Planning Commission
August 27, 2020

MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

David Jordan

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

Regular Planning Commission meetings are held on the second and fourth Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA

MEDFORD OREGON

August 27, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

20.1 ZC-20-154 Final Order of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300). Applicant: Zach Macormic; Planner: Dustin Severs.

30. Approval or Correction of the Minutes from August 13, 2020 hearing.

40. Oral Requests and Communications

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. PLEASE SIGN IN.

50. Public Hearings

COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. PLEASE SIGN IN.

New Business

50.1 DCA-19-012 Amendment to Articles III and V of the Medford Land Development Code (MLDC) to provide additional design flexibility of lot dimensions, setbacks, commercial development standards and off-street parking. Applicant: City of Medford; Planner: Kyle Kearns.

60. Reports

60.1 Site Plan and Architectural Commission
60.2 Transportation Commission
60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

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.

BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE ZC-20-154 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY ZACH MACORMIC) **O R D E R**

ORDER granting approval of a request for a zone change for *Zach Macormic*, described as follows:

A change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Zach Macormic*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Staff Report dated August 6, 2020, and the Findings contained therein – Exhibit "A," and Legal Description – Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

The zoning of the following described area within the City of Medford, Oregon:

37 2W 25BD Tax Lot 12300

is hereby changed as described above.

Accepted and approved this 27th day of August, 2020.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

LEGAL DESCRIPTION

EXHIBIT "B"

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF JACKSON AND STATE OF OREGON BEING KNOWN AND DESIGNATED AS FOLLOWS:

LOT 1 AND THE EAST HALF OF LOT 2 IN BLOCK 2 OF WOOLVERTON SUBDIVISION TO THE CITY OF MEDFORD, JACKSON COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 147, PLATS RECORDS.

APN: 10403140

PLANNING COMMISSION MINUTES

MEDFORD OREGON

August 13, 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
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Katie Zerkel, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Chase Browning, Deputy Fire Marshal
Terri Richards, Recording Secretary
Dustin Severs, Planner III
Sarah Sousa, Planner III

Commissioner Absent
David Jordan, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications.
20.1 PUD-20-141 Final Order of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a development consisting of office and light industrial uses to be located on a 14.5-acre site composed of five contiguous lots bounded generally by Crater Lake Highway 62, Coker Butte Road, and Crater Lake Avenue, within the Light Industrial (I-L) zoning district (371W05 TL 1000, 1001, 1002, 1003, and 1100); Applicant, Coker Butte Properties, LLC. And Table Rock Holdings; Agent, CSA Planning, Ltd; Planner, Dustin Severs.

Motion: The Planning Commission adopted the consent calendar as submitted.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 8-0-0.

30. Approval or Correction of the Minutes from July 23, 2020 hearing
30.1 The minutes for July 23, 2020, were approved as submitted.

40. Oral Requests and Communications from the Public. None.

Katie Zerkel, Senior Assistant City Attorney read the Quasi-Judicial statement.

50. Public Hearings.

New Business

50.1 ZC-20-154 Consideration of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300). Applicant: Zach Macormic; Planner; Dustin Severs.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair McKechnie disclosed that his office is working with Mr. Macormic on other parts of this project. Chair McKechnie recused himself and turned the meeting over to Vice Chair Foley for this agenda item.

Vice Chair Foley inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Dustin Severs, Planner III reported that the Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. 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. Severs gave a staff report.

The public hearing was opened.

a. Zach Macormic, 1306 W. Main Street, Medford, Oregon, 97501. Mr. Macormic reported that he is going to have a real estate office on the property.

Mr. Macormic reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-20-154 per the staff report dated August 6, 2020, including Exhibits A through G.

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-1, with Chair McKechnie recusing himself.

Vice Chair Foley turned the meeting back over to Chair McKechnie,

50.2 UP-20-078 A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 74.6 acres of property located east of North Phoenix Road and South of Coal Mine Road, a portion of Planning Unit MD-5e (371W34 TL 5000, 5001, 5002, 5100, 5200, 5201, & 5300 and 381W03 TL 300). Applicants: Rania Sawabini, Sawabini Rania Trustee, Bottala Enterprises LLC, C & L Western, Inc., and Shannon Bewley; Agent: Clark Stevens, Richard Stevens & Associates; Planner: Sarah Sousa.

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 previously listed and has done work for Rania Sawabini but it will not affect his decision. Commissioner Pulver disclosed that his office has had discussions with the owners of listing the property in the future. Commissioner Pulver recused himself.

Chair McKechnie inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Sarah Sousa, Planner III reported that the Urbanization Plan approval criteria can be found in Sections 5 and 6 of the Urbanization Planning Chapter in the Neighborhood Element. 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. Ms. Sousa gave a staff report and reported that staff received a letter of support from the Fair Housing Council of Oregon. The letter was forwarded to the Planning Commission and will be entered into the record as Exhibit R.

Chair McKechnie asked, how are apart are the residential streets. Ms. Sousa deferred the question to the applicant.

The public hearing was opened.

a. Clark Stevens, Richard Stevens and Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Stevens addressed Chair McKechnie's question stating that the streets are 660 feet with the exception of the southwest corner. They are standard residential streets so there will not be a circulation plan adopted into the Comprehensive Plan.

Commissioner McFadden asked, how was the division between the commercial area and residential properties developed? Mr. Stevens reported that all the applicant is doing to the original plan is moving the north/south line 95 feet to the west so they have a center line division for a zoning district along the roadway.

Commissioner McFadden asked, is there an analysis that determines the amount of commercial property? Mr. Stevens responded that he has had several discussions with staff on the percentages an allocations. Percentages is based on the entire area of MD-5e of 56 residential, 25 commercial and 19 open space from the existing Comprehensive Plan layout. The applicant needs to demonstrate compliance that they will meet those densities and percentages.

Mr. Stevens reserved rebuttal time.

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 to the City Council per the staff report dated August 6, 2020, including Exhibits A through R for approval of UP-20-078, and adopting Exhibit Q into the Neighborhood Element of the Comprehensive Plan.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-1, with Commissioner Pulver recusing himself.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural met on Friday, August 7, 2020. He was out of town and deferred the report to Ms. Evans.

Kelly Evans, Assistant Planning Director reported that the Site Plan and Architectural Commission approved the construction of 27 multifamily dwelling units at 2928 Table Rock Road; a 350,000 square foot extension to the existing Asante hospital tower; and a two-story, 22,286 square foot office building with exception to the rear yard setback and parking lot drive aisle width at 3521 Avion Drive.

60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission has not met since the last meeting.

60.3 Planning Department

Ms. Evans reported there is a Planning Commission study session scheduled for Monday, August 24, 2020. Discussions will be on pad lot and multifamily standards and lot legalization.

There is business scheduled for Thursday, August 27, 2020 and Thursday, September 10, 2020 and Thursday, September 24, 2020.

Last week City Council continued the Public Utility Easement Vacation Amendment. They approved the Street Name change from Hoosegow Lane to Frontier Court, Housing Authority of Jackson County Homeowner Repair Program Contract, St. Vincent de Paul COVID-19 Emergency Rent Payments and Compass House Property Renovation Phase II.

Next week City Council will hear the Urbanization Plan and Annexation for MD-3a (Skinner and Veritas Properties), Shared Use Path amendment and Community Development Grants Commission.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission.
90.1 Commissioner Pulver commented that agenda item 50.2 brought up an interesting issue related to open space. The general concept brought up the idea that metrics need to be met for the greater MD and potentially the greater City. He thinks in warrants general discussion since it will not be the last time the Planning Commission will see this whether it is related to density or open space. As a body it would be interesting to know where staff stands on it.

100. Adjournment
100.1 The meeting was adjourned at approximately 6:09 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards	Mark McKechnie
Recording Secretary	Planning Commission Chair

Approved: August 27, 2020

STAFF REPORT

for a Type-IV legislative decision: **Development Code Amendment**

Project	Flexible Development Standards	
File no.	DCA-19-012	
To	Planning Commission	*for 08/27/2020 hearing*
From	Kyle Kearns, AICP, Planner II	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	August 20, 2020	

Proposal

Amendment to Articles III and V of the Medford Land Development Code (MLDC) to provide additional design flexibility of lot dimensions, setbacks, commercial development standards and off-street parking.

History

Medford City Council on June 20, 2019 adopted by resolution the City's 2019-2021 biennium goals, of which the first is "Housing Strategies," (Resolution 2019-63, Exhibit B). The goal states "Enhancing livability for all residents by providing and safeguarding a range of housing choices in Medford." Bulleted items under this goal include

- Review and approve changes to development standards
- Adopt new parking policies that encourage downtown redevelopment
- Review and consider staff recommendations:
    - Regulatory reforms recommended by the Housing Advisory Commission

The Planning Department has been working with the Planning Commission and Housing Advisory Commission (HAC) to implement items outlined in the strategies produced for the 2017 Housing Advisory Committee. Staff has reviewed the HAC recommendations with the Planning Commission at previous study sessions and public hearings for projects to amend and create standards in the MLDC. These development code amendments (DCA) related to accessory dwelling units (ADU), cottage housing, duplex and housing standards generally as well as the most recent Development Code Amendment (DCA) to create an administrative review process for

attached residential development (project numbers DCA-18-113, 18-144, 18-120 and DCA-19-002, respectively)

In striving towards implementing Council's goal for housing, staff has been working within the regulatory reforms recommended by the Housing Advisory Commission. Items recommended for policy consideration included the following HAC strategies:

#3 Review different ways to achieve density/adjust density numbers
#8 Reduce parking standards
#16 Build in flexibility for site design and lot layout (allow minor adjustments)

These items were selected as they were indicated for high priority implementation by the HAC and they are directly supported by Council's housing goals. It is staff's conclusion that this guidance, paired with staff's findings, is sufficient support for the approval of the amendment (Exhibit A)

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.

ISSUES AND ANALYSIS

Background

Regulatory reform, to increase available and affordable housing, has been a consistent item on the Planning Department's work plan since 2017. Additional research and reports have been commissioned regarding housing in Medford and have proposed ways in which the City could alter its land use code in order to increase availability and affordability of housing. Reports include policy recommendations from ECONorthwest and Opticos Design. In addition, Johnson Economics prepared a report in 2019 on Medford's residential housing market, highlighting the market potential for affordable and market-rate attached housing. Lastly, the Medford City Council has included "housing strategies" as their first goal in their 2019-2021 biennial goals, as stated above.

