



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: February 14, 2011
To: City Council
From: Sarah Sousa, Planner III
Reviewer: Kelly Akin, Senior Planner
Subject: Ten Housekeeping Code Amendments (DCA-10-080)

BACKGROUND

Proposal: Amend Chapter 10, Sections 10.012, 10.201, 10.202, 10.280, 10.287, 10.337, 10.735, 10.756, 10.771, 10.812, 10.817, and 10.828 of the Municipal Code to make housekeeping changes necessary for code consistency.

History: This code amendment derives from a list of corrections requested from Planning and other city department staff. The changes are minor in nature and consist generally of providing additional information for greater clarification or deleting references to no longer pertinent or valid data.

Authority: The Planning Commission is authorized to recommend and the City Council to approve amendments to Chapter 10 of the Municipal Code under Sections 10.102, 10.110, 10.111, and 10.122.

PURPOSE

The following section gives a description of the ten proposed amendments followed by a reason for each.

1. Minimum Access Easement Definition Correction

The standards for a "minimum access street" have been replaced by a "minimum access easement" as part of the Street Standards Code Amendment (DCA-09-038) adopted in September 2009. This definition of "minimum access street" is proposed to be modified to reference the correct term of "minimum access easement."

2. Street Vacation Application & Criteria Clarification

This proposed modification clarifies that consent to vacate forms are not necessary to be filled out by adjoining property owners when a street vacation is initiated by the City Council. It is only in cases when a street vacation is not initiated by the City Council that

consent forms from adjoining property owners are required for the application submittal. In addition, compliance with the Transportation System Plan, adopted into the Medford Comprehensive Plan in 2003, has been added to the list of Vacation Criteria.

3. Correction of Final Plat Submittal Requirements

The current text of final plat submittals requires three copies of the recorded final plat to be submitted to the City Engineer. This requirement is proposed for deletion because three copies are not necessary as a copy is routed to the Public Works Department – Engineering Division through internal department routing.

4. Clarification of SPAC Application Submittal Requirements for Landscape Plans

The Parks Department has requested a few changes to the submittal requirements for landscape plans associated with Site Plan & Architectural Commission applications. The language now clarifies that the scientific name with genus, species, and cultivar is required for each plant as well as an alternate species list. In addition, text is being added to correct the name of the Medford Water Commission's list related to approved backflow prevention devices.

5. Addition to Uses Permitted in Commercial & Industrial Zoning Districts & Exemption of Public Parks from locational requirements within the Residential Zones

Medford Land Development Code Section 10.337 does not specifically identify public parks as uses permitted in the commercial and industrial zones. This amendment would clarify which commercial and industrial zones allow them via the conditional use permit process.

Medford Land Development Code Section 10.817, which specifies special requirements for community facilities such as public parks within residential zones, is now being modified to exempt public park facilities from the requirement of having to be located on a collector or arterial street.

6. Correction of Clear View Distance Table

The city Engineering Division of the Public Works Department has determined that the intersection sight distances in the table within the Clear View of Intersecting Streets section of the Medford Land Development Code are almost impossible to achieve in an urban setting. They have provided updated, realistic intersection sight distances for adoption.

7. Correction to Noise Ordinance

The Medford Land Development Code does not provide the location for tables referenced in Section 10.756 related to noise. The Oregon Administrative Rule (OAR) section, which includes the tables, is now proposed to be referenced for clarification.

8. Correction to Flammable Liquids Section

The Medford Land Development Code does not describe the “quantity limitations” as stated in the text in Section 10.771. Therefore, that phrase is proposed for deletion.

9. Correction to Service Station Section

The current wording within the Service Station Section of the Medford Land Development Code refers to the C-L and C-G zones which no longer exist. The proposal includes the corrections as follows: C-L zone is now C-N and the C-G zone is now C-R. Also, subsection (1)(e) is proposed to be corrected from referencing Section 10.812(3)(d), which does not exist, to referencing Section 10.812 (3)(c).

10. Clarification of Signage for Bed & Breakfast Facilities

A Bed and Breakfast is permitted in the SFR 4, 6, 10 and MFR 15, 20, 30 zones, although the code provisions regulating signage for a Bed and Breakfast are more stringent than those regulating signs for other uses in those same zones. This amendment makes the sign code provisions in Section 10.828 (1)(d) the same as the sign code provisions in Section 10.1022 (5).

ANALYSIS

Criteria

10.184 Class “A” Amendment Criteria

(2) Land Development Code Amendment

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

- (a) Explanation of the public benefit of the amendment.
- (b) The justification for the amendment with respect to the following factors:
 - (1) Conformity with applicable Statewide Planning Goals and Guidelines.
 - (2) Conformity with Goals and Policies of the Comprehensive Plan considered relevant to the decision.
 - (3) Comments from applicable referral agencies regarding applicable statutes or regulations.
 - (4) Public comments.
 - (5) Applicable governmental agreements.

10.184 (2)(a) Public Benefit

This amendment provides a benefit to the public in that it makes changes necessary for greater clarification of the Medford Land Development Code. The deletions will eliminate confusion regarding dated and obsolete information and the additions will make for a better understanding of requirements. This amendment will help to provide the public with accurate and clear information.

10.184 (2)(b) Justification

(1) The following demonstrates conformity with the applicable Statewide Planning Goals:

1. Citizen Participation: The amendment complies with Goal 1 in that information was provided to the public via the city's website and to the Citizens Planning Advisory Committee. Notices of public hearings have been published in the local newspaper and the meeting agendas have been posted.
2. Land Use Planning: The amendment complies with Goal 2 through compliance with the procedural requirements of the Land Development Code. The amendment will be reviewed by the Planning Commission and the City Council through hearing processes that are laid out in the Land Development Code.

This amendment does not apply to Statewide Planning Goals 3-19.

- (2) Upon investigation, it has been determined that there are no Comprehensive Plan goals and policies relevant to the amendment.
- (3) No comments have been received from applicable referral agencies.
- (4) Hearing notices have been published in the local newspaper, meeting agendas have been posted on the city's website, and the Citizens Planning Advisory Committee has received a copy of the draft; however, no public comments have been received.
- (5) No applicable governmental agreements apply.

RECOMMENDED ACTION

The Planning Commission, at the meeting of February 10, 2011, voted to recommend that the City Council adopt the ordinance for DCA-10-080 per the staff report dated February 14, 2011, including Exhibit A.

EXHIBITS

A Proposed Code Amendment

CITY COUNCIL AGENDA:

MARCH 3, 2011

