review the appeal of a new process is beneficial to the public interest.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics; findings and conclusions in roman type.

Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

10.218(A). Explanation of the public benefit of the amendment.

Findings

Removing regulatory barriers to housing development is one of the tools available to local governments. Lowering regulatory barriers for developers encourages development of needed housing types. The first iteration of removing barriers to multi-family development came with the adoption of the multi-family development standards. This created a predictable review process by providing clear and objective standards that can be evaluated without ambiguity and subsequent need to apply discretion (e.g. list of building materials to be used, MLDC §10.717[D]). Previously, multi-family development was reviewed under a subjective criteria that said "The proposed development is [or can be] compatible with uses and development that exist on adjacent land," leaving discretion to the public hearing body; without this subjectivity an administrative review process can be used in place of a public

hearing as the development standards are now clear and objective in the MLDC. Additionally, as proposed, the new SPAR – Type II land use process is requiring public notice to all properties within 300 feet of the proposed development; currently, the notice is only sent to properties within 200 feet.

Lastly, multi-family housing is identified as a needed housing type per the City's Housing Element of the Comprehensive Plan; a need of 4,586 multi-family units is identified by the year 2029. In December 2019, the City completed the *Downtown Housing and Residential Market Analysis* conducted by Johnson Economics, LLC which indicated the City will need 1,724 rental apartment units in the next ten years to support Medford residents. The purpose of creating an administrative review process for multi-family housing is to shorten development timelines and be more permissive to residential development, thus creating an overall benefit to the public of enabling more housing units in an expedited fashion.

Conclusions

The proposal has the overall intent of removing barriers to multi-family housing by providing an expedited, clear and objective review process. By creating an administrative review process for certain multi-family developments there is more certainty in the development proposal. As proposed, prospective developers of multi-family housing can simply review the development code and check to see how they can develop within the standards of the MLDC. Additionally, the increased noticing requirement informs more community members directly of the proposed changes as opposed to relying on passive noticing (i.e. on-site sign or newspaper posting) and a smaller noticing buffer per current code. Given the low availability of almost all housing types in Medford, the removal of barriers and shortening of development timelines is only aimed at providing benefit to the public.

The criterion has been satisfied.

10.218(B). The justification for the amendment with respect to the following factors:

1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The proposed code amendment supports the goals, policies, and action items of the Population, Environmental, Housing, Transportation, and Regional Plan Elements of the Medford Comprehensive Plan. They are as follows.

Population Element

GOAL 1: To accept the role and responsibilities of being the major urban center in a large and diverse region that includes portions of southwest Oregon and northern California.

Environmental Element

Goal 9: To assure that future urban growth in Medford occurs in a compact manner that minimizes the consumption of land, including class I through IV agricultural land.

> Policy 9-B: The City of Medford shall strive to protect significant resource lands, including agricultural land, from urban expansion.

Housing Element

HOUSING GOAL

To provide for the housing needs of citizens of Medford. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Medford households and allow for flexibility of housing location, type and density.

Policy 1: The City of Medford shall assess the housing needs of current and prospective residents, including the elderly, disabled, active retirees, and other groups with special housing needs, to determine development priorities and to formulate specific strategies and activities to meet those needs.

> Implementation 1-A: When considering changes to the Medford Comprehensive Plan or Land Development Code, base such changes on the Housing Element adopted on December 2, 2010, particularly:
>
> > [...]Forecast of Needed Housing Units in Table 37[multi-family represents 30% of needed housing [...]

[...]Implementation 1-C: Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 1. Assess factors such as:

a) Residential development standards; [adopted][...]

[....]e) Assuring a mix of income levels and dwelling types, including multi-family, group, affordable, and assisted housing, throughout the City.

Policy 2: The City of Medford shall designate areas for residential development that are or will be conveniently located close to pedestrian, bicycle, and transit or high capacity transportation routes, community facilities and services, and employment to ensure that the benefits of public investment in those facilities are available to as many households as possible.

Implementation 2-B: Assess and remove unnecessary local regulatory impediments to downtown housing.

Policy 6: The City of Medford shall plan for multi-family residential development encouraging that which is innovative in design and aesthetically appealing to both the residents and the community.

Policy 8: The City of Medford shall assist regional housing agencies, nonprofit organizations, private developers, and other entities in their efforts to provide affordable housing, opportunities for minorities, low- and moderate income people, and people in protected classes to gain access to housing.

Transportation (i.e. TSP) Element

Objective 10: Increase the number of walkable, bikeable, mixed-use, transit oriented and transit supportive neighborhoods while promoting connectivity to existing neighborhoods.

Action Item 10-c: Research and consider options for development standards and incentives to promote mixed-use and transit oriented development/districts.

Regional Plan Element

Goal 1: Manage future regional growth for the greater public good.

[...]g. The Region will facilitate development of a healthy balance of jobs and housing within each of the communities, and will do the same on

a regional basis to accommodate needs that cannot be met within individual communities.[...]

Conclusions

The concept of enabling multi-family housing of varying housing types and affordability ranges is well supported by the Comprehensive Plan. While the creation of an administrative review process isn't the production of housing, it does enable a more expedited and guaranteed review process of a needed housing type (i.e. multi-family units). As identified in the Housing Element, multi-family housing represents 30%, or 4,586 units, of the 15,050 housing units needed to accommodate growth in Medford. The aim of multi-family housing is to provide a varying range of housing types for all income levels at an affordable price range. Currently, the ability to produce housing with a quick and expedited review process is reserved for single-family and duplex dwellings, which have historically provided for a narrowly designed housing market. Enabling certain multi-family housing to be reviewed administratively creates a consistent review process with single-family housing, also another needed housing type in the City of Medford.

Additionally, removing barriers to multi-family development by creating an administrative review process for the housing type would enable goals of creating "[...]walkable, bikeable, mixed-use[...]," neighborhoods or it will "[...] facilitate development of a healthy balance of jobs and housing within each communities[...]," per the Transportation and Regional Plan Element, respectively. Not only will it enable the creation and retention of mixed-use, walkable neighborhoods but it will, "[...] assure that future urban growth in Medford occurs in a compact manner that minimizes the consumption of land[...]," per the Environmental Element. Through creating a consistent review process for all housing types sprawl can become less the focus of Medford urban-form and infill and urban development, within the center, can be reviewed nearly as quickly as a single-family home.