This report will summarize the proposal, outline the issues that would be resolved with the adoption of Exhibit A and the research prepared by staff to support the proposal, including the findings and conclusions.

Proposal Summarized

The "flexible development standards" project is intended to provide relief to the Land Development Code by allowing reductions in lot dimensions, setbacks and parking minimums, at the option of the developer. In addition, the proposal seeks to increase the buildable area on the City's commercial zones by amending the lot coverage and building height standards in the commercial zones (MLDC § 10.721). The focus of this amendment is to provide opportunities for infill development and increase the ability to construct residential units in the residential and commercial zones without changing permitted densities. The major amendments proposed include the following:

- **10.702 Lot Area and Dimensions** - optional provisions allowing for a 20% reduction in lot dimensions for infill lots (defined in Exhibit A) and 25% of proposed lots in subdivisions (exceeding 25% permitted to preserve environmental resources)

- **10.707 Exceptions to Yard Requirements** – optional provision allowing for setbacks greater than 10 feet to encroach the setback by 20% or less for protecting environmental resources or infill development (both defined in Exhibit A)

- **10.721 Commercial and Industrial Site Development Standards** – Amendments to the site development standards to increase permitted lot coverage and building height in the commercial zones

- **10.741-10.743 – Off-Street Parking Amendments** – Optional provisions enabling a reduction in off-street parking focused on reductions for residential development and infill/redevelopment

Examples of DCA-19-012 Being Applied

To highlight the ability of this amendment to impact development, staff has prepared two development scenarios. One scenario is to highlight the increase in dwelling units provided by a modest decrease in a subdivision's lot dimensions. The second is to show how much parking is required by our multi-family code and how decreases in parking can enable additional housing units.

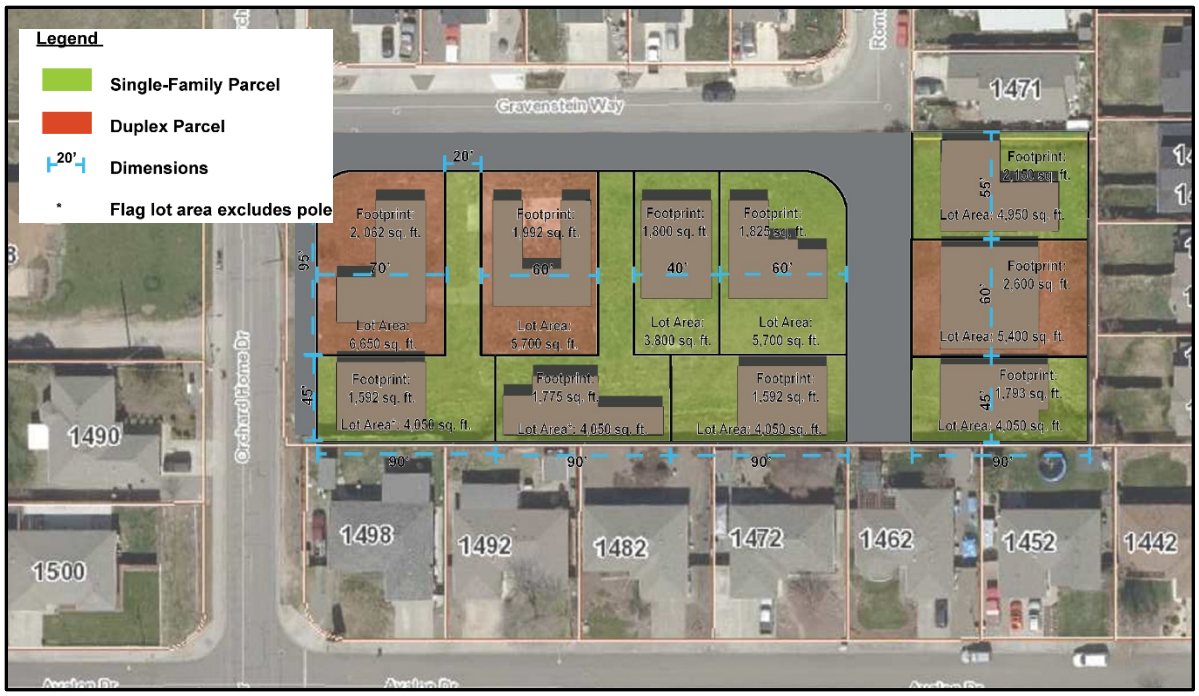
Scenario 1 – Site Characteristics &

Zoning	SFR-10
Parcel Size	1.38 acres (approx. 60,000 sq. ft.)
Surrounding Development	Single-Family, Duplex
Density	13 unit min. 16 unit max

Scenario 1 Assumptions. In developing scenarios for how to best develop the hypothetical parcel, staff considered duplexes and single-family homes to be the lowest barrier form of housing to construct. Additionally, the impacts of DCA-19-012 on multi-family is reviewed in Scenario 2.

Scenario 1 – Current Code (SFR-10 Minimum Density: 13 units) – Full Page Image Exhibit C

A 13 unit subdivision consisting of three duplex dwellings (i.e. six total units) and seven detached single-family units. The site constraints largely pertain to right-of-way dedication and the existing development surrounding the parcel causing limited access points for the development. Other alternatives were considered to achieve higher densities, such as having more duplex dwellings. However, the smaller lot sizes permitted with single-family housing enable a greater mix of housing than would otherwise be permitted if only duplexes were built.



If DCA-19-012 is applied to the above proposal, with a similar design, two more units can be developed by adjusting the corner lot width, interior lot width and lot areas of three parcels, enabling five duplexes instead of three.

Scenario 1.2 – Flexible Code Applied (SFR-10 Maximum Density: 16 units) – Full Page Image Exhibit D

A 15 unit subdivision consisting of five duplex dwellings (i.e. 10 total units) and five detached single-family units. Site constraints largely pertain to right-of-way dedication and the existing development surrounding the parcel causing limited access points for the development. By decreasing lot widths and lot area required for duplex dwellings, it enables higher density with effectively the same design as proposed without using the proposed flexible development standards (i.e. DCA-19-012).

The flexible standards applied include:

- Application on 25% of total parcels created (per 10.702(4))
    - i.e. 10 parcels proposed 25% of 10=2.5 (rounded up to 3 parcels eligible for flexible development standards)
- F1 – Reduction in corner lot width (70' to 56', 20% reduction) and minimum area 5,400 to 5,320 square feet (1.5% reduction)
- F2 – Reduction in corner lot width (70' to 62', 11% reduction)
- F3 – Reduction in interior lot width (60' to 55', 8.3% reduction) and minimum area 5,400 to 4,320 square feet (20% reduction)

Scenario 2 – MFR-20 Minimum Density Development – Full Page Image Exhibit E

In order to better understand the impacts that a reduction in parking could provide, staff has prepared a hypothetical, attached-residential development for a parcel zoned Multi-Family Residential – Twenty Dwelling Units per gross acre (MFR-20). The minimum density for this .83 acre (36,154 sq. ft.) parcel is 22 units. The minimum required off-street parking is 33 spaces. The private street provides for 13 of the 33 required spaces; the street is built to the minor residential standard (MLDC §10.430([B]).

DEVELOPMENT STANDARD USED IN EXHIBIT E ABOVE	MFR-20 MLDC STANDARD	PROPOSAL
LOT AREA (SQ. FT.)	8,000	36,154
LOT COVERAGE	50.00%	28.47%
MIN. DENSITY	22	22
MIN. PARKING STANDARD	1.5 PER UNIT	33 SPACES
LAND DEVOTED TO WALKWAYS/PUBLIC SPACE, STREET, BUFFERYARD AND PARKING (% OF LOT)	N/A	25,189 SQ.FT. (70%)
LAND DEVOTED TO PARKING AND STREET (INCLUDES ON-STREET PARKING ON PRIVATE STREET, 13 SPACES)	N/A	11,836 SQ. FT. (33%)

Scenario 2.1 – MFR-20 Maximum Density Development – Full Page Image Exhibit F

The maximum density for this .83 acre (36,154 sq. ft.) parcel is 31 units. The minimum required off-street parking is 47 spaces. The private streets provide for 24 of the 47 required spaces; Street A is built to the minor residential standard (MLDC §10.430([B]) and Street B is built to the residential lane MLDC §10.430([C], with parking on one side.

DEVELOPMENT STANDARD USED IN EXHIBIT F ABOVE	MFR-20 MLDC STANDARD	PROPOSAL
LOT AREA (SQ. FT.)	8,000	36,154
LOT COVERAGE	50.00%	24.75%
MAX. DENSITY	31	31
MIN. PARKING STANDARD	1.5 PER UNIT	47 SPACES
LAND DEVOTED TO WALKWAYS/PUBLIC SPACE, STREET, BUFFERYARD AND PARKING (% OF LOT)	N/A	27,204 SQ.FT.(75%)
LAND DEVOTED TO PARKING AND STREET (INCLUDES ON-STREET PARKING ON PRIVATE STREETS, 24 SPACES)	N/A	15,105 SQ. FT. (41%)

DCA-19-012 and Impacts on Parking and Development

As noted in the Findings and Conclusions, the most profitable and realistic pattern of attached residential development in Medford is a three-story attached building, with surface parking. Using this as a metric and the building footprints of buildings a and b above, you can begin to see what type of unit square footage could be made available using the current Land Development Code and the aforementioned development type. In Scenario 2, the building floor area for Building "a" is 4,652 and Building "b" is 5,643 square feet. In Scenario 2.1 the building footprints are 4,083 sq. ft. and 4,867 for Buildings "a" and "b", respectively. This represents a 13% decrease in building square footage.

