

CITY COUNCIL STUDY SESSION MINUTES



MEDFORD
CITY COUNCIL

January 30, 2020

6:00 P.M.

Prescott Room, Medford Police Station

219 S. Ivy Street, Medford, Oregon

The City Council Study Session was called to order at 6:00 p.m. in the Prescott Room of the Medford Police Station on the above date with the following members and staff present:

Councilmembers Tim D'Alessandro, Dick Gordon, Alex Poythress, Eric Stark and Kevin Stine; City Manager Brian Sjothun, Deputy City Attorney Eric Mitton, Planning Director Matt Brinkley, Deputy City Recorder Winnie Shepard; Mayor Gary Wheeler and Councilmembers Clay Bearnson, Kay Brooks, and Michael Zarosinski were absent.

Administrative Residential Review

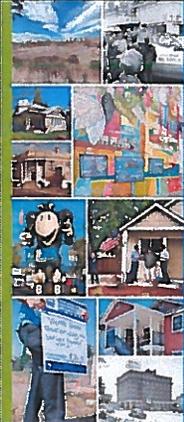
Planning Director Matt Brinkley provided information on a proposed amendment to Chapter 10 of the Medford Municipal Code. (See attached PowerPoint.)

The amendment would 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 (SPAC) or Planning Commission.

It would also amend current language to distinguish between the SPAC 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.

The matter will be brought forward as a Code amendment during the February 20, 2020 Council meeting.

Council President Stine provided an overview of the Council Officers meeting. Medford was designated as a Medal of Honor City by the State Legislature. A second Council Liaison will be appointed to outside positions. The Deputy City Attorney will review law to determine whether the City could prevent projections on the white wall in Vogel Plaza. On February 12, Councilmembers will go to Salem to speak with Legislators and other officials. The process to determine allocations for the marijuana funding will be discussed at the next Council meeting.



Multi-Family Residential, Administrative Land Use Review Process
SPAR - Type II
DCA-19-002
City Council Study Session
January 30, 2020



SPAR - Type II DCA-19-002
Update

- Planning Commission Recommendation
- Proposal



Planning Commission Recommendation

Planning Commission Recommendation

Option #3, Type II Administrative review for

- Developments of 3 net acres or less
- Recommended 6-1
- More restrictive but consistent with Housing Advisory Commission, Site Plan and Architectural Commission, and staff recommendations/direction

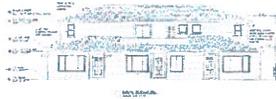


Proposal



Proposal

- Changed noticing requirements for Type II decisions
 - Noticing distance from 200' to 300'
 - Removed noticing sign for Type II decisions
- Set City Council as SPAR Type II appeal body



Proposal

- Proposed to be used for all multi-family housing without a Type III (e.g. an Exception) land use decisions associated
- Allow for Planning Director to forward SPAR applications to the Site Plan and Architectural Commission



Proposal

- Removed requirement that multi-family housing in SFR-10 zone be individually owned



Discretionary Conditions 2016 - present

File No.	Project Name	# of Units	Discretionary Conditions
AC-16-029	Almond St Apts	108	property setbacks, fire lane, legally created lot, ODOT approval of easements, easement for use of city
AC-16-033	Victory Place	17	none
AC-16-046	Tripp Street	5	Survey prepared by surveyor
AC-16-095	Orchard Glen	57	none
AC-17-019	Newbridge Place	64	DSL & Army Corps - FEMA LOMR
AC-17-021	Crater Lake fourplex	4	None
AC-17-057	Columbia Care	8	Inverted U bike rack
AC-17-066	Stewart Meadows	134	Accepted stipulations & authorized 5 years
AC-17-085	Clinton Hall Beekman	10	Deed restriction regarding parking and shared parking agreement

CITY COUNCIL STUDY SESSION AGENDA



MEDFORD
CITY COUNCIL

January 30, 2020

6:00 P.M.

George Prescott Room, Police Headquarters

219 S. Ivy, Medford, Oregon

1. Administrative Residential Review

MEMORANDUM

To: City Council
From: Matt Brinkley, Planning Director
Date: January 27, 2020 *for January 30, 2020 Study Session*
Subject: Streamlined Residential Review Process – SPAR Type II (DCA-19-002)

Update

Staff presented the basic features of the Site Plan and Architectural Review proposal to City Council at the December G3 meetings. This policy would make review of multifamily development a Type II Administrative land use decision, rather than a Type III Quasi-judicial land use decision. In doing so, public testimony would be taken in writing or in person during a comment period, rather than at a public hearing. A final decision would be rendered by the Planning Director, rather than the Site Plan and Architectural Commission.

This policy was recommended for consideration by the Housing Advisory Committee (the predecessor of the Housing Advisory Commission) in 2017, and is consistent with subsequent revisions to the land development code that provide clear and objective standards for review of multifamily development proposals. With clear and objective design standards, there is little if any discretion that can be applied to a land use decision in a quasi-judicial proceeding before a commission. A review of SPAC decisions for multifamily development projects since 2016 confirms that discretionary conditions have only been applied in 3 of 16 applications; no discretionary conditions have been applied to multifamily development proposals since the City adopted prescriptive, clear and objective design standards in 2018.

At the time of the G3 meetings, the Housing Advisory Commission and Site Plan and Architectural Commission had expressed support for “Option 1”, which would allow for Type II review of all multifamily development proposals. The Planning Commission opinion of the proposal was much more divided during study sessions. As such, Councilors asked that staff report the Commission’s final recommendation to them after the Planning Commission public hearing on January 9, 2020 in order to determine how to proceed. Planning Commission recommended “Option 3” by a vote of 6-1. Option 3 would allow for Type II Administrative review of multifamily development proposals for sites up to three net acres.

The lone dissenting vote, Mansfield, was for Option 1. Two Commissioners were absent (Pulver and McFadden).

Staff are supportive of the compromise represented by Option 3, because it addresses several central issues:

1. With the goal of reducing regulatory barriers to multifamily development, it would allow for more streamlined review of many multifamily developments, reduce costs for the development community, and improve the certainty of land use decision outcomes (or at least the perception of thereof);
2. It would provide for greater opportunity for public testimony when larger developments are proposed (projects larger than 3 net acres or approximately 80 total dwelling units at its densest); and
3. It would better satisfies the legal requirements associated with “limited land use decisions” than does current policy.

Council Direction

At the G3 meetings, Councillors expressed a desire to know Planning Commission’s final recommendation before moving forward with a public hearing. Staff are preparing to present Option 3 at the public hearing, unless Council prefers a different option or some other alternative.

NEXT STEPS

A public hearing is scheduled with the City Council on February 20, 2020.