Lastly, as the "[...] major urban center in a large and diverse region[...], Medford has to accept certain "[...] roles and responsibilities[....], per the Population Element. Medford, unlike smaller municipalities in the Rogue Valley, has a greater utility capacity and roadway network to manage urban growth. This means that, as the "[...] major urban center[....]," Medford must "[...] accommodate needs that cannot be met within individual communities[...]," per the Regional Plan element. Given that several other smaller, Rogue Valley municipalities have already adopted similar provisions as proposed in DCA-19-002 (see "What Do Other Cities Do?" above), staff concludes that adoption

of an administrative review process for multi-family housing is directed by the Comprehensive Plan.

The criterion has been satisfied.

2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

Staff had taken the proposed amendment (Exhibit A) to the Land Development Committee (LD) meeting on September 4, 2019. The intent of LD meetings is to solicit comment from applicable agencies who review development in the City. Official "No Comment" memorandums were received from the following departments/agencies:

Medford Fire and Rescue – Exhibit I
Medford Water Commission – Exhibit J
Medford Public Works – Exhibit K
Medford Building Department – Exhibit L

Additional comments were received from the Department of Land Conversation and Development (DCLD), see Exhibit M. DLCD's comments were in regard to existing municipal code language and whether or not it met the "clear and objective" standards as outlined in SB 1051.

In addition to the LD meeting, staff also presented the proposed amendment to the Housing Advisory Commission (HAC) and the Planning Commission at three separate study session settings. For further detail, see the "Study Sessions and Commission Meetings section above."

Conclusions

A large majority of the comments received required no changes to the proposed text. Staff has incorporated the direction received at the study sessions and Commission hearing. This criterion is found to be satisfied.

3) Public comments.

Findings

Public comment has been received from the following agencies:

CSA Planning, LTD: via. Raul Woerner – Exhibit H
Builders Association of Southern Oregon: via. Brad Bennington – Exhibit N
Public Comment, Citizen Dennie Conrad – Exhibit P

Additionally, staff had solicited public comment from a group of local professionals, experts, developers, non-profit organizations and other agencies affected by changes to the Medford Land Development Code. This list is in excess of 45 individual persons. Lastly, staff post the amendment to the City website a minimum of a week prior to the public hearing.

Conclusions

CSA's comments have been addressed in email communication and have helped frame the department's determination that the criteria of what constitutes a "limited land use decision," per ORS 197.015, is applicable. For additional detail, see "Drafting the Recommended Text" section above. Additionally, CSA's comments were either easily answered or not pertinent to the proposal (Exhibit A). The comments received from the Builders Association of Southern Oregon were shown to be in support of the proposed text, stating "To the extent that the amendment accomplishes efficiency and better service we completely support it," said Brad Bennington (see Exhibit N). Since the goal of creating a new land use review process for the review of multi-family projects is to expedite the land use review, staff agrees with Brad Bennington in his conclusion of DCA-19-002.

Lastly, at the January 9, 2020 public hearing additional public comment was received (Exhibit P). Citizen Dennie Conrad provided testimony and an additional option to the criteria that would trigger a SPAR – Type II land use review. Mr. Conrad's proposed criteria, called "Option 4.1," would enable the use of the SPAR – Type II land use review when "Multi-family projects of 10 units or less, under one acre as Type 2 review, unless abutting or within 300 feet of a SFR-00, SFR-2, SFR-4 and SFR-6 zones," per Exhibit P. Planning Commission did not recommend this option. Additionally, like "Option 2," "Option 4.1" is limiting and gives preferential treatment to the Single-Family Residential zone as discussed above in the Issues and Analysis section.

This criterion is found to be satisfied.

4. Applicable governmental agreements.

Findings

In 2008, the City of Medford signed the "Participants' Agreement" (Ordinance No. 08-235) to partake in the Greater Bear Creek Valley Regional Plan - The Regional Plan. The Regional Plan is a comprehensive land-use planning effort to accommodate growth in the Rogue Valley. In 2012, after the Jackson County Board of Commissioners adopted the revised Regional Plan (Ordinance No. 2012-06), the City of Medford updated the Comprehensive Plan to reflect the new plan; Medford's Regional Plan Element of the Comprehensive Plan was then adopted (Ordinance No. 2012-127).

One of the conditions of approval within the Regional Plan was that "Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan," Regional Plan, Chapter 5. To complete this condition, the City of Medford participated in the Regional Housing Strategies planning effort conducted by ECONorthwest and DLCD. Through this, the City Council adopted Ordinance No. 2018-15 which formed the Housing Advisory Committee to review the work of ECONorthwest. A deliverable of the Housing Advisory Committee was a list of regulatory and financial incentives that can aid in providing for all housing types, in particular affordable and market-rate housing. Since the adoption of Ordinance No. 2018-15, staff has been working to incorporate the recommendations of the then HAC into the Medford Municipal code.

Additional Findings and Conclusions regarding Statewide Planning Goal 10 – Housing, can be found in Exhibit O.

Conclusions

One of the recommendations of the aforementioned HAC list, was to create residential design standards with a streamlined review process. The design standards have been adopted, this proposal is intended to create the streamlined review process. The purpose of this amendment is to support the Regional Plan, as discussed above.

This criterion is found to be satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied adopt the ordinance for approval per the Council Report dated February 13, 2020 including Exhibits A through Q.