TABLE – 1	
GROSS FLOOR AREA, PER UNIT SHARE MIINIMUM DENSITY – EXHIBIT E	
GROSS FLOOR AREA(BUILDING A & B)	**MIN. DENSITY (22 UNITS)**
2-STORY, PER UNIT (20,590 SQ. FT.)	**935.91**
3-STORY, PER UNIT (30,885 SQ. FT.)	**1,403.86**

TABLE – 2	
GROSS FLOOR AREA, PER UNIT SHARE MAXIMUM DENSITY – EXHIBIT F	
GROSS FLOOR AREA(BUILDING A & B)	**MAX. DENSITY (31 UNITS)**
2-STORY, PER UNIT (17,900 SQ. FT.)	**542.42**
3-STORY, PER UNIT (26,850 SQ. FT.)	**866.13**

The development in Scenario 2 could yield residential units that rage in size from 900-1,400 sq. ft. of habitable floor area; in Scenario 2.1 the units would range in size of 540-870 sq. ft. with the proposed design pattern. Staff determined this by multiplying the building footprint by number of stories and assuming that surfaced parking was the method of parking provided.

At minimum densities, opportunity for use of the cheapest form of parking, surface parking, can be provided at a profitable development pattern. It is important to note that in Exhibit E, only 33% of the land is devoted to parking.

If a proposed multi-family development wanted to achieve maximum density on this parcel, it would require approximately 15,000 sq. ft. of parking with a similar design pattern. In this case, staff proposes a second private street to provide for the additional parking demand. In this case, the new parking in scenario 2.1 requires 41% of the land, or a 9% increase in lot coverage.

While these numbers are high-level in scope (they don't factor in building codes or habitable space calculations, making them generous estimates that are likely too large) the difference in area available for residential units is sizeable. Developers are then left with a choice to build only to minimum density to meet the code or seek exceptions to the land use code to achieve the parcel's maximum density. It is a limitation on the parcels permitted densities. To provide relief to this, staff is proposing alternatives in DCA-19-012 that enable applicants to reduce parking (by no more than 50% of the minimum). If DCA-19-012 were adopted the allowable parking

minimums for Scenario 2 would be reduced from 33 to 16 spaces; for Scenario 2.1 the parking reduced from 47 to 23 spaces. In each case, on-street parking is being counted towards the parking. Therefore, in Scenario 2 there would be 22 spaces for 21 units and 29 spaces for 31 units for Scenario 2.1. Since DCA-19-012 proposes built in allowances to the code, the proposed housing development could still have additional parking spaces as the applicant deemed necessary.

The Cost of Parking

Even just modest decreases in the parking required for an attached multi-family development could enable the creation of additional units without having to provide structured parking or apply for exceptions to the code. Without decreases in parking developers are faced with the cost between parking or additional units. "Total annualized land, capital, and operating cost [for parking] can range from $8,235 per stall for suburban paved surface lot, to $28,778 or more per stall for well-designed three-story urban parking garage, to $54,000 per stall for Central Business District underground parking."[1]

Evidence of these cost can be found locally as well. In reviewing recent development in the Rogue Valley, specifically Asante's parking garage for the Rogue Regional Medical Center, the price per structured parking space is approximately $25,000. If the most likely form of attached residential development in Medford is a three-story building with surface parking, then the only way to enable additional units without significantly raising development cost would be to allow for reduced off-street parking. Therefore, in allowing developers to choose between parking or residential units, more flexibility is provided by DCA-19-012. Additionally, modest decreases in parking can provide for current density maximums to function better without changing the residential zone's development standards.

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:

[1] Willson, Richard W. Parking Management for Smart Growth. Island Press, 2015.

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

Findings

Federal housing policy sets the rent threshold, for what is considered affordable, to be 30% of one's income. While the validity of this method has been argued and defended, it is the metric used.[2] To understand affordable housing in Medford, the communities' incomes need to be reviewed.

According to the American Community Survey, conducted by the US Census Bureau, the median household income in 2018 for the City of Medford was $47,567 for a household and for families it was $55,974 (adjusted for inflation)[3]. Using this metric and the above median incomes, the amount of money that should be spent on housing a month in Medford is $1,189 for a household and $1,399 for a family.

According to Zillow's Market Report from October of 2018, the median rental listing was $1,522,[4] and as of August 4, 2020 Zillow had that number listed at $1,651. Additionally, the City of Medford contracted with Johnson Economics to prepare a residential market study for downtown housing in 2019. The report, while focused on downtown housing, reviewed the larger socioeconomic and housing trends of Medford and the Rogue Valley and stated the following:

> "The residential markets in the City of Medford are currently tight… Rental apartments in the Medford area have consistently reported vacancy rates below 3.0%. A vacancy rate around 5.0% typically represents a healthy supply-demand balance where rent increases keep in line with wage and income growth. Because of the undersupply of vacant units in Medford, rents have escalated more rapidly than incomes over this period. In terms of annual rent growth, the peak was at nearly 9.0% in 2016, when the vacancy rate was 0.2%. Since then, the vacancy rate has increased to 1.8% and rent growth has moderated to 3.2% per year as of mid-2019." [5]

Johnson Economics reviewed income growth in Jackson County since 2006 and found that the "annual wage growth never decreased over any annual period

[2] Matthews, Chris. "Why Should You Only Spend 30% of Your Income on Housing?" Fortune, Fortune, 4 Aug. 2015, fortune.com/2015/08/04/housing-30-percent-rule/.
[3] U.S. Census Bureau.; American Community Survey, 2018: ACS 5-Year Estimates Subject Tables, Table ID S1903,
[4] Zillow Medford Metro Market Report, October 2018
[5] Johnson Economics, LLC, 2019, pp. 1–61, Downtown Housing and Residential Market Analysis.

and has remained high…" finishing at 2.08% in 2018. Rents and wages have continued to rise, but rent at a faster rate. Those who have the means to spend more of their income on rent, will continue to pay for higher rents. This will keep rents higher without a significant increase in housing supply.

Additionally within the report, Johnson Economics determined achievable and profitable market-rate housing and the dwelling types. Applying those pricing points broadly, the following prices for attached housing could be developed and sold or rented as shown in Table 3.

Table 3- Summary of Medford's Market-Rate Housing Potential[6]				
Housing Type	Unit Size (sq. ft.)	Price Per Sq. Ft.	Cost per unit	Achievable Rents ($1.75-$1.90, per sq. ft.)
Attached townhomes	1,200	$199-$244	**$238,800 – $292,800**	**$2,100 - $2,280**
Condominium flats	900	$220-$325	**$198,000 – $292,500**	**$1,575 - $1,710**
	700		**$154,000 – $227,500**	**$1,225 - $1,330**

Assuming new construction, it isn't until units of 700 sq. ft. are constructed that the achievable rents are within the affordable housing price range. As noted above affordable rent in Medford is $1,189 for a household and $1,399 for a family. Furthermore, the ACS estimates, that in 2018, 47.4% of renters (25.8% of mortgage holders) are paying more than 35% of their income on housing.[6] Meaning more than a third of Medford's residents are considered rent-burdened. A household or family is considered rent-burdened when they spend more than 30% of their income on housing. Because of the characteristics of Medford's housing market (i.e. low supply and low vacancy rates) rents have remained above the affordable threshold and any new constriction is going to be profitable, for sale or rent, at a price above the affordable threshold for any unit larger than 700 sq. ft.

Conclusions

The focus of the amendment is to enable the creation of more affordable housing to reduce Medford's rent burden, a direct benefit to the public. The

[6] U.S. Census Bureau.; American Community Survey, 2018: ACS 5-Year Estimates Subject Tables, Table ID DP04.

proposal aids in reducing development cost by removing the need to apply for an exception land use application for minor lot dimension and setback changes that are aimed at infill and residential development. Second, by increasing allowable height and lot coverage in the commercial zones more units could be developed within existing commercial areas enabling more residential units. Additionally, enabling for reductions in off-street parking, a significant cost in land and capital for residential development, enables anywhere from $5,000-$28,000 savings per parking space reduced. This allows for the creation of additional residential units as opposed to parking through cost-savings and reduced land need for off-street parking.

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 following Comprehensive Plan Elements; they are as follows:

Housing Element

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:

Housing Need Projection in Table 31 (Exhibit G)
Forecast of Needed Housing Units in Table 37 (Exhibit G)

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...

e) Assuring a mix of income levels and dwelling types, including multi-family, group, affordable, and assisted housing, throughout the City.

Policy 4: The City of Medford shall cooperate in the development of regional urban land use policy and public investment strategies regarding the provision of housing for anticipated population growth.

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.

Implementation 6-A: Assess policies, regulations and standards affecting residential development and pursue amendments as needed to meet Policy 6. Assess for factors such as:

a) Not inhibiting innovative residential design;

Economic Element

Policy 1-2: The City of Medford shall encourage the redevelopment of underutilized employment sites.

Policy 1-3: The City of Medford shall, as appropriate under the Goal above, support the retention and expansion of existing businesses.

Implementation 1-3(a): Adopt code amendments that encourage the development of existing sites.

Environmental Element

Goal 4: To preserve and protect Medford's ground water resources and recharge zones.

Policy 4-B: The City of Medford shall protect ground water recharge areas in the planning area by striving to restore and maintain the natural condition of watersheds, waterways, and floodplains.

Implementation 4-B (1): Review the Medford Land Development Code, and propose amendments where necessary to assure that the amount of impervious surface in development projects is minimized and opportunities for permeation are maximized.

Goal 6: To recognize Medford's waterways and wetlands as essential components of the urban landscape that improve water quality, sustain wildlife habitat, and provide open space.

Policy 6-C: The City of Medford shall encourage the incorporation of waterways, wetlands, and natural features into site design and operation of development projects.

> Implementation 6-C (1): Promote clustered development in order to avoid alteration of topographical and natural features, to reduce impervious surfaces, and to enhance the aesthetics of development projects. Investigate incentives for clustering development.

