
PROPOSED NEW SECTION**10.486 Stormwater Quality and Detention Facilities, Public Streets.**

- A. Purpose.** It is the City's policy to maintain the natural hydrology and preserve water quality by mitigating the direct impacts of new development and preserving the environmental benefits of natural water bodies.
- B. Applicability.** Stormwater quality and detention facilities for developments containing publicly maintained streets shall provide stormwater detention in accordance with the following:
1. Stormwater detention facilities shall be required when constructing streets and associated surfaces containing 5,000 square feet or more of impervious surface.
 2. Stormwater detention facilities shall be required when widening or improvement of existing streets involves reconstructing the existing street section. Widening that involves adding only additional width to meet City standards shall not require stormwater detention facilities
- C. Construction and Maintenance Standards.**
1. Stormwater quality and detention facilities shall be constructed in conformance with the current adopted version of the *Rogue Valley Stormwater Quality Design Manual*.
 2. Stormwater detention facilities that receive stormwater runoff from a publicly maintained street shall be a publicly maintained facility.
 3. Stormwater detention facilities that do not receive stormwater runoff from a publicly maintained street shall:
 - a. Be privately maintained; and
 - b. Be constructed on private property; and
 - c. Have an *Operation and Maintenance Plan* approved by the City prior to construction of the facility.
 4. Stormwater quality and detention facilities for single-family residential subdivisions, PUDs, and other residential land divisions which have publicly maintained streets shall combine the drainage from the public streets and the private lots in a combined system. The combined system shall be publicly maintained; however, this system may be privately maintained provided a *Declaration of Covenants for the Operation and Maintenance of Stormwater Facilities* and an *Operation and Maintenance Agreement*, in a form acceptable to the Public Works Department and the City Attorney, is signed and recorded by the responsible parties.
 5. For commercial, multiple-family, and industrial developments, each lot or parcel shall provide a separate, private stormwater quality and detention facility at the time of building permit. The detention for drainage from the public right-of-way in these developments shall be in a separate facility, shall be constructed at the time of the street construction, and shall be maintained by the public.
 6. Developments of greater than five acres in size shall set aside a minimum of two percent of the gross area as open space to be developed as open ponds or other similar stormwater treatment facilities, which are landscaped in conformance with Appendix A of the *Rogue Valley Stormwater Quality Design Manual*.
 7. Water quality and detention facilities for developments of less than five acres in size are encouraged to be developed as open ponds or other similar stormwater treatment facilities, but may utilize underground treatment and detention.

PROPOSED NEW SECTION**10.729 Stormwater Quality and Detention Facilities, Private Property.**

- A. **Purpose.** It is the City's policy to maintain the natural hydrology and preserve water quality by mitigating the direct impacts of new development and preserving the environmental benefits of natural water bodies.
- B. **Applicability.** Stormwater detention facilities shall be required for all land development and building permits, with the exception of single-family residences and duplexes, which meet any one of the following conditions:
1. Building permits for development that create 5,000 square feet or more of impervious surface; or
 2. Building permits for developments that add or reconstruct 1,000 square feet or more of impervious surface, if that construction activity is part of a larger common plan of development that contains, or will contain, 5,000 square feet or more of impervious surface. A "common plan of development" means the overall plan for development of land, including any pre-existing development and approved plans for future development; or
 3. Building permits for development that existed prior to adoption of City regulations requiring stormwater detention facilities that add or reconstruct 1,000 square feet or more of impervious surface. These shall provide stormwater detention only for the added or reconstructed portion; or
 4. Subdivisions, partitions, or PUDs which will contain new private streets, Minimum Access Easements, or other easements creating 5,000 square feet or more of impervious surface.
- C. **Location.** Stormwater detention facilities for development that does not include public rights-of-way shall be constructed on private property.
- D. **Construction and Maintenance Standards.**
1. Stormwater detention facilities shall be constructed in conformance with the current adopted version of the *Rogue Valley Stormwater Quality Design Manual*.
 2. Stormwater detention facilities for development that does not include public rights-of-way shall be privately maintained and shall have an *Operation and Maintenance Plan* approved by the City prior to construction of the facility. An approved form of the *Operation and Maintenance Plan* is located in Appendix of the current adopted version of the *Rogue Valley Stormwater Quality Design Manual*.
 3. When the property owner will not be responsible for maintenance of the stormwater detention facility or when there will be multiple responsible parties, an *Operation and Maintenance Agreement*, in a form acceptable to the Public Works Department and the City Attorney, shall be required, in addition to the *Operation and Maintenance Plan*.