Note: Exhibits B, H, P, and Q are attached. The full set of exhibits can be obtained from the Planning Department and at the link below.

https://www.ci.medford.or.us/SIB/files/DCA-19-002%20Council%20Rpt%20w%20Exhibits_02_20_20(1).pdf

EXHIBITS

A Proposed amendment (**see Ordinance for text changes**)
B "Option 2" Criteria Mapped
C Housing Advisory Commission Meeting Minutes – October 9, 2019
D Planning Commission Study Session Minutes – October 28, 2019
E Housing Advisory Commission Meeting Minutes – November 13, 2019
F Site Plan and Architectural Commission Meeting Minutes – June 15, 2018
G Site Plan and Architectural Commission Meeting Minutes – November 15, 2019
H Public Comment, received November 8, 2019 – CSA Planning, Ltd. via Raul Woerner
I Medford Fire-Rescue Department Comment
J Medford Water Commission Comment
K Medford Public Works Department Comment
L Medford Building Department Comment
M Department of Land Conservation and Development (DLCD) Comment
N Public Comment, received December 12, 2019 – Builders Association of Southern Oregon via Brad Bennington
O Statewide Planning Goal 10 (Housing), Findings and Conclusions
P Public Comment, received January 9, 2020 – Citizen Dennie Conrad
Q Planning Commission Hearing Minutes – January 9, 2020

CITY COUNCIL AGENDA: FEBRUARY 20, 2020

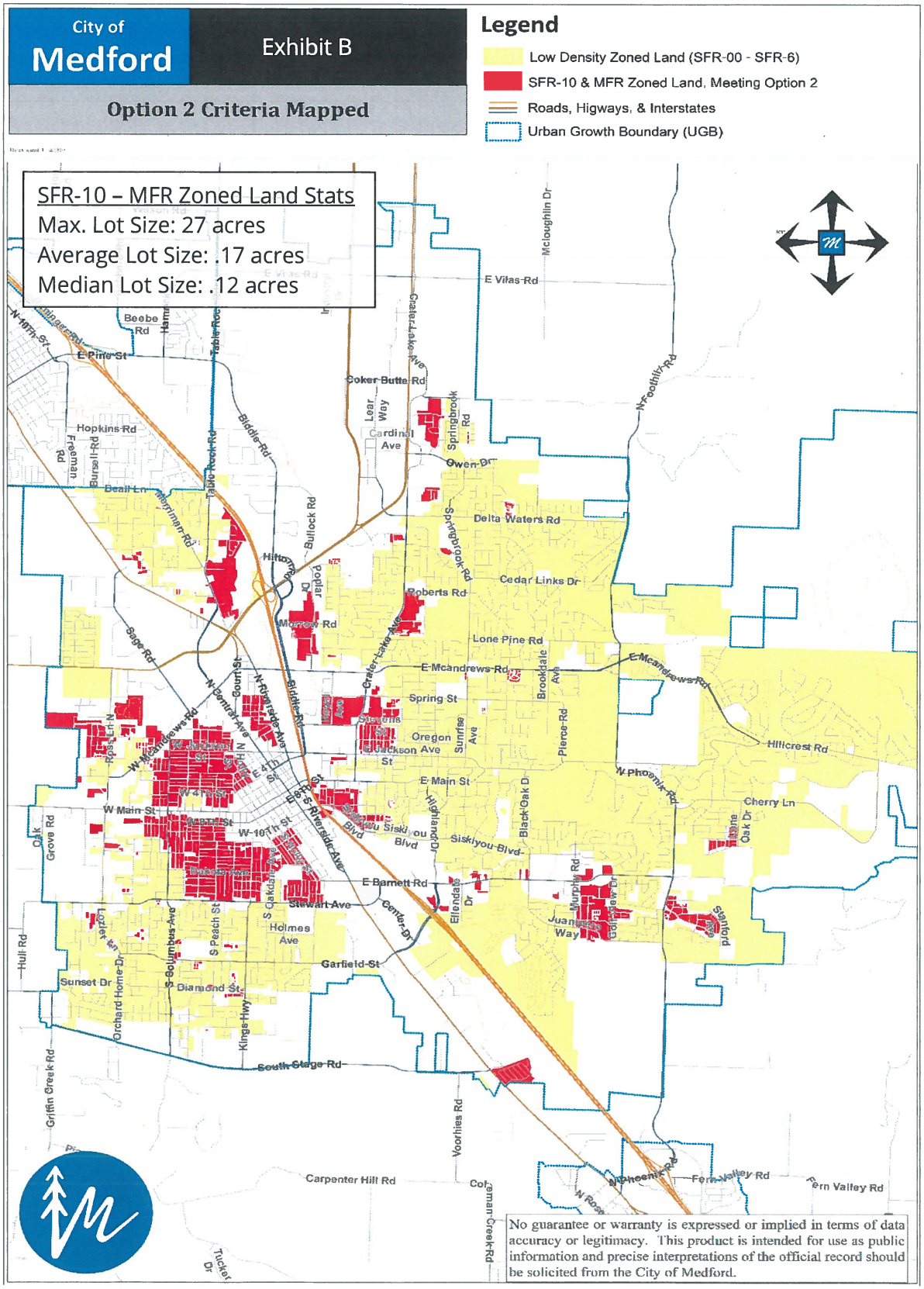
City of
Medford
Exhibit B
Option 2 Criteria Mapped
Legend
Low Density Zoned Land (SFR-00 - SFR-6)
SFR-10 & MFR Zoned Land, Meeting Option 2
Roads, Higways, & Interstates
Urban Growth Boundary (UGB)
SFR-10 – MFR Zoned Land Stats
Max. Lot Size: 27 acres
Average Lot Size: .17 acres
Median Lot Size: .12 acres
E Vilas Rd
Mcloughlin Dr
Beebe Rd
E Pine St
Coker Butte Rd
Hopkins Rd
Freeman Rd
Bursell Rd
Beall Ln
Merriman Rd
Radio Rock Rd
Biddle Rd
Lear Way
Cardinal Ave
Springbrook Rd
Owen Dr
N Foothill Rd
Delta Waters Rd
Cedar Links Dr
Roberts Rd
Bullock Rd
Poplar Dr
Morrow Rd
Lone Pine Rd
Sage Rd
E Mcandrews Rd
Brookdale Ave
Court St
N Riverside Ave
Spring St
Oregon St
Jackson Ave
Sunrise Ave
Pierce Rd
Hillcrest Rd
W Mcandrews Rd
W Jackson St
W 4th St
E Main St
W Main St
W 10th St
S Riverside Ave
Siskiyou Blvd
Highland Dr
Black Oak Dr
N Phoenix Rd
Cherry Ln
Oak Grove Rd
E Barnett Rd
Stewart Ave
Holmes Ave
Center Dr
Ellendale Dr
Murphy Rd
Juanita Way
Golfview Dr
Stanford Ave
Hull Rd
Garfield St
Sunset Dr
Orchard Home Dr
S Columbus Ave
S Peach St
S Oakdale Ave
Diamond St
Kings Hwy
South Stage Rd
Griffin Creek Rd
Voorhies Rd
Carpenter Hill Rd
Coleman Creek Rd
Fern Valley Rd
Tucker Dr
No guarantee or warranty is expressed or implied in terms of data accuracy or legitimacy. This product is intended for use as public information and precise interpretations of the official record should be solicited from the City of Medford.