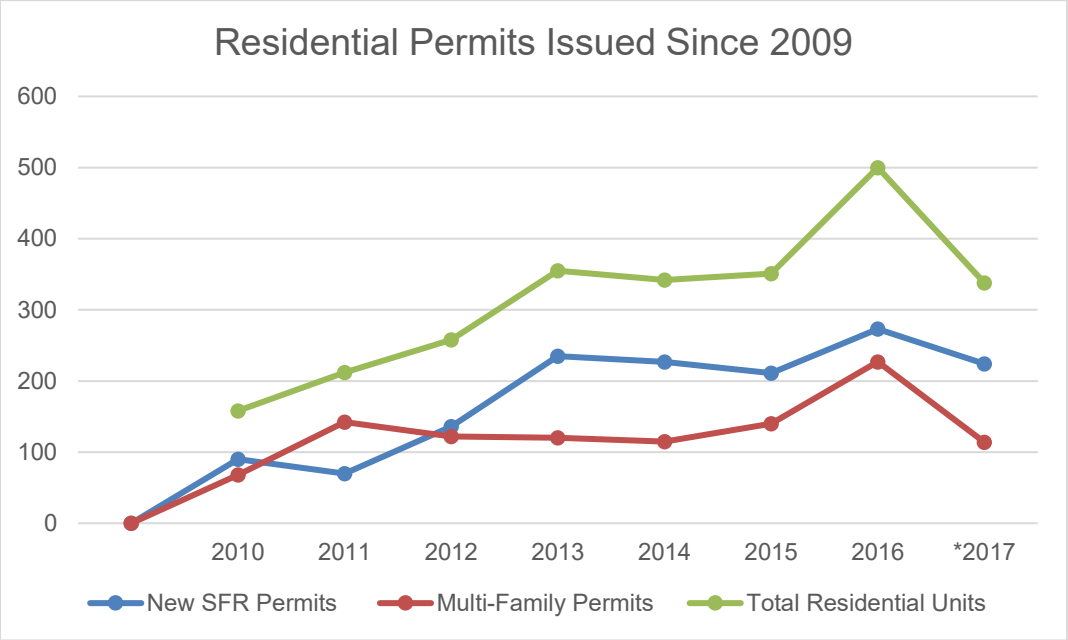
Conclusions

According to the annual reporting required by House Bill (HB) 4006, the City has reported the production of the following housing types since 2018:

Year	2018	2019
TOTAL RESIDENTIAL UNITS PRODUCED	371	335
TOTAL SINGLE-FAMILY UNITS PRODUCED	311	197
Single-Family Detached	282	176
Single-Family Attached	16	5
Duplex -total number of units	4	4
Accessory Dwelling Unit	7	9
Manufactured Home	2	3
TOTAL MULTI-FAMILY UNITS PRODUCED	54	82
Triplex -total number of units	0	0
Fourplex -total number of units	20	4
Building with five or more units -total number of units	34	78

The Housing Element identified a need of 15,050 total residential units (i.e. "needed housing") and an annual need of 753 units, per table 31 (Exhibit G). In the past two years the residential development in the City has had a shortage of 382 and 418 units in 2018 and 2019, respectively. This pace is below the pace needed to provide new housing units in Medford that creates a healthy housing supply. Looking back to the end of the Great Recession (2009), approximately when the Housing Element was adopted, the development in Medford has not provided for the number of needed dwelling units as adopted by the Comprehensive Plan. This conclusion is drawn in reviewing the number of residential permits since 2009. The last five years

(2015-2020) has been the peak in new residential development since 2009 (see graph below).



As indicated above, 2018-19 had less than the yearly needed amount of residential units constructed. In 2016, the highest recorded year for residential permits, there was still a shortage of 253 residential units; meaning residential development has lagged behind the amount of needed housing as identified in the Comprehensive Plan. The Housing Element then gives guidance in Policy 1 and Implementation Items 1-A and 1-C to assess "...policies, regulations and standards affecting residential development..." and that these "...changes to the...Land Development Code...[be based on the]...Housing Need Projection in Table 31 [&] Forecast of Needed Housing Units Table 37."

Therefore, the intent of enabling lot dimension reductions, greater setbacks, more permissive commercial zones and parking reductions with DCA-19-012 is to allow the production of more residential units within the current zoning designations of the City of Medford. All these items are supported directly by the goals of the Housing Element. Additional support can be found in the City's Environmental and Economic elements.

Creating the ability to reduce parking required, setbacks or lot dimensions to preserve environmental resources (as defined in Exhibit A) is in direct support of Goals 4 and 6 of the Environmental Element. Both goals in the environmental element recommend amendments "...to assure that the amount of impervious surface in development projects is minimized..." and

that they "…encourage the incorporation of waterways, wetlands, and natural features into site design."

The City's Economic Element states that the City "…shall encourage the redevelopment of underutilized employment sites." While "…adopt[ing] code amendment that encourage the development of existing sites." First, the proposed changes to the commercial zones in Exhibit A will enable larger lot coverage and taller buildings, enabling better utilization of existing sites. Additionally, the proposed flexibility in lot dimensions and setbacks will encourage a variety of infill development, again enabling better utilization of existing sites. Lastly, by enabling reductions in off-street parking will enable for retention and expansion of existing businesses as they will be able to reduce parking in favor of structure expansion.

The criterion has been satisfied.

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

Findings

Staff took the proposal to the Land Development Committee (LD) meeting on May 13, 2020. 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 Building Department – Exhibit H
Jackson County Roads – Exhibit I

Additional comments were received from the Public Works-Engineering and Fire-Rescue Departments, Exhibits J and K, respectively. Comments from Public Works that have been included pertain to bicycle parking downtown, the infill definitions, block-length standards, ADA parking and grammar. Comments from Fire-Rescue pertained to the amendments regarding setbacks. Lastly, staff held a series of two meetings with City Legal staff and the City Attorney. Comments received from City legal staff provided direction on language to enable clearer application of the standards outlined in DCA-19-012 while also limiting the scope of the proposal to residential and infill development. Staff has incorporated all agency comments provided.

Conclusions

The proposal has incorporated the applicable agency comments as noted above. In reviewing Public Works' comments, the proposal was revised to include the following amendments:

- bicycle parking in 10.358,
- allowances for infill development to be exempt from block-length (10.426),
- revised the infill definitions to be more limiting and smaller in scope (10.704), and
- limited the use of on-street parking for parking reductions to exclude on-street ADA spaces (10.473[3][a]).

Staff has also revised the proposal to incorporate the comments provided by Medford Fire-Rescue by limiting the setback reductions (10.707[A][5]) to setbacks greater than ten feet. Lastly, staff has incorporated feedback from the City Attorney and legal staff by adding language to the "flexible development standards" stating that the standards are "…at the option of the applicant," (10.702[4], 10.707[5], 10.741[B], and 10.743[3]).

This criterion is found to be satisfied.

3) Public comments.

Findings

Staff 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. In conjunction with the aforementioned solicitation, staff conducted a live webinar event on August 4, 2020 to provide detail on the proposal (Exhibit A) to the aforementioned list and allow for comments and questions. Staff presented the proposal and attendees were provided a poll (Exhibit L) to solicit feedback. Lastly, public notice was provided on the City website and in local news publications.

In addition to public outreach, staff has presented Exhibit A to the Planning Commission and Housing Advisory Commission which comprises members of the public. Planning Commission reviewed the proposal at three study sessions March 9, May 11 and July 27, 2020; the HAC reviewed the proposal at their May 13, 2020 meeting. The minutes can be found in Exhibits M through P.

Lastly, staff was provided public comment from Jay Harland of CSA Planning, Ltd. on August 18, 2020 (Exhibit Q). The comments provided by Mr. Harland summarize his involvement with the Housing Advisory Committee, his interpretation of the HAC regulatory strategies and suggested revisions for the Planning Commission. Mr. Harland asked that the majority of the proposed amendments, except for those items proposed in 10.702 and 10.707, be reviewed under a separate code amendment and addressed at a future date with further study. Additionally, Mr. Harland is of the opinion that the proposed language to modify lot dimension standards is not clear and objective as required by ORS 197.307(4).

Conclusions

Comments received from the webinar that revised the amendment include:

- Revising 10.358 to allow for parking to be exempt for existing and new dwelling units,
- Exceptions to building height by up to five feet for parapets (10.012 & 10.705),
- Increasing maximum gross floor area per business in the Neighborhood Commercial Zone from 2,500 sq. ft. to 5,000 (10.721), and
- Restricting on-street parking allowances to not include the 20 feet within an intersection of street or alley (10.473[3][a]).

Other comments received that have not been included in the proposal included:

- increasing commercial lot coverages to 85%,
- allowing for eaves and other architectural features to encroach setbacks by as much as 36" for reduced solar heat gain and aesthetics,
- reducing the 150 feet height buffer to 50 feet when near 35 foot height restricted zone, and
- revising minimum density standards to allow office buildings to be easily converted to residences.

All of these comments were determined to need proper agency review prior to their inclusion in the proposal. If inclusion of these comments was desired, it would need to be recommended by the Planning Commission as staff is not proposing their inclusion in DCA-19-012.

Staff reviewed the proposal with the HAC and Planning Commission. The HAC reviewed the proposal and provided a favorable recommendation to proceed to public hearing.

The Planning Commission provided feedback at the three study session that resulted in major revisions to the amendment, leading to what is proposed in DCA-19-012 for public hearing. In short, the comments received from the Planning Commission at the study sessions pertained to limiting the proposal to residential development, limiting the scope of the parking reductions and building height increases, and simplifying the definitions of infill development. Staff has followed the direction of the Planning Commission by:

- Reducing the parking reductions from no limit in application to a maximum of a 50% reduction and only allowing a 25% reduction for bicycle and transit facility proximity,
- Amending the Transit Oriented District (TOD) parking standard to 1:1 as opposed to 1:2 and only allowing for residential.
- Revising the infill definition to only apply to residential and mixed-use development, and
- Limiting the building heights to 35 feet within 150 feet of a residential district with a 35 foot height limitation.

Lastly, staff will review the public comments provided by Mr. Harland and provide a formal response via letter prior to the Planning Commission's public hearing. The language proposed by Mr. Harland would limit the scope of this project to only one HAC regulatory strategy. As proposed, Exhibit A seeks to amend the land development code to address three HAC regulatory strategies, not one. Furthermore, Mr. Harland's revisions would limit the scope of the proposal to one parcel on a three-parcel partition or 20% of the parcels in a proposed subdivision (proposal allows all lots in a partition and/or 25% of a subdivision to be reduced by 20%).

Lastly, Harland notes that ORS 197.307(4) requires "clear and objective standards…[that]…may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay." However, ORS 197.307(4) also points to ORS 197.307(6) which states that "…a local government may adopt and apply an alternative process for applications and permits of residential development…[if]…the applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section." The proposal allows for deviations from the standards at the option of the applicant, thus meeting ORS 197.307. Staff has not amended the proposal to reflect Mr. Harland's comments and is recommending the proposal as presented in Exhibit A.