RELATED SECTIONS**ARTICLE IV – PUBLIC IMPROVEMENT STANDARDS AND CRITERIA****10.482 Public Improvement Plan Requirements.**

1. Prior to the issuance of a development permit and prior to commencement of improvement work, The developer shall cause plans and specifications for all public improvements to shall be prepared by an professional engineer registered in the State of Oregon in accordance with the design and improvement standards of this Code, ~~which plans and specifications and~~ shall be submitted to and ~~approved in writing reviewed~~ by the City Engineer, except water system plans, which shall be submitted to and ~~approved reviewed~~ by the Medford Water Commission, ~~prior to the commencement of improvement work and prior to issuance of a development permit.~~

2. All public improvements shall be constructed and completed under the inspection of and ~~to with~~ the approval of the City Engineer.

3. Without limiting the foregoing, and using Ceity data, said-public improvement plans shall include typical cross sections and proposed finished grades of all streets, together with a profile showing the relation~~ship~~ between finished grade and existing ground elevations, and the lengths, sizes, grades, and type of all pipes, culverts, and other structures.

4. The Public improvement plans and specifications shall ~~also~~ contain performance data ~~eertified reviewed~~ by the developer's engineer demonstrating compliance with all design requirements of this ~~chapter~~Code. ~~All~~ City and Water Commission personnel who check and/or approve public improvement plans and specifications are authorized to accept such performance data at face value without independently verifying the accuracy thereof.

10.485 Storm Drainage Requirements-Water and Sewage.

1. Subterranean storm drains shall be designed and installed by the developer to adequately and safely drain all storm-waters of said-a development, and all surface waters reaching, or reasonably calculated to reach, said development from areas outside of its boundaries, and to ultimately drain the same to an approved watercourse.

2. Drainage to a watercourse shall be either by the direct discharge into the same, or by connection with adjacent existing storm drains already discharging into a water-course and of a capacity sufficient, in the opinion of the City Engineer, to adequately and safely carry all of such additional drainage.

3. When a proposed development may adversely impact a storm drainage system, the City Engineer may recommend to the approving authority (Planning Commission or Site Plan and Architectural Commission) that the developer have prepared, by a registered engineer, a Storm Drainage Plan for review and approval prior to final action on the plan authorization.

4. The storm drain system shall consist of mains of not less than 12 inches in diameter, together with such manholes, catch basins, laterals, water quality and flow control facilities, and other structures, and, at such grades, as required by the City Engineer to conform to good drainage requirements for the area and for the topography of the development to prevent standing waters or flooding waters within and outside of its boundaries.

SECTION 10.012, DEFINITIONS

Detention: The temporary storage of stormwater runoff from development, which is normally released at a slower rate than it is collected.

Impervious surface. Impervious surfaces are those surface areas, which ~~do not absorb water~~ either prevent or retard saturation of water into the land surface, and/or cause water to run off the land surface in greater quantities or at an increased rate of flow from that present under conditions pre-existent to development. ~~They consist of all buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete or asphalt. Common impervious surfaces include but are not limited to rooftops, concrete or asphalt streets, sidewalks, walkways, patio areas, driveways, parking lots or storage areas and graveled, oiled, macadam or other surfaces which similarly impact the natural saturation or runoff patterns which existed prior to development.~~

Stormwater: That portion of precipitation that does not percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a defined surface water body, or a constructed storm drain facility.

Stormwater Detention Facility: An above or below ground facility, such as a pond or tank, that temporarily stores stormwater runoff and subsequently releases it at a slower rate than it is collected by the drainage facility system. There is little or no infiltration of stored Stormwater.

Stormwater Facility: Constructed or natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, divert, treat or filter stormwater.