Exhibit H
Public Comment, received November 8, 2019 – CSA Planning, Ltd. via Raul Woerner

From: Raul Woerner
To: Kyle W. Kearns
Subject: RE: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi-Family Housing
Date: Friday, November 8, 2019 12:16:33 PM

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Kyle – Just wanted to get the design standard concerns on the radar. There are problems with those and the City should revisit them as a separate matter.

With regard to limited land use decisions (which is solely a procedural matter), the fundamental question is being missed. The fundamental question is not whether the City wants to use the limited land use procedure, it is whether it must use it.

The answer to the question will not be based on how many more or less days it would take relative to the City's existing or proposed procedure. This is a question that the Planning Department should not just dive a little deeper into in its report. It should examine the question fully with the City attorney fully explain in its reports to the advisory committees and City Council so the final decision is properly informed.

The state has defined by statute what is a limited land use decision – and what procedural rights and requirements are tied to those. If the city is processing applications for developments that are defined by the state to be limited land use decisions, how may the city simply call those something else and adopt a process that is not accordance with the statute? Here is the definition of a limited land use decision as established under ORS 197.015:

(12) "Limited land use decision":
(a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:
(A) The approval or denial of a tentative subdivision or partition plan, as described in ORS
92.040 (1).
(B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.
(b) Does not mean a final decision made by a local government pertaining to a subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

Tentative subdivision and partition plans within UGBs (including the entire city and the remaining unincorporated area) are limited land use decisions. So are design reviews for any use that is permitted outright. Housing in residential zones is an outright permitted use – the needed housing statute makes that perfectly clear. MF-housing in MF and commercial zones is also an outright permitted use in Medford's code subject to review for design standards only.

Note also that ORS 197.015(10) – in defining "land use decision" – expressly provides under subsection (b)(C) that a land use decision does not include a include a decision of a local government that is a limited land use decision (which is then defined at ORS 197.015(12)). They are mutually exclusive.

Given that the City is now trying to craft a different procedure than the one it has been using (i.e., which has been to process limited land use decisions as regular land use decisions), it seems timely to point out that the state has already written the procedural requirements and options that cities (and counties) may use. The City of Medford at the very least should be aware of that in these proceedings and should provide some finding as to whether MF housing reviews are or are not limited land use decisions as defined by the state. If they are, then the city should determine if the proposed procedure complies with the statutory requirements. If not, then identify how it does not and layout the various options available that local governments have under the statute (e.g., hearing or no hearing, on the record or de novo, etc...).

In the alternative, perhaps the City could find that the limited land use procedure is only available if a city elects to use it. Ask for a legal opinion – I am just raising the question. If it is optional, the City should explain that in its findings – and the advisory committees and the City Council should be advised that the procedure is available (and what that might look like) so they can make fully informed recommendations and decisions on this matter. If there is an option to use something other than the statutory limited land use procedure, I have no preference. But you asked for input and I would give the same advice to any client. Determine if it is a fatal flaw earlier rather than later so as to focus time and resources on only options that are viable.

Please enjoy your weekend! Very truly yours,

CSA Planning, Ltd.
Raul Woerner
(541) 779-0569

From: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Sent: Friday, November 8, 2019 10:19 AM
To: Raul Woerner <raul@csaplanning.net>
Subject: RE: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi-Family Housing

Hi Raul,

These will be incorporated into the record, thank you.

In talking this through and thinking about your comments more we wanted to ensure we are all on the same page.

First, we'd like to address the limited land use decision criteria, in regards to MFR. The difference in applying this as opposed to our current process is somewhere around five days. We will need to dive a bit deeper for the staff report, but we don't see this as providing much of a difference. Additionally, applying an administrative review to small-scale commercial, or other non-residential uses, is outside of the scope of this
project. Moving the City to a more form-based code is on the radar for us, and with this would come additional administrative reviews. However, at the moment, this is not in the scope of DCA-19-002.

Second, in regards to your comment that you "...strayed into standards rather than just process." Yes, as you admitted, you are getting into standards and DCA-19-002 is about process. The intent of the MFR design standards in Article V is that they are to be interim. When adopted, the understanding of Council was we would get some "test" projects under our review and then revisit the standards to make them permanent.
Your comments would be more applicable then; we understand that they aren't perfect and we will be revisiting them in a subsequent project. These comments are valid and will provide additional support for updating the standards to be permanent and to aid in addressing form for the City in future updated to the MLDC.

Our goal with DCA-19-002 is streamline the review of MFR. We had previously included in DCA-19-002 the addition of "Flexible Design Standards" to allow deviations from the code without a Type III Exception. However, Planning Commission recommended we separate those into their own project. Then could also be an appropriate time to revisit your standards comments.

If you want to keep this conversation going, feel free to call my direct line below.

Best,

Kyle Kearns, AICP | *Planner II*
City of Medford, Oregon | Planning Department 200 S. Ivy Street, Medford, OR 97501
Ph: 541-774-2375

From: Raul Woerner [mailto:raul@csaplanning.net]

Sent: Wednesday, November 6, 2019 7:53 PM
To: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Subject: RE: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi-Family Housing

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Kyle:

The standard of review for the optional track is extremely value-laden and subjective such that the review authority would have incredible latitude in finding that proposed alternatives are not of an equivalent or higher design. I can imagine cases where the review authority will spend a great deal of time commiserating on exactly how may adjustments are being requested, tally them up and then just decide the applicant hasn't tried hard enough to meet them all in the applicant's attempt to seek approval for "innovative and unconventional residential designs that may not precisely satisfy the clear and objective design standards..." (MLDC 10.718). That last part makes no sense, by the way. If someone is seeking approval of innovative and/or unconventional residential designs, one would expect that the proposed design would differ greatly from the adopted standards rather than to just "not precisely" meet the standards. The implication is that "innovative and unconventional design" will be entertained – so long as it isn't TOO innovative or unconventional (so much for innovation). Also, there are many traditional and conventional multi-family designs prototypes that do not meet the recently adopted MF special development standards – and those are particularly the focus of my request that neighborhood compatibility be restored as an alternative means of approval.