This criterion (criterion three) is found to be satisfied.

4. Applicable governmental agreements.

Findings

No agreements are proposed to change.

Conclusions

This criterion is found to be not applicable.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forward a favorable recommendation for approval of DCA-19-012 to the City Council per the staff report dated August, 20 2020, including Exhibits A through Q.

EXHIBITS

A Proposed amendment – DCA-19-012
B Medford City Council Biennium Goals 2019-2021 - Resolution 2019-63
C Scenario 1 – Current Code (SFR-10 Minimum Density: 13 units) – Full Page
D Scenario 1.1 – Current Code (SFR-10 Maximum Density: 16 units) – Full Page
E Scenario 2 – MFR-20 Minimum Density Development – Full Page Image
F Scenario 2.1 – MFR-20 Maximum Density Development – Full Page Image
G Housing Element Tables 31 & 37
H Medford Building Department Comment – LD Meeting May 13, 2020
I Jackson County Roads Comment – LD Meeting May 13, 2020
J Public Works – Engineering Comment – LD Meeting May 13, 2020
K Medford Fire-Rescue Comment – LD Meeting May 13, 2020
L August 4, 2020 Webinar Event Poll
M Planning Commission Study Session Minutes – March 9, 2020
N Planning Commission Study Session Minutes – May 11, 2020
O Planning Commission Study Session Minutes – July 27, 2020
P Housing Advisory Commission Meeting Minutes – May 13, 2020
Q Letter from Jay Harland dated August 18, 2020

Exhibit A
Proposed Text DCA-19-012

~~Deleted Text~~ New Text

ARTICLE I - GENERAL PROVISIONS

* * *

10.012 **Definitions, Specific**.

* * *

Environmental resources. This shall include, but not be limited to, the following:

(a) Significant Trees

(b) Riparian corridors, creeks and streams as defined by the Comprehensive Plan

(c) Wetlands (Locally Significant wetlands as defined by the Comprehensive Plan or as defined by a qualified professional who has authority to indicate the presence of a wetland)

(d) Special Flood Hazard Areas as determined by a licensed land surveyor, Professional Engineer or on the current Flood Insurance Rate Map (FIRM) maps

(e) Topographic features

(f) Other features or resources deemed significant by the Comprehensive Plan or qualified professional with the knowledge to determine the significance or value of said resource.

* * *

Infill or Infill Development. See Section 10.704.

* * *

Open Space. An area or portion of land (excluding off-street parking), either landscaped or essentially unimproved and which is used to meet human recreational, communal gathering, or spatial needs, and/or to protect water, air, or environmental resources

* * *

Parapet. A low guarding wall that projects above the roof line.

* * *

Pedestrian-friendly~~.~~, Pedestrian-scale, Pedestrian-Oriented. Features and elements of a development that encourage walking by making it safe and convenient,~~.~~ which may include pedestrian amenities, such as plazas, outdoor seating, pedestrian-scale lighting and similar features. These features are all generally smaller in scale than those that are primarily intended to accommodate motor vehicle traffic.

* * *

Significant Tree(s) Shall be any tree(s) or grouping of trees with a specific trunk diameter as measured four and a half feet above the ground (known as DBH, for "diameter at breast height"). Tree groupings shall have canopies that are connected or are within five feet of another significant tree.

Small groupings of trees, consisting of four or less, that measure:

1. Deciduous trees: DBH of 18 inches or greater

2. Coniferous trees: DBH of 20 inches or greater

Large groupings of trees of five or more that measure:

1. Deciduous trees: DBH of 8 inches or greater
2. Coniferous trees: DBH of 16 inches or greater

* * *

Transit Oriented Development/Design. A development pattern that mixes residential, retail, office, and commercial uses with a supporting network of roads, bicycle and pedestrian facilities to accommodate transit use and incorporation of pedestrian-friendly design.

Transit Oriented District (TOD). The districts, identified in the Transportation System Plan, the Transportation Element of the Medford Comprehensive Plan.

* * *

Topographic features. Any existing butte, rock outcropping, or hillside in excess of 15% slope that is constraining to development.

* * *

ARTICLE III - ZONING DISTRICTS

* * *

10.327 **Neighborhood Commercial, C-N**.

The C-N district provides land for the development of small integrated commercial centers servicing the frequent and daily convenience requirements and service needs of adjacent residential neighborhoods. Development in this zone is intended to be pedestrian-oriented and compatible with the scale and character of surrounding residential areas. ~~All uses, except as noted in section 10.337, do not exceed 2,500 square feet of gross floor area.~~

* * *

10.358 **Central Business, C-B**.

The C-B district is representative of the core downtown business, residential and retail area. The intent of the C-B district is to recognize the unique and historic character of the downtown area as an asset to the community and to provide standards and criteria necessary for its continued development and redevelopment as a vital part of this community.

(1) **Commercial and Industrial Development Standards**. All of the site development standards set forth in Article V, Section 10.721, Commercial and Industrial Site Development Standards, shall be waived in lieu of the following site development standards:

(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 exempt from providing parking and loading spaces, except for bicycle parking spaces. Off-street parking and loading, when required or developed, shall conform to the following standards:

(i) 10.744 Shared Parking

(ii) 10.746 General Design Requirements for Parking
(iii) 10.747 General Provisions, Bicycle Parking
(iv) 10.748 – 10.751 Bicycle Parking Standards
~~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 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.~~

(c~~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%).

* * *

ARTICLE IV -- PUBLIC IMPROVEMENT STANDARDS AND CRITERIA

10.426 **Street Circulation Design and Connectivity.**

* * *

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’

* * *

2. The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:

a. Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10.,426 C.1.,

b. Environmental constraints including the presence of a wetland or other body of water,

c. The area needed *for* a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet,

d. Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,

e. The subject site is in SFR-2 zoning district,

f. Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,

g. The proposed use is a public or private school, college or other large institution,

h. The proposed use is a public or private convention center, community center or arena,

i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.

j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section; or.

k. Development defined as infill, per Section 10.704.

* * *

ARTICLE V - SITE DEVELOPMENT STANDARDS`

* * *

10.702 **Lot Area and Dimensions.**

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

(1) Within a planned unit development, a condominium project, as defined by ORS 100.005, or a pad lot development, as defined herein, the approving authority (Planning Commission) may permit tax lots and common areas to be of an area, width, frontage, or depth different from such prescribed minimum or maximum lot area or dimensions.

(2) For a condominium project, as defined by ORS 100.005, the minimum lot area and dimensions shall apply to the parent parcel only.

(3) A new residential lot may exceed the maximum lot area only under the following circumstances:

(a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,

(b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or

fraction thereof, may not exceed the amount of unbuildable area.

(4) The approving authority shall approve a reduction from the required lot dimensions of a parcel (i.e. lot area, lot width, depth and frontage) by up to twenty percent (20%).and reductions shall be permitted upon determination that the below conditions exist. These reductions shall be permitted at the option of the applicant for land use review. If a reduced dimension lot is created as a flag lot, the pole width of the flag lot shall be no less than 20 feet. The conditions for lot dimension reductions are as follows:

(a) The parcel proposed for land division is considered infill per 10.704; or

(b) The parcel proposed for land division is a subdivision, per the MLDC;

(i) When reductions in lot dimensions are proposed for a subdivision, reductions may only be permitted on twenty-five percent (25%) of the total number of proposed parcels.

(ii) Reductions in lot dimensions, for a land division, may exceed 25% of the proposed number of parcels to the extent necessary to preserve or restore environmental resources.

* * *

10.704 ~~**Through**~~ **Lot~~s~~ Types.**

(A) **Infill Lot.**. A lot shall be considered infill if it meets one of the below criteria:

(1) For SFR-10, MFR or Commercial Zones only: A subject parcel shall be considered infill when the parcel is vacant or when a single-family home is removed and/or redeveloped to create two or more dwellings, excluding ADUs, but including mixed-use buildings.

(2) If the lot is proposed as a mixed-use building or residential development and the subject parcel is not large enough to be split into four or more lots, consistent with the underlying zoning district;

(B) **Through Lot.** A through lot contains both a front and rear lot line abutting a street. Through lots shall be permitted in all zones when one of the abutting streets is a collector or arterial street. The property owner shall designate one frontage as the front yard and the other shall be the street side yard. Those yards shall be subject to required yard standards in Sections 10.710-10.723.

* * *

10.705 **Building Height and Side-Yard Determination.**

* * *

B. **Exemptions** – Building height limitations shall not apply to:

(1) Chimneys, church spires, belfries, cupolas, flag poles, antennas, support structures and antennas for amateur radio operations (as per ORS 221.295), and other similar projections that are accessory to the permitted use.

(2) Wireless communication transmission towers, which are subject to the Special Use Standards contained in Section 10.824.

(3) Public utility service facilities, which are subject to the Special Use Standards contained in Section 10.830.

(4) Parapets may be erected up to five feet above the height limit specified in the underlying zoning district.

* * *

10.707 **Exceptions to Yard Requirements.**

(A). **General Exceptions.** The following projections shall be permitted within the required yard area:

(1) Cornices, eaves, fireplaces, canopies, mechanical (heating and cooling equipment – not located in a residential zone), or other similar architectural features may extend a maximum of one foot into a required yard. In residential zones, mechanical (heating and cooling equipment) is exempt from the yard requirements but shall meet Building Code standards.

(2) Open uncovered accessory structures such as fire escapes, porches, balconies, or outside stairways may extend a maximum of one foot into the required side and rear yard and a maximum of five feet into a required front yard. Porches, decks or stoops which are open and uncovered and not exceeding 18 inches in height may be located within 18 inches of any lot line.

(3) Within the commercial districts awnings shall be allowed to extend a maximum of six feet into the required front yard.

(4) Established Neighborhoods: On a parcel where the abutting lots, adjoining the same street, contain legally constructed buildings whose setbacks are equal to or less than that

required by the underlying zone, the front yard setback may be reduced to a distance equal to the average setback of the abutting parcels. If one of the adjoining lots is vacant, the minimum setback of the underlying zone shall be utilized to determine the average.