PRELIMINARY PUD PLAN APPLICATION**10.235 Preliminary PUD Plan - Application Procedures.**

A. **Application for a Preliminary PUD Plan:** An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection. However, the Planning Director, in his/her discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD. If an application for a PUD is accepted by the City as complete under ORS 227.178 but the application does not contain all of the items listed below, the missing items shall be deemed to have been waived by the Planning Director. Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan:

1. Current assessor map with the boundaries of the proposed PUD identified.
2. Preliminary PUD Plan (16 copies) and supplemental materials conforming to the Site Plan and Architectural Review application requirements in Section 10.287. Additionally, such plans shall include preliminary plans for providing public water and sanitary sewer service. The Preliminary PUD Plan shall indicate boundaries within the property which distinguish areas devoted to different land uses pursuant to Subsections 10.235(A)(3)(f), 10.230(D)(7) and 10.230(D)(8). Where different land uses are separated by streets, railroad rights-of-way, drainage channels or other water courses, the centerlines of such features shall be their boundaries. One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopy. If a tentative plat for a land division is submitted concurrently with a Preliminary PUD Plan, the Preliminary PUD Plan and tentative plat shall be on separate sheets. It is further provided that:

- a. Unless otherwise required in this Code, architectural plans for single family detached dwellings and landscaping plans for lots occupied by single family detached dwellings

are not subject to review or approval as part of a PUD. However, nothing shall prevent an applicant from supplying architectural or landscaping plans for single family detached housing as a means to comply with one or more approval criteria.

b. If private or non-city standard street lighting is proposed, a street lighting plan shall be provided which provides a detail of the proposed lighting fixture(s). The Preliminary PUD Plan shall indicate the location of proposed private or non-city-standard light fixtures.

c. An applicant may postpone the submission and approval of architectural plans for proposed buildings and to have such plans approved later as a separate matter under Subsection 10.235(F) after the Preliminary PUD Plan has been approved. When the approval of architectural plans has been postponed, the Preliminary PUD Plan shall show a conceptual footprint for each planned building and each building footprint shall be separately enclosed by a dashed line which shall be called and labeled a building envelope. Building envelopes shall reasonably anticipate and define the maximum extent of the footprint for each building in the PUD.

3. A narrative description of the PUD which shall cover:

a. The rationale for planning this development as a PUD.

b. The nature, planned use, future ownership and method of perpetual maintenance of land to be left in natural or developed open space or which will be held in common ownership.

c. A listing of all modified applications of the Code that are proposed, followed by a brief explanation which covers the nature of, extent of, and reason for each modification.

d. If one or more signs are intended to vary from the provisions of this Code, then a detailed plan for all signs which require a sign permit shall be submitted. The sign plan shall specify the size, number, type, height and location of all signs which require a sign permit and shall clearly indicate all proposed modifications.

e. A proposed development schedule. If the PUD will be constructed in phases, the development schedule for each phase shall be keyed to a plan that indicates the boundaries of each phase.

f. The gross acreage devoted to the various proposed land uses and housing types.

4. Written findings of fact and conclusions of law which address the approval criteria in Subsection 10.235(C).

5. The names and mailing addresses of the owners of land located within 200 feet of the exterior boundary of the whole PUD. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each property.

6. A conceptual stormwater facility plan with associated landscape plan, if applicable as per Section 10.729(B).

CONDITIONAL USE PERMIT APPLICATION

10.247 Application Form.

An application for a conditional use permit shall contain the following:

- (1) Vicinity map drawn at a scale of 1" = 1,000' identifying the location of the proposed site.
- (2) Assessor's map with subject site identified.
- (3) Site plan drawn to scale on an eighteen inch by twenty-four inch (18" x 24") sheet. Site plan shall identify all existing and proposed buildings, parking, drives, vegetation or landscaping, adjacent development.

(4) A conceptual stormwater facility plan with associated landscape plan, if applicable as per Section 10.729(B).

(5) Property owner's (and agent's) names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

(6) Findings prepared by the applicant or his/her representative addressing the criteria set forth in Section 10.248, Conditional Use Permit Criteria.

LAND DIVISION APPLICATION

10.267 Form of Tentative Plat and Accompanying Data.

All tentative plats shall be clearly and legibly drawn on tracing paper of good quality and prepared by a civil engineer or land surveyor registered in the State of Oregon. It shall have a dimension of not less than eighteen (18) inches by twenty-four (24) inches, and the scale shall be as follows: One (1) inch shall be equal to fifty (50) feet for twenty (20) acres or less, and one (1) inch shall be equal to one hundred (100) feet for all divisions of land over twenty (20) acres in area. The tentative plat shall contain the following data:

(1) Proposed land division name (if a subdivision), date, north arrow, scale, total acreage, and sufficient legal information to define the boundaries of the proposed development.