I am not recommending that the city remove the "equivalent or higher (relative to the clear and objective standards) provision as a separate basis for approval, but to consider adding back an alternative in effect for many years that allows comparison of the proposed design to the context of the actual neighborhood form that exists. If the only option is to compare proposed adjustments to the "clear and objective" design standards, a perfectly compatible and appropriate project to the neighborhood would be extremely susceptible to denial by those who seem to believe that the city has created perfection in its code writing efforts and are simply offended that an applicant would even propose something else.

The Eastridge Village project on McAndrews and Modoc is a good example of an attractive housing project approved prior to the current standards . I understand that is a PUD, but let's say a neighboring property owner proposes to build a multi-family project of similar design to that next door or across McAndrews. Although handsomely landscaped with an attractive well maintained fence along that major arterial frontage, the vinyl fencing material offends the current code (even though it is far more attractive than an allowable cedar fence) and there are no front doors facing McAndrews Road. McAndrews has no on-street parking and vehicles travel at a high rate of speed along that corridor. Why would anyone – especially anyone with small children as frequently reside in apartment buildings – want their front door facing that high-traffic roadway and have to live next to the noise and fumes produced from all that traffic? Instead – and very appropriately - the front entries are oriented to a private internal

street system. The current standards specifically require that buildings be oriented to public streets. So that would violate the code. The design of the Eastridge Village project is certainly NOT flat or lifeless, but the review authority under the current alternative option does not get to compare directly with that project. He or she or they can simply find that the proposed adjustments to standards to allow something similar to that project will not result in an equivalent or higher design to the current MF standards. The well maintained vinyl fencing that has withstood more than twenty years there is prohibited by the current clear and objective standards – I wouldn't expect any argument that using the same on an adjacent project would be found to be an "equivalent or higher" design adjustment. Instead, the applicant would need to propose fencing that meets or "exceeds" the "clear and objective" standard that fencing materials be "durable, maintainable, and attractive." That clearly is anything but a clear and objective standard, by the way. Chain link fencing with dark vinyl coating would doubly violate the code by utilizing two prohibited materials. But chain link fencing with dark green or black vinyl coating is frequently specified as the preferable option for maintaining views of adjacent natural areas, such as a creek corridor. That is because the fencing is barely visible against the background view. There is an example of a clear and object standard to prohibit the very best option in such cases.

If the purpose of adopting the MF standards in the first place was to comply with state requirements that clear and objective standards be available for residential development, I would point out that the needed housing statute provides that the standards/conditions/procedures also may not discourage development of needed housing. ORS 197.307(4) states

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

Needed housing is defined at ORS 197.303 to mean more than just multifamily housing:

197.303 "Needed housing" defined. (1) As used in ORS 197.307, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) Subsection (1)(a) and (d) of this section does not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(3) A local government may take an exception under ORS 197.732 to the definition of "needed housing" in subsection (1) of this section in the same manner that an exception may be taken under the goals.

The City of Medford has adopted special development standards which apply to all multiple-family dwellings consisting of three or more attached dwelling units (10.716(A)) – but that don't apply to any other type of needed housing. I think it is patently unfair and an unreasonable burden on multi- family housing developments which generally are needed to provide affordable housing for those with lower incomes. If the city is so concerned with the exact building materials to be used or prohibited (10.717(D)(1-2, 4)), fencing materials (10.717(D)(5)), and strengthening "the presence of buildings on the street" by prohibiting parking spaces and automobile circulation (by the way, that would mean driveways as strictly read) and parking areas between "buildings" and the street (note: the code simply states buildings – not just buildings closest to the street) – then apply standards uniformly rather than just to multi-family, or otherwise allow an alternative standard of review that is not directed at the "safe harbor" standards themselves but rather to the neighborhood context. We seem to have a lot of nice multi-family projects in Medford that were approved under that criterion. It wasn't clear and objective, but it didn't have to go away entirely as an alternative review track to the clear and objective standards. A traditional and common way to insulate the residents of apartment complexes along high-traffic arterials is to provide extensive landscape treatments along the frontage and set the buildings back from the road with well screened parking in between. It's a good use of space and provides distance from the noise and fumes of the road. It also helps in some cases to blend in with other nearby single family neighborhoods, schools, churches, residential care and assisted living facilities, etc... I very much think that the comfort and safety of the residents should be given more weight in such situations – and that the city should provide that as an option.

Except for transit routes and TOD/mixed use designated area in the city, every other type of development (offices, institutional, SFR, etc... etc... etc...) is allowed to site parking between buildings and the street – subject to the parking being beyond the required front yard and is properly landscaped. The standard prohibiting the same for multi-family housing is not reasonably related to the impacts or appropriateness of that housing type in the community given that the City allows parking between streets and almost every other type of building. As such, I think the standard has the effect of discouraging needed MF housing through unreasonable cost and delay and itself offends ORS 197.307(4)(b). Combine that with

restrictions on building length that do not apply comparable building types, there will be projects could otherwise yield more housing units.

If there is a compelling need to "strengthen the presence of buildings on the street", then apply that standard generally to all development city-wide as the current standards now require of just MF housing, or direct it to particular corridors where all other development is held to that same requirement. It doesn't make sense that only multi-family housing, which the state has directed local governments to facilitate as needed housing, is made subject to so many more requirements in Medford than other buildings of comparable mass and scale. Consider also ADA parking. If the front entries have to face the street and no parking is allowed between the buildings and the street, facilitating accessibility becomes that much more challenging.

I understand that I have strayed into standards rather than just procedures, but the current standards also need to be revisited to include prototypical standards for a wider variety of multi- family housing types. There are also text corrections needed to more precisely state what is meant (e.g., can there be parking between buildings at the back of the property and the street? The code as written says no parking between buildings and the street. How is building length measured?
Does the 150-foot building length restriction apply to the building width as well? The code doesn't state that – but it would seem more important to length when the City requires the building to be placed along the street. Otherwise, the building width could be several hundred feet without a break.). I understand that there was considerable effort in passing it, but now that it has actually been applied to real world cases it is worth revisiting to consider some adjustments.