(5) An approving authority shall approve an encroachment into the required setbacks, as set forth in Article V, by up to twenty percent (20%), for setbacks of ten (10) feet or greater. Reductions shall not be permitted when the parcel is within the Wildfire Risk Area, when a structure is placed on slopes greater than 15%, or when the Hillside Ordinance applies. The requested reduction shall be compliant with applicable building, fire and life-safety codes. These reductions shall be available at the option of the applicant for land use review or building permit review. Reductions shall be permitted upon determination that one or more of the following conditions exist:

(a) The encroachment, through placement of a structure, will allow the preservation or restoration of existing environmental resources; or

(b) The proposal is an infill lot per section 10.704.

* * *

10.708 **Residential Density.**

* * *

C. General Exceptions to Residential Density Calculations.

(1) Multiple-Family Dwelling Units in Commercial Zoning Districts., Except Neighborhood Commercial (C-N). The minimum density factor shall be the same as the

MFR-30 zoning district, found in Sections 10.710 – 10.714~~3~~; there is no maximum density restriction.

(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 Section 10.837.~~

* * *

10.721 **Commercial and Industrial Site Development Standards.**

The following standards apply to commercial and industrial development. See Article III, Sections 10.326 through 10.332 for detailed descriptions of each zoning district, and Section 10.337 for conditional, special, and permitted uses.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	**C-N**	**C-S/P**	**C-C**	**C-R**	**C-H**	**I-L**	**I-G**	**I-H**
Minimum & Maximum Area for Zoning District (Acres)	0.5 -3.0	None						
Residential Standards (See 10.837)	~~N/A~~ Dwelling units allowed subject to the density standards for housing within the MFR-30 district. Site development standards shall follow the MFR-30 zone except for the maximum building height and setbacks, which shall follow the underlying commercial zoning in which the property is located. See section 10.837 for additional standards for the C-N zone					N/A		
Minimum Lot Area (Square Feet)	7,000	15,000			7,000	20,000	10,000	
Maximum Coverage Factor (See 10.706)	3~~0~~50%	4~~0~~60%			6~~0~~70%	50%	90%	
Minimum Lot Width	70 feet							
Minimum Lot Depth	100 feet							
Minimum Lot Frontage	70 feet	30 feet	70 feet		30 feet	70 feet		
Minimum Front & Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports							

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	**C-N**	**C-S/P**	**C-C**	**C-R**	**C-H**	**I-L**	**I-G**	**I-H**
Minimum Side and Rear Yard Building Setback	None EXCEPT 1/2 foot for each foot in building height over 20 feet							
~~Maximum Building Height (See 10.705)~~	~~35 feet~~	~~85 feet EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.~~			~~35 feet~~	~~85 feet EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.~~		
Maximum Building Height (See 10.705)	35 feet	85 feet EXCEPT 35 feet for the portions of a structure within 150 feet of a residential zoning district (See Note 4).						
Maximum Gross Floor Area Per Business (Square Feet) Except as noted in 10.337	2~~,500~~5,000	None	50,000	None				
Permitted Outdoor Uses	See Note 1	See Note 2				See Note 3		

Note 1: All uses must be located completely within an enclosed building or behind a sight-obscuring fence.

Note 2: All uses, EXCEPT those customarily conducted outdoors, must be located completely within an enclosed building.

Note 3: All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence.

Note 4: When proposed development is adjacent to a lot with the SFR-00 zoning and the overlying General Land Use Plan designation of the lot is Commercial (CM) or Service Commercial (SC) the above building height restrictions shall not apply.

The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.

* * *

10.741 **Parking and Loading, General Provisions.**

* * *

B. Change/Expansion of Use Parking and Loading Requirements.

The number of parking and loading spaces provided shall be increased when a change of use of either a structure or of land requires additional parking and loading spaces in compliance with this Code, except as provided below. Parking and loading spaces may be decreased when a change of use requires fewer spaces than originally provided.

A principal use which ~~is not deficient in~~does not include the number of parking and loading spaces required per Section 10.741 – 10.743 ~~provided~~ may, at the option of the applicant, expand without having to provide additional parking and loading spaces under the following ~~certain~~ circumstances:. ~~Such circumstances are:~~

(1) When, after the expansion or change in use, the number of parking and loading spaces provided still meets or exceeds the required minimum or,

(2) If the expansion of use, or change in use, requires an increase in required off-street parking and loading areas of fifty percent (50%) or less, there shall be no additional parking spaces or loading areas are required. If multiple uses are proposed, each use shall be reviewed individually.

(3) These provisions shall not exempt conformance with parking required under the Americans with Disabilities Act (ADA).

~~or change in use results in the need to provide no greater than twenty-fivepercent (25%) additional parking and/or loading spaces in order to meet the minimum number of required spaces, these additional spaces are waived~~

* * *

10.743 **Off-Street Parking Standards.**

(1) Vehicle Parking – Minimum and Maximum Standards by Use**.** The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1 or other applicable provisions of this code that reduce the parking requirement.

Where a use is not specifically listed in Table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

[For non-residential uses, there is no minimum number of off-street parking spaces required in the Downtown Parking District, per Section 10.358(1)(a); and the Southeast (S-E) Overlay District, Commercial Center, per Section 10.378(6).]

(2) Number of Required Parking Spaces**.** Off-street vehicle parking spaces shall be provided as follows:

(a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) Parking Categories.

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

(3) ~~Exceptions~~ Reductions to Required Off-Street Parking ~~for Non-Residential Uses~~. These reductions shall be available at the option of the applicant for land use review or building permit review. The approving authority ~~may~~ shall allow ~~exceptions~~ reductions to the number of parking spaces in Table 10.743-1 for specific uses without complying with Section 10.186 if they find that ~~the applicant's detailed description of the proposed use demonstrates that the number of needed parking spaces is less than the minimum required or more than the maximum allowable based upon one or both of the following:~~any of the below provisions apply. No more than two proposed reductions outlined in this subsection may be used for parking and shall, cumulatively, only allow a total reduction in off-street parking of 50% or less. Reductions in parking spaces, may exceed 50% to the extent possible needed to preserve environmental resources. The allowable reductions are as follows:

~~(a) An explanation why the characteristics of the proposed use require a different off-street parking standard than what is otherwise required.~~

~~(b) An analysis providing parking data for the same business or a similar use within the city that demonstrates a need for a different off-street parking standard than what is otherwise required.~~

(a) On-street parking credit. A reduction of one off-street parking space shall be approved for each 24 feet of linear roadway of~~with~~ on-street parking directly abutting the proposed development

(i) The 24 feet of linear roadway shall exclude from the measurement on-street ADA spaces, driveway widths/throats and roadway within 20 feet measured along the curb of any corner or intersection of an alley or street; or

(b) Bicycle and Transit Proximity. The off-street parking requirement shall be reduced by twenty-five percent (25%) when a subject use or parcel is within:

(i) A quarter (1/4) mile radius of an existing transit stop; or

(ii) A half (1/2) mile radius of a bicycle lane, a shared-use path, or a neighborhood bikeway/sharrows not located on an arterial or collector roadway; or

(c) Residential in Transit Oriented Districts (TOD). When within a TOD, residential uses may use a parking standard of one space per dwelling unit (1:1); or

(d) Environmental Resource Preservation. Reductions up to fifty percent (50%) of off-street parking spaces shall be approved to preserve environmental resources.

(e) In lieu of (a-d) in this subsection, reductions of off-street parking, of any number, may be approved when an applicant for land use review has submitted a parking needs analysis for the proposed use that demonstrates that a lower parking requirement can adequately serves the parking needs of the use. At a minimum, parking analysis shall include:

(i) A finding as to why the characteristics of the proposed use/development require a different off-street parking standard than what is otherwise required; and
(ii) An analysis providing parking data for the same business or a similar use/development within the city that demonstrates a need for a different off-street parking standard than what is otherwise required.

* * *

10.837 **Dwelling Units in Commercial Districts.**
Dwelling Units shall be allowed in all commercial districts ~~except the Neighborhood Commercial (C-N) zone~~ subject to the following:
(A) Minimum density standards for ~~housing within~~ the MFR-30 district~~.~~, per section 10.708;
(B) Site development standards shall follow those for the ~~MFR-30 zone, except for the maximum building height and setbacks, which shall follow the~~ underlying zone; and ~~commercial zoning in which the property is located.~~
(C) The multi-family development standards contained in Sections 10.715A through 10.719.
(D) In addition, a single family dwelling unit~~s~~ shall be allowed in all commercial districts when attached to or in conjunction with ~~to~~ a commercial ~~building~~ use and approved by the applicable approving authority.
(E) **C-N Zoning District**. Residential development shall be in a mixed-use building or in conjunction with a commercial use. ~~Site Plan and Architectural Commission or Landmarks and Historic Preservation Commission as applicable.~~

~~In the Neighborhood Commercial (C-N) district single family and multiple family residential uses are permitted only when the total residential use is attached, accessory, and subordinate to the primary commercial use.~~

* * *

RESOLUTION NO. 2019-63

A RESOLUTION adopting 2019-21 Biennial Goals for the City of Medford.