(2) A key map located in the upper right hand corner identifying the location of the development relative to section and township lines and to adjacent property and major physical features such as streets, railroads, and waterways.

(3) Names of abutting property owners on all sides, names and widths of adjoining rights-of-way, topographic features and all public improvements on adjacent property located within 200 feet of the project boundary.

(4) Name and address of the owner(s) of record, developer, and engineer or land surveyor registered in the State of Oregon who prepared the tentative plat.

(5) Locations, names, widths, approximate intersection angle, centerline radii, center line slopes, and improvement section of all streets, highways and other ways in the proposed project.

(6) Number of lots, dimensions of lots (to the nearest foot), including frontage, width, and area (to the nearest fifty [50] square feet).

(7) Location and height of all existing structures to remain on property and distance from proposed property lines.

(8) Location and character of all easements existing and proposed by the developer for drainage, sewage and public utilities.

(9) Five (5) foot topographic contours describing the area. Where the grade of any part of the proposed land division exceeds ten percent (10%), or where the development abuts existing developed lots, an overall conceptual grading plan shall be required showing features adjacent to the development within a reasonable distance therefrom which could affect said project.

Where a conceptual grading plan is required it shall show how runoff of surface water from individual lots will be achieved and the ultimate disposal of all development surface waters. All topographic information shall be based on city data.

(10) A conceptual stormwater facility plan with associated landscape plan, if applicable as per Section 10.729(B).

(11) Location of all creeks, streams and other watercourses, showing top of existing bank and areas subject to inundation as shown on the latest Federal Flood Rate Insurance Maps.

(12) Existing wells and irrigation canals, active or abandoned, and proposed disposition.

(13) Public or common area proposed, if any.

- (14) The approximate distance to, and location of, the nearest sanitary sewer main.
- (15) Name of the irrigation district, if any, within which the project is located and whether it is currently being assessed.
- (16) Name of the school district within which the project is located.

SITE PLAN AND ARCHITECTURAL COMMISSION APPLICATION

10.287 Application Form.

The application for Site Plan and Architectural Commission review shall contain the following information:

Landscape Plan: Three (3) copies of the landscape plan scaled 1" = 10' or 1" = 20' and a reduced copy on an 8-1/2 x 11 inch sheet, that are legible, indicating the following:

- (1) Existing natural features on site including location and species of all existing trees, with a trunk six (6) inches in diameter or greater at four (4) feet in height above the ground,
- (2) Landscaping required by this code, (e.g. frontage landscaping, parking area planter bays and bufferyards),
- (3) Type of covering for all ground surfaces, (e.g. bark mulch, gravel, paving, native grasses),
- (4) Proposed tree, shrub, and living ground cover:
 - a. Locations and number.
 - b. Common and scientific names including genus, species and cultivar. An alternate tree species list, by location, to allow flexibility during installation.

(5) Type of automatic irrigation system to be installed,

(6) Manufacturer, model and location of the backflow prevention device which shall be selected from the Medford Water Commission's list of approved devices.

Revisions to the landscape plan during installation may be allowed to accommodate the artistic nature of the plan or to allow replacement of plants that are unavailable. Replacement species shall be taken only from the alternate plant species identified on the plan approved by the Site Plan and Architectural Commission. The overall character of the landscape plan shall be maintained. The quantity of shrubs may be adjusted in response to planting size or species type, but shall not be reduced in number by more than ten percent (10%). In no case shall the quantity of shrubs be reduced below the minimum number required by the code or less than is necessary to cover eighty-five percent (85%) of the planter area within eight (8) years as specified in Section 10.780(1).

Applicants are encouraged to develop their landscape plans consistent with the *City of Medford Landscape Guidelines*.

Building Construction: Seventeen (17) copies of a site plan and three (3) sets of the architectural plans clearly and legibly drawn to scale, with directional labels and indicating with full dimensions the following information:

(1) Site Plan:

- (a) Lot dimensions.
- (b) All proposed and existing buildings and structures: location, size, height, proposed use.
- (c) Public and private yards and open space between buildings.
- (d) Walls and fences: location, height and material.
- (e) Existing and proposed off-street parking: location, number, type and dimensions of spaces, parking area, internal circulation pattern.
- (f) Access: pedestrian, vehicular, service, points of ingress and egress.