Please pass my comments on to the Planning Commission and City Council as part of the record in your proceedings.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner
(541) 779-0569

From: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Sent: Wednesday, November 6, 2019 4:12 PM
To: Raul Woerner <raul@csaplanning.net>
Subject: RE: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi-Family Housing

Raul,

In response to your comments.

1. I will need to review this more. Additional insight is welcome in the meantime.
2. We are using net acreage in the proposed option and it would carry forward as such if selected.
3. Could you clarify what standards you are referring to? We respectively disagree with your interpretation of what the standards will "force" in terms of development. The standards are meant to avoid flat, lifeless design but do not require that you develop a Concord style development in applying the standards.

Best,

Kyle Kearns, AICP | *Planner II*
City of Medford, Oregon | Planning Department 200 S. Ivy Street, Medford, OR 97501
Ph: 541-774-2380

From: Raul Woerner [mailto:raul@csaplanning.net]
Sent: Wednesday, November 6, 2019 3:16 PM
To: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Subject: RE: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi-Family Housing

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Kyle:

1. I didn't see in the report whether utilizing the state's Limited Land Use Decision process was discussed as an option by the HAC or others. Consider identifying multi-family development applications, where zoning allows MF use outright, as qualifying for approval as limited land use decisions – and establish procedures consistent with ORS 197.195 for the same. This would have the effect of requiring an advance notice to nearby property owners and any recognized neighborhood or community organization before a decision is made, provide the same a 14-day period submit written comments prior to the decision, and allows the city provide for a hearing on appeal that may be limited to the record or may allow introduction of additional testimony or evidence (the latter option requires that he hearing comply with the requirements of ORS 197.763). The city could as additional updates in the future identify other types of development that would be appropriately reviewed as limited land decisions (e.g., small office buildings, etc...).

2. If an acreage threshold is to be adopted, please specify whether that is to the net acreage of the lot (or portion thereof if only part of the lot or tract is to be used) – or whether gross acreage is to be used. The latter is used to calculate residential densities. However, smaller lots adjacent to unusually wide rights-of-way (e.g., bounded on

multiple sides by streets or simply being adjacent to I-5) may then be excluded from using the new procedure even though the buildable area is small.

3. The City's adopted Multiple-Family "Standards" that have already been adopted at MLDC Sections 10.715A – 10.719 seem more appropriate to apartment buildings in an urban core or Transit Oriented Development areas and do not mesh well with many traditional forms of multi-family housing, such as attached rowhomes and more campus style apartments that are common an d perfectly appropriate outside downtown areas. Yet the review criteria that apply if the procedure for requesting optional adjustment of those standards is used, one must demonstrate that the requested adjustment(s) will allow the project to achieve an "equivalent or higher quality design than would result through strict adherence to these standards." Previously, one could demonstrate that the proposed project design was compatible and in harmony with uses on the adjacent properties. In many cases the new standards would require new development to be the odd duck out in the existing neighborhood. If a proposed development is consistent and in harmony with the established uses nearby in the neighborhood, why not allow an alternative "optional adjustment standard" based on neighborhood compatibility? I recommend that be added to the Section 10.719 procedure. One would actually have a better sense of how to design to "neighborhood compatibility" rather than to anticipate what very value-laden design alternatives the approving authority might deem to achieve "an equivalent or higher quality design".

Thanks for reaching out.
Very truly yours,

CSA Planning, Ltd.
Raul Woerner
(541) 779-0569

From: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Sent: Wednesday, November 6, 2019 11:43 AM
Subject: Seeking Input, Medford Code Amendment - Creation of Administrative Review for Multi- Family Housing

Good morning,

Attached you'll find a memorandum summarizing the proposed code amendment (DCA-19-002) to create a new land use process for the City of Medford. The new process is to create an Administrative Review (Type II) process for multi-family developments in Medford. The new review process would allow for certain multi-family projects to be reviewed administratively, without a public hearing, as proposed. There are three options proposed for the criteria, which are addressed in the memo.

The Housing Advisory Commission is reviewing this and recommending an option on November 13. The public hearing schedule currently proposed is Planning Commission on December 12 and January 16 for City Council.

We are seeking comment from you on the proposal and the appropriate criteria in determining when to use the new process. Please don't hesitate to reach out if you have any questions. Your time in reviewing this proposal is much appreciated.

Best,

Kyle Kearns, AICP | *Planner II*
City of Medford, Oregon | Planning Department 200 S. Ivy Street, Medford, OR 97501
Ph: 541-774-2380

Exhibit P
Public Comment, received January 9, 2020 – Citizen Dennie Conrad

Medford Planning Commission &
City of Medford Planning Department
200 S. Ivy Street
Medford, OR 97501

January 10, 2020

Subject: Streamlining Residential Review Process – SPAR Type II Land Use Review (DCA-19-002)

Thank you for the opportunity to provide input into the planning process related to multi-family residence review process and citizen input.

I currently serve on the Board of Directors for ACCESS, am the vice chair of the Medford Transportation Commission, work as the Chief Strategy Officer at the area's largest employer and am on the Board of Directors at the Rogue Valley Country Club. I share this not as a series of qualifications, but to share that I hear the voices of many constituents that are worried about housing, but are just as worried about the solutions.

Tonight, I simply represent myself as an active citizen of Medford but am also supported by a large neighborhood in east Medford. I am able to provide supporting documentation (collected over the last 24 months) from over 50 homeowners that are concerned about how Medford develops housing (including annexations). And how growth without sufficient input/insight from our neighborhoods (due to a lack of citizen input), challenges their way of life.

In your deliberations I am suggesting for your consideration of a nuanced, but more reasonable/balanced option 4.1 (Document Page 197 (17/77), defined as:

> ***Option 4.1 – " Multi-family, projects of 10 units or less, under one acre as Type 2 review, unless abutting or within 300 feet of SFR-00, SFR-2, SFR4 and SFR-6 zones".***

This streamlines smaller MFR projects while valuing the input of citizens in how their neighborhood develops.