WHEREAS, on May 30, 2019 the following Biennial Goals were defined and approved at a City Council study session:

- **Housing Strategies**: Enhancing livability for all residents by providing and safeguarding a range of housing choices in Medford.
    - Review and approve changes to development standards
    - Adopt new parking policies that encourage downtown redevelopment
    - Review and consider staff recommendations:
        - Utilizing City owned surplus property for affordable housing units
        - System Development Charge credits for housing and Accessory Dwelling Units
        - Regulatory reforms recommended by the Housing Advisory Commission
        - Awards for affordable and workforce housing through the Housing Opportunity Fund
        - Identify infrastructure constraints that discourage residential development
    - Set priorities for Community Development Block Grants and General Fund Grants

- **Community & Employee Engagement**: Bring community stakeholders together to discuss common vision for what Medford is going to strive to accomplish. Engagement includes involving and informing citizens about the Vision, Mission and Goals for the City. Expand engagement to include employees who will become knowledgeable about all aspects of City services and provide leadership growth opportunities
    - Develop a broad-based vision with community stakeholders
    - Community Engagement
        - Implementation of the Strategic Communications and Marketing Plan
    - Government Partnership Engagement
        - Mayor and Council to invite and participate in collaboration with RCC, SOU,
          Jackson County, RVCOG, Medford School District and additional agencies
    - Employee Engagement
        - Deliver consistent, relevant, and timely communications to our employees

- **Public Infrastructure:** Proactively plan for and respond to identified infrastructure needs by providing facilities essential for citizens and visitors to live, work and play in a manner that is financially and environmentally sustainable.
    - Bear Creek Master Plan
        - Continue with implementation on publicly owned property
    - Determine Feasibility of an Aquatic/Event Center
    - Citywide Space Needs Assessment
    - Public Works Infrastructure
        - Council to review and approve recommendation from the Transportation Commission on prioritization of a 6-year capital improvement plan for street projects
    - Create a City Wayfinding Program
    - Address I-5 Viaduct Design and Noise Issues with Oregon Department of Transportation
    - Aquatic facility analysis and direction

- **Economic Development:** The City will play an active role in maintaining and enhancing Medford's diverse economy with an emphasis on family wage jobs.
    - Mayor and Council will participate in the development of a Regional Economic Development Strategy in partnership with SOREDI
        - Review implementation strategies specific for Medford
        - Adopt into the Medford Comprehensive Plan
    - Develop a Policy Framework for Triple Bottom Line
        - Integrate economic health, social sustainability and environmental stewardship for planning, development, and infrastructure opportunities
    - Identify and Remove Barriers to Economic Development

- **Downtown & Redevelopment:** The City will seek opportunities to assist with the development and redevelopment opportunities within the downtown core area.
    - Liberty Park Plan – Council/MURA Board to identify and prioritize projects and amend the City Center Revitalization Plan to incorporate those projects
    - Reimagine Parking District
        - Updated strategy to provide both public and private parking opportunities
    - Seismic Retrofit Program implementation
    - Public/Private Partnerships
        - Seek partnerships for the development of City and privately owned properties for housing and/or retail

- **Health and Safety:** The City will develop and implement programs that

address safety and livability issues that impacts residents' and visitors' lives.

- Neighborhood Livability Partnership
- Address Livability Issues
  - Implementation of the Livability Team that will focus on issues around the Bear Creek Greenway, Downtown, and nuisance properties
- Homeless System Action Plan
  - Council to adopt and set priorities outlined in the plan
- Public Safety Level of Service
  - Council to adopt Level of Service and Strategic Plans for both Fire & Rescue and Police Departments. Identify resources if additional staffing is needed for future biennium
- Emergency Management
  - Council to adopt an updated City of Medford Emergency Operations Plan and complete all necessary National Incident Management System trainings.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the 2019-21 Biennial Goals listed above, are hereby adopted.

PASSED by the Council and signed by me in authentication of its passage this 20th day of June, 2019.

ATTEST: Karen Spoonts
City Recorder

Gary Wheeler
Mayor

Parcel Information

Tax Lot: 372W36CB14700

Size: 1.38 acres
(approx. 60,000 sq. ft.)

Min. Density: 13 units
Max Density: 16 units

Project Narrative (not to scale) - Meets Current Code

A 13 unit subdivision consisting of 13 units, three duplex dwellings (i.e. six total units) and seven detached single-family units. Site constraints largely pertain to right-of-way dedication and the existing development surrounding the parcel causing limited access points for the development. Other alternatives were considered to achieve higher densities, such as having more duplex dwellings. However, the smaller lot sizes permitted with single-family housing enable a greater mix of housing than would otherwise be permitted if only duplexes were built.

Legend

- Single-Family Parcel
- Duplex Parcel
- 20' Dimensions
- * Flag lot area excludes pole

Parcel Information

Tax Lot: 372W36CB14700

Size: 1.38 acres
(approx. 60,000 sq. ft.)

Min. Density: 13 units
Max Density: 16 units

Project Narrative (not to scale) applies DCA-19-012

A 15 unit subdivision consisting of five duplex dwellings (i.e. 10 total units) and five detached single-family units. Site constraints largely pertain to right-of-way dedication and the existing development surrounding the parcel causing limited access points for the development. By decreasing lot widths and lot area required for duplex dwellings, it enables higher density with effectively the same design as proposed without using the proposed flexible development standards (i.e. DCA-19-012).

Legend

- Single-Family Parcel
- Duplex Parcel
- 20' Dimensions
- * Flag lot area excludes pole
- F Flexible Standard Applied

Parcel Information

Tax Lot: 372W24CD7900

Size: .83 acres
(36,154 sq. ft.)

Min. Density: 22 units
Max Density: 31 units

Project Narrative (not to scale)

Hypothetical attached residential development, meeting the minimum parking requirements to provide for the minimum density (i.e. 22 units) and meeting the development standards as outlined in the MLDC.

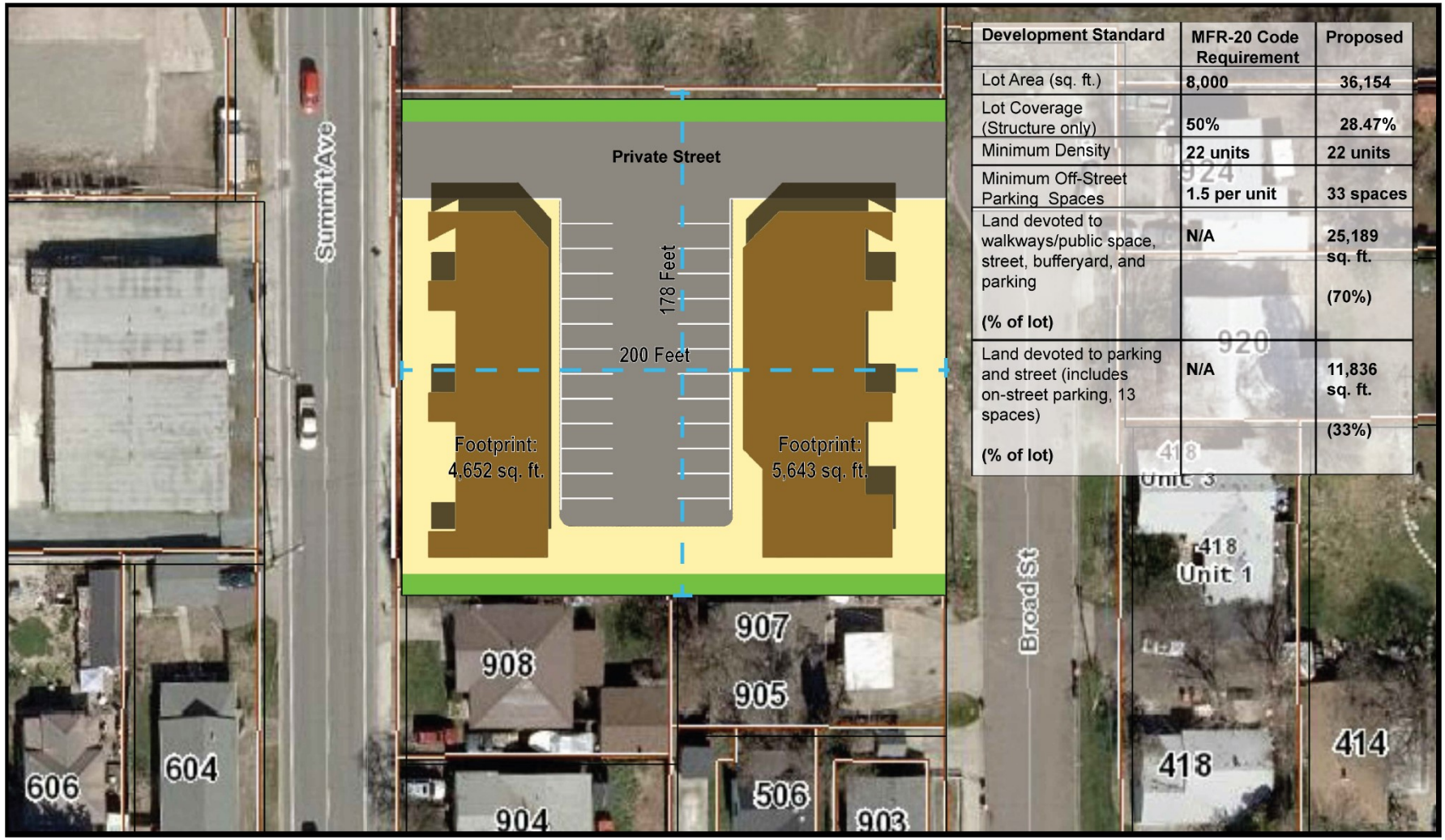
The private street provides for 13 of the 33 required spaces; the street is built to the minor residential standard (MLDC §10.430([B]).

Legend

20' **Dimensions**

Buffer/Landscaping

Walkways & public space



Development Standard	MFR-20 Code Requirement	Proposed
Lot Area (sq. ft.)	8,000	36,154
Lot Coverage (Structure only)	50%	28.47%
Minimum Density	22 units	22 units
Minimum Off-Street Parking Spaces	1.5 per unit	33 spaces
Land devoted to walkways/public space, street, bufferyard, and parking (% of lot)	N/A	25,189 sq. ft. (70%)
Land devoted to parking and street (includes on-street parking, 13 spaces) (% of lot)	N/A	11,836 sq. ft. (33%)

Parcel Information

Tax Lot: 372W24CD7900

Size: .83 acres
(36,154 sq. ft.)

Min. Density: 22 units
Max Density: 31 units

Project Narrative (not to scale)

Hypothetical attached residential development, meeting the maximum parking requirements to provide for the maximum density (i.e. 31 units) and meeting the development standards as outlined in the MLDC.

The private streets provide for 24 of the 47 required spaces; street a is built to the minor residential standard (MLDC §10.430([B]) and street b is built to the residential lane MLDC §10.430([C], with parking on one side.