(g) Loading: location, dimension, number of spaces, type of space (A or B), internal circulation.

(h) Lighting: location and general nature, hooding devices.

(i) Street dedication and improvements.

(j) Drainage plan.

(k) Location of existing public improvements including streets, curbs, sidewalks, street trees, utility poles, light fixtures, traffic signs and signals, and such other data as may be required to permit the Site Plan and Architectural Commission to make the required findings.

(l) Location and screening of mechanical equipment.

(m) Location and screening of outdoor trash bins.

(2) Architectural Plans:

(a) Roof plan.

(b) Floor plan.

(c) Architectural elevations.

(d) Materials and Colors.

(3) A conceptual stormwater facility plan with associated landscape plan, if applicable as per Section 10.729(B).

RESIDENTIAL DENSITY CALCULATION

Proposed Amendment to Section 10.708

10.708 Residential Density.

The minimum and maximum number of dwelling units permitted shall be determined by multiplying the project's gross acreage, less non-development areas (NDAs), by the zoning district minimum and maximum density factor, consistent with A, B, and C below.

A. Definitions.

When used in this Chapter in reference to the residential density calculations, the following terms shall have the meaning as herein ascribed:

(1) **Dwelling Unit (DU).** The number of dwelling units permitted. Minimum density is rounded to the nearest whole number (up for numbers 0.5 and greater, and down for numbers less than 0.5). Maximum density is rounded down to the nearest whole number.

(2) **Gross Area (GA).** The total area of all lots within a project's boundaries. If the project is adjacent to an existing public street, the boundaries of the project shall be extended to the centerline of the right-of-way, and that area within the right-of-way included in the gross area, as illustrated in §10.012.

(3) **Non-Development Areas (NDAs).** Those areas that may be removed from the density calculation, at the discretion of the developer.

(a) **Reserve acreage.** That portion of the project site which is not intended to be part of the development, and can be separately developed at a later time.

(b) **Natural Unbuildable Areas.** Those natural areas unsuitable for building [i.e., wetlands, slopes over 30 percent, and creeks (from top-of-bank to top-of-bank)]. Does not include man-made non-buildable areas such as setbacks.

(c) **Oversize Residential Lots.** Lots with an existing house and yard, that exceed the maximum lot area as allowed in §10.702(3)(a).

(d) **Stormwater Detention and Treatment Facilities, including access to the facility.**

(4) **Minimum Density Factor (min. df).** Minimum number of dwelling units per gross acre allowed for the zoning district, as defined in §10.710-10.714.

(5) **Maximum Density Factor (max. df).** Maximum number of dwelling units per gross acre allowed for the zoning district, as defined in §10.710-10.714.

B. Calculations.

The minimum and maximum number of dwelling units permitted shall be determined by multiplying the project’s gross area, less NDAs (at the option of the developer), by the zoning district minimum and maximum density factor.

(1) Examples:

(a) **Minimum Density Calculation.** The project site lies within the SFR-4 district and contains six gross acres. The developer intends to retain two acres of reserved acreage. The minimum number of dwelling units and/or lots permitted is calculated as follows:

Minimum Density
Minimum # of Permitted DU = $(6 - 2) \times 2.5$
Minimum # of Permitted DU = 10

(b) **Maximum Density Calculation.** The project site contains six gross acres of land within the SFR-4 district. The developer intends to retain two acres of reserved acreage. The maximum number of dwelling units permitted is calculated as follows:

Maximum Density
Maximum # of Permitted DU = $(6 - 2) \times 4$
Maximum # of Permitted DU = 16

C General Exceptions to Residential Density Calculations.

(1) **Multiple-Family Dwelling Units in Commercial Zoning Districts, Except Neighborhood Commercial (C-N).** The minimum and maximum density factor shall be the same as the MFR-30 zoning district, found in §10.710-10.713.

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

(3) **Congregate Living Facilities.** For units in a congregate living facility that do not contain full kitchen or cooking facilities, each unit may be counted as 0.7 of a dwelling unit for purposes of calculating density. The living unit shall be counted as a full dwelling unit for purposes of calculating the parking requirement.

(4) **Parcels Under One (1) Gross Acre.** For parcels under one gross acre in size, the minimum density may be reduced by one unit without applying for an Exception.