The Commission has a series of complex questions, including: 1) how to balance the perceived pace of an "expedited process" in housing development, 2) whether creating shortcuts creates materially better solutions, 3) while recognizing and honoring the time-tested process of hearing citizens and voters input as Medford continues to grow and evolve. In support of this recommended alternative, it is important to note that the State of Oregon has citizen input as the first priority in their State-wide Goals/Guideline (Land Conservation and Development Department; Chapter 660; Division 15).

Thank you for the opportunity to provide input this evening.

Respectfully

Dennie Conrad
5661 Aerial Heights
Medford, OR 97504

Signatures Collected in Concern to High Density Housing in East Medford

Signed:

1. ***James Brodeur*** 4623 Hathaway Drive, Medford, OR 97504
2. ***Monica Lewis*** 2625 Jackson Drive, Medford, OR 97504
3. ***Rhonda Hawkins*** 3912 Monte Vista Drive, Medford, OR 97504
4. ***Chris Watsa*** 5641 Aerial Heights Drive, Medford, OR 97504
5. ***Kim Hamel*** 4754 Hillcrest Road, Medford, OR 97504
6. ***Ronell Mathews*** 4788 Hathaway Drive, Medford, OR 97504
7. ***Renee Clark*** 4794 Hathaway Drive, Medford, OR 97504
8. ***Vickie Matson*** 5671 Aerial Heights, Medford, OR 97504
9. ***Stewart Michelon*** 4825 Hathaway Drive, Medford, OR 97504
10. ***David Kennington*** 4742 Hathaway Drive, Medford, OR 97504
11. ***Robert Gartner*** 4779 Hillcrest Road, Medford, OR 97504
12. ***Bill Matson*** 5671 Aerial Heights Drive, Medford, OR 97504
13. ***Mark Fadling*** 96 Monterey Drive, Medford, OR 97504
14. ***Zach Jamieson*** 93 High Oak Drive, Medford, OR 97504
15. ***Randy Clark*** 4794 Hathaway Drive, Medford, OR 97504
16. ***Shannon Kiskpatia*** 2351 Finch Laner, Medford, OR 97504
17. ***John Hamlin*** 5200 Aerial Heights, Medford, OR 97504
18. ***Stefan Domboy*** 4763 Hillcrest Road, Medford, OR 97504
19. ***Stacy Ireland*** 1511 Red Hawk Drive, Medford, OR 97504
20. ***Liza Barrows*** 1537 Devonshire Place, Medford, OR 97504
21. ***Caprice Moran*** 4000 Hillcrest Road, Medford, OR 97504
22. ***Loren Bandler*** 2656 Oak View Circle, Medford, OR 97504
23. ***Sandra Friend*** 3918 Piedmont Ter. , Medford, OR 97504
24. ***Brandon Friend*** 3918 Piedmont Ter. , Medford, OR 97504
25. ***Yvonne Burruel*** 1243 Shafer Lane, Medford, OR 97504
26. ***Jane Conrad*** 5661 Aerial Heights Drive, Medford, OR 97504
27. ***Stephanie Tingley*** 5637 Saddle Ridge Drive, Medford, Or 97504
28. ***Marilyn Matteres*** 5609 Saddle Ridge Rd. , Medford, OR 97504
29. ***Don Adams*** 5401 Hillcrest Rd. , Medford, OR 97504
30. ***Julie Frend*** 5606 Saddle Ridge Dr. , Medford, OR 97504
31. ***Chuch Vandereg*** 4804 Oak Leaf Pass Dr. , Medford, OR 97504
32. ***Ken Miller*** 5675 Saddle Ridge Dr. , Medford, OR 97504
33. ***Normary Barret*** 5622 Saddle Ridge Dr. , Medford, OR 97504
34. ***Jeff Sander*** 5419 Hillcrest Rd. , Medford, OR 97504
35. ***Eric Frankel*** 5413 Hillcrest Dr. , Medford, OR 97504
36. ***Debbie Osorio*** 5409 Hillcrest Dr. , Medford, OR 97504
37. ***Cathy Garrahan*** 5609 Cherry Lane, Medford, OR 97504
38. ***Ronald Garrahan*** 5609 Hillcrest Lane, Medford, OR 97504
39. ***Tammy Estenson*** 5610 Cherry Lane, Medford, OR 97504
40. ***Teri Foster*** 5625 Cherry Lane, Medford, OR 97504
41. ***Jane Verdieck*** 5626 Cherry Lane, Medford, OR 97504

42. ***Barbara Ragus*** 5642 Cherry Lane, Medford, OR 97504
43. ***Roseann Ramsey*** 5642 Cherry Lane, Medford, OR 97504
44. ***Robin Kenney*** 5656 Cherry Lane, Medford, OR 97504
45. ***Jan Sacsedo*** 5664 Cherry Lane, Medford, OR 97504
46. ***Scott Sacsedo*** 5664 Cherry Lane, Medford, OR 97504
47. ***Linda Bruce*** 5691 Cherry Lane, Medford, OR 97504
48. ***Jamie Daniel*** 5691 Cherry Lane, Medford, OR 97504
49. ***Robert Hearth*** 5694 Cherry Lane, Medford, OR 97504
50. ***M. Diane Hearth*** 5694 Cherry Lane, Medford, OR 97504

By Signed Post Card

51. ***Jeffery Williams*** 4625 Cherry Lane, Medford, OR 97504
52. ***Tevis Goldfein*** 1006 Conklin Ave., Grants Pass, OR 97526
53. ***Bonnie Goldfein*** 1006 Conklin Ave., Grants Pass, OR 97526

By Email:

54. ***Duane Clay*** 4850 Aerial Heights, Medford, OR 97504

Exhibit Q
Planning Commission Hearing Minutes – January 9, 2020

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
David Jordan
Bill Mansfield
E.J. McManus
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Dustin Severs, Planner III
Steffen Roennfeldt, Planner III
Kyle Kearns, Planner II

50.6 DCA-19-002 An amendment to portions of Chapter 10, the Medford Land Development Code (MLDC), creating a Type II administrative review land use process for certain multi-family residential developments; Applicant, City of Medford; Planner, Kyle Kearns.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Jordan disclosed his employer provides insurance for the City of Medford. He does not have any involvement in writing the coverage or servicing the account.

Chair McKechnie inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Kyle Kearns, Planner II reported the Development Code Amendment approval criteria can be found in the Medford Land Development Code Sections 10.220. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Kearns gave a staff report.

Commissioner Thomas asked, how is there less opportunity for the public to come speak about public benefit if a public hearing is removed? Mr. Kearns reported that if the public came to a SPAC

hearing to testify against a multi-family development it would almost be for nothing because now you cannot deny an application that adheres to the clear and objective standards outlined in the code. Commissioner Thomas understands that but he is saying the public's input is not for nothing. He thinks there is an opportunity, when allowing the public to come and speak in front of a public body, even if it takes an extra four to five hours to do those things. He does not see how telling the public their input is not important is a benefit. He said the same thing at the study session. The option where completely taking the public out of the equation he does not think is ever in the public benefit.

Note: In Exhibit A, staff has used "Option 1" as the criteria for when a SPAR – Type II land use process would be used; this option considers all multi-family developments as a Type II land use process unless they have a Type III or IV land use review associated with the development. If the Planning Commission is seeking a different recommendation, the aforementioned options discussed at the previous study sessions can be found in the "Site Plan and Architectural Review (SPAR) – Type II Land Use Review (DCA-19-002) Summarized" section. The options are;

Option 1 – All multi-family reviewed as Type II (HAC and Staff Recommended)
Option 2 – All multi-family reviewed as Type II, except when abutting SFR-00, SFR-2, SFR-4 and SFR-6 zones (Mapped in Exhibit B)
Option 3 – All multi-family housing when up to three net acres
Option 4 – Other not defined

Vice Chair Foley asked, does Option 3 have more discretion in the larger developments for SPAC to be able to move things around or provide different amenities that may not happen strictly per the code? Mr. Kearns commented that there could be more things that come into play with a larger parcel. Vice Chair Foley is leaning towards Option 3.

The public hearing was opened.

a. Dennie Conrad, 5661 Aerial Heights, Medford, Oregon, 97504. Mr. Conrad is worried about public input. He listed numerous organizations he is affiliated with not as a qualification, but to share that he hears the voices of many constituents that are worried about housing, but just as worried about the solutions. In the Planning Commission's deliberations he suggested for their consideration Option 4.1 – "*Multi-family projects of 10 units or less under one acre as Type II review, unless abutting or within 300 feet of SFR-00, SFR-2, SFR-4 and SFR-6 zones*". Do not loose public input but expedite the process.

Carla Paladino, Principal Planner reported that the process that staff is proposing is still a public process. Currently, the process for when an application is going to a hearing, staff sends notice to property owners within 200 feet. Staff will continue to send those notices but now it is proposed to be sent to property owners within 300 feet. This notice still gives people the opportunity to write a

letter, call staff, come into the office and provide their feedback and to appeal. The proposal simply replaces them [residents] from coming to an evening meeting and presenting to an entire body.

Commissioner Mansfield asked, does her comment apply to Option 1? Ms. Paladino responded that it would apply to all three options.

Chair McKechnie asked, is there a fee involved if someone wants to appeal to the City Council? Ms. Paladino replied there is a fee. The fee caps at $600. Chair McKechnie commented that they can come talk to the Planning Commission for free. Ms. Paladino responded that they can talk to the Planning Director for free.

Mr. Kearns reported that staff has mapped what Mr. Conrad proposed. If limiting it to the criteria in Option 2 the total available acres for development is 36 acres; in addition, if 10 units or less and an acre and less are set as the criteria the number of available parcels would be limited even more. The average lot size is 0.17 at that point. Medium lot size is 0.12 acres. That would limit the vacant land availability.

Chair McKechnie stated that proposing a multi-family project with a zone change regardless of size would come before the Planning Commission. What is being proposed with Options 2 is primarily indicated in red on the map on page 218 of the agenda packet. Is that a true statement? Mr. Kearns stated that the red is the only eligible land that meets the criteria of Option 2.

Commissioner Culbertson asked, is the red indicated at the bottom of the map at the end of South Stage Road San George Estates? Mr. Kearns reported the map does not reflect the vacant land.

Vice Chair Foley asked, is the qualifying piece the Planning Commission needs to be focused on are the design standards? Chair McKechnie responded that Option 1 would be substituting Administrative Review for SPAC review for multi-family.

Commissioner Jordan asked for further explanation on the 36 acres. Mr. Kearns responded that the City has a buildable land inventory of approximately 1000 plus acres, meeting the criteria of Option 2. Of that 1000 acres available only 36 acres is vacant for multi-family development.

Commissioner Jordan asked, how much time does the recommended Option 1 save? Mr. Kearns stated approximately one or two weeks. A public hearing can go on for months.

Ms. Evans reported the average processing time for a Type III application is 100 days. A Type II application is 30 days to deem complete and the process is 41 days.

Commissioner McManus asked, are options I, 3 and possibly 4 relative to what other municipalities have done? Mr. Kearns responded that a lot of cities have moved to the Type II land use review that have clear and objective standards.

The public hearing was closed.

Main Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation using "Option 3" for approval of DCA-19-002, to the City Council per the staff report dated January 2, 2020, including Exhibits A through N and including Exhibit O and Exhibit P.

Moved by: Vice Chair Foley Seconded by: Commissioner Culbertson

Amended Motion: Substitute Option 1 for Option 3.

Moved by: Commissioner Mansfield Seconded by:

There was no second so the amended motion failed.

Vice Chair Foley stated that the smaller acres makes perfect sense. There is not much discretion and it has already been zoned. It is talking about how to build the building. Larger developments have more discretion for amenities and etc. Those projects need a public hearing.

Commissioner Culbertson agrees. His concern was the lack of community involvement or input. He echoes what Commissioner Thomas stated earlier. You do not want to leave the public out. A governing body sometimes has a greater impact. It needs to be shown the citizens can be heard in an open forum.

Commissioner Culbertson agrees with the acreage limitation.

Commissioner Culbertson is in favor of streamlining the process.

Chair McKechnie agrees with the comments offered. The developments less than three acres are generally small. There are already multi-family design standards. He is in favor of Option 3.

Roll Call Vote Main Motion: Motion passed, 6-1-0, with Commissioner Mansfield voting no.