Legend

20' **Dimensions**

Buffer/Landscaping

Walkways & public space

Development Standard	MFR-20 Code Requirement	Proposed
Lot Area (sq. ft.)	8,000	36,154
Lot Coverage (Structure Only)	50%	24.75%
Maximum Density	31	31
Minimum Off-Street Parking Spaces	1.5 per unit	47 Spaces
Land devoted to walkways/-public space, street, buffer-yard, and parking (% of lot)	N/A	27,204 sq. ft. (75%)
Land devoted to parking and street (includes on-street parking, 24 spaces) (% of lot)	N/A	15,105 sq. ft. (70%)

Exhibit G
Housing Element Tables

TABLE 31 - HOUSING NEED PROJECTION, 2009 TO 2029
CITY OF MEDFORD UGB

Variable	Estimate of Housing Units (2009-2029)
Change in persons	35,591
minus Change in persons in group quarters	712
equals Persons in households	34,879
Average household size	2.45
New occupied DU	14,266
times Aggregate vacancy rate	5.5%
equals Vacant dwelling units	785
Total needed new dwelling units (2009-2029)	**15,050**
Totals	
equals Total new occupied dwelling units	14,266
Aggregate household size (persons/occupied DU)	2.45
plus Vacant dwelling units	785
***equals* Total new dwelling units**	**15,050**
Dwelling units needed annually	753

TABLE 37 - FORECAST OF NEEDED HOUSING UNITS BY TYPE AND DENSITY, 2009-2029
CITY OF MEDFORD

Housing Type	New DU	Percent	Density (DU/net res ac)	Net Res. Acres	Net to Gross Assumption
Single-family types					
Single-family detached	9,034	60%	5.8	1,552	23%
Manufactured in parks	395	3%	7.0	56	15%
Single-family attached	384	3%	12.5	31	12%
Subtotal	9,813	65%	6.0	1,639	
Multi-family					
Duplex	651	4%	14.0	47	12%
Multi-Unit	4,586	30%	22.5	204	10%
Subtotal	5,237	35%	20.9	250	
Total	***15,050***	***100%***	***8.0***	***1,890***	

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Kyle Kearns, Planning Department

From: Mary Montague, Building Department

CC: City of Medford, Applicant; Planning Department, Agent

Date: May 11, 2020

Subject: DCA-19-012_Development Code Amendment

BUILDING DEPARTMENT:

Please Note: This is not a plan review. These are general notes based on general information provided. Plans need to be submitted and will be reviewed by a residential plans examiner to determine if there are any other requirements for this occupancy type. Please contact the front counter for fees.

General Comments:

1. The Building Department has no comments. Changes do not appear to have any effect on our department.

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
dejanvca@jacksoncounty.org

www.jacksoncounty.org

May 5, 2020

Attention: Kyle Kearns
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Development Code Amendment
Various city maintained roads.
Planning File: DCA-19-012.

Dear Kyle:

Thank you for the opportunity to comment on consideration of creation of flexible development standards for setbacks, lot coverage, lot dimensions, off-street parking, and building height that are in-lieu of a Type III Exception land use review. The Medford Housing Advisory Committee provided policy guidance to removing housing barriers, then the City Council adopted the recommendations by ordinance no. 2018-15 on February 15, 2018. The intent of this amendment is to remove barriers to development while reducing cost and risk associated with the exception land use review. Additionally, the intent is to provide prescriptive methods in the Land Development Code for common exception request that can be reviewed administratively.

1. Jackson County Roads has no comments on these updates to the City of Medford Land Development Code.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

Exhibit J
Public Works – Engineering Comment – LD Meeting May 13, 2020

From: Douglas E. Burroughs
To: Karl H. MacNair; Kyle W. Kearns
Cc: Jodi K. Cope
Subject: RE: DCA-19-012 Flexible design standards, etc
Date: Tuesday, May 12, 2020 4:22:58 PM

Hi Kyle,
Except for Karl's comment below and my following comment I don't think we'll have anything else. So I'll have an official "No Comment" report for you for tomorrows LD meeting.

Comment: On page 7 in 10.426(k) it says, "...as infill, per section 10.701A, may be exempt....." should that reference 10.704 instead?

Than
ks,
Doug

From: Karl H. MacNair
Sent: Friday, May 8, 2020 3:24 PM
To: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Cc: Jodi K. Cope <Jodi.Cope@cityofmedford.org>; Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>
Subject: DCA-19-012 Flexible design standards, etc

Hi Kyle,

Good stuff on this DCA! Not sure I fully understand how this will work but I like the intent. I have a few comments and questions for you. Most are fairly minor so I'm just emailing them, but let me know if you'd like any of them as official comments in a staff report.

- 10.358.3 – You may want to consider requiring at least a couple guest spaces for bike parking that are not within a residence.
- 10.704.A.1.b – I believe "shall be" should be replaced with "are"
- 10.704.A.1.d – I am concerned that the parcel described here could be a

fairly large lot that has had a zone change from SFR-00 to one of these zones and is now considered infill. For example, would this section apply to 808 Shafer Lane (382W01AB800)? The largest parcel to the west is being developed with a street stubbed to their property. The way I read this section they could put a duplex on the lot and get a waiver from block length requirements. That seems bad. Also, redevelopment to two or more dwellings seems like a pretty low threshold. Maybe it should be tied to the size of the parcel?

- 10.704.A.2.a – I believe the end of this section should be modified to read, " or ~~are~~ contain a multi~~ple~~ -family dwelling, and"
- Is "multi-family dwelling" defined in our code? I see it is kind of defined in the text below Figure 10.704-3. Maybe it should be added.
- 10.721, Note 4 on the table – Should this reference the GLUP designation where it talks about the holding zone?
- 10.743.3.c – Please include a statement that on-street disabled person parking spaces cannot be used to address on-site ADA parking requirements.

Thanks!

Karl H. MacNair, PE | *Transportation Manager* City of Medford, Oregon | Public Works Engineering & Development Division
200 S. Ivy St., Medford, OR 97501 Ph: 541-774-2115
Website | Facebook | Twitter

Medford Fire-Rescue Land Development Report

Reviewed By: Kleinberg, Greg

Review Date: 5/12/2020

Meeting Date: 5/13/2020

LD File #: DCA19012

Planner: Kyle Kearns

Applicant: City of Medford

Site Name: N/A

Project Location: N/A

Project Description: Creation of flexible development standards for setbacks, lot coverage, lot dimensions, off-street parking, and building height that are in-lieu of a Type III Exception land use review. The Medford Housing Advisory Committee provided policy guidance to removing housing barriers, then the City Council adopted the recommendations by ordinance no. 2018-15 on February 15, 2018. The intent of this amendment is to remove barriers to development while reducing cost and risk associated with the exception land use review. Additionally, the intent is to provide prescriptive methods in the Land Development Code for common exception request that can be reviewed administratively.

Conditions

Reference	Comments
Other	Last year we modified section 10.705 to fix loophole issues with homes built on slopes. A group of Builders, Planning, and Fire worked together to come up with side-yard setbacks based on building heights. The setbacks in the table were a compromise and allow for a maximum one-foot eave overhang to encroach into the required yard setback. As I read what is proposed in section 10.710A (D), now an encroachment which may be a wall or an eave can have a 20% or 24 inches encroachment, whichever is greater. In addition, deviations greater than 20% or 24 inches may be granted in some circumstances. My concern is we lose firefighting and rescue capabilities if we allow sideyard setbacks to be reduced and altering what was agreed to last year in section 10.705. I would suggest the language in 10.710 A (D) be amended to not allow setback deviations on structures located in wildfire hazard zones, structures that fall under the hillside ordinance, and structures built on slopes as described in section 10.705

Description

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanicial Codes and applicable NFPA Standards.

Exhibit L
August 4, 2020 Live Webinar Poll Results

Question	Answer	Choice	%
Is the proposal clear enough to implement?	Yes	7	88%
	No	0	
	Could be w/improvements	1	13%
What is the most impactful item being addressed in this proposal?	Lot dimension flexibility	3	38%
	Setback flexibility	0	
	Commercial Zone's standards updates (building height and lot coverage updates)	1	13%
	Off-street Parking & Loading Requirements	4	50%
Do you think these provisions would be applied to development in Medford?	Yes	8	100%
	No	0	
	I don't know	0	

PLANNING COMMISSION STUDY SESSION MINUTES

March 9, 2020
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
David Culbertson
David Jordan
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Assistant Deputy City Attorney
Kyle Kearns, Planner II

20. Subjects

20.1 DCA-19-012 Flexible Design Standards

Kyle Kearns, Planner II reported that City Council adopted regulatory strategies which were recommended by the Housing Advisory Commission that included both economic and regulatory strategies such as:

- Cottage Housing
- Allow duplexes in low-density zones
- Construction Excise Tax
- SDC Deferral Program
- Flexible Development Standards in SPAR – Type II DCA

The Planning Commission directed the flexible development standards to become its own project.

Among the aforementioned Housing Advisory Commission recommendations were:

- Parking minimum adjustments
- Lot coverage increases
- Building height increases
- Decrease lot sizes

Mr. Kearns presented a summarization of the proposal.

The proposed added definitions in the Medford Land Development Code Section 10. 012 are environmental resources, environmental restoration and infill development. Also included are significant trees, topographic features open space, transit oriented development and design and transit oriented district (TOD).

Changes to the Medford Land Development Code, Section 10.358 Central Business, C-B are condensed to simplify language to have one, all-encompassing section. The language will need to be further amended to point back to the multi-family residential design standards.

The new flexible development standards in Medford Land Development Code Section 10.701A would allow for deviations to setbacks and lot dimensions. Setbacks would be 20% or 24 inches, whichever is greater and applied to all development if the criteria is met. The criteria pertains to protecting environmental resources and restoration and infill development. Development cannot be in the Hillside Overlay and must be compliant with building, fire and life-safety codes. Lot dimension would be 20% or 30 feet, whichever is smaller. Lot area width, depth and frontage generally is always 20% and 30 feet would almost never be used.

The proposed maximum multi-family lot coverage would change from 50%, in each zone, to 60% in the MFR-15 zone, 65% in the MFR-20 zone and 70% in the MFR-30 zone. Proposed maximum height is proposed to go from 35 feet in all MFR zones to 45 feet in the MFR-15, 55 feet in the MFR-20 and 65 feet in the MFR-30 zones.

The proposed commercial changes for the maximum lot coverage are going from 30% in the C-N zone to 40%; from 40% in the C-S/P, C-C and C-R zones to 60%; and from 60% to 70% in the C-H zone. The proposed maximum height updates are to make all commercial zones, except for the C-N zone, 85 feet except for portions of a structure near SFR-00 through SFR-6 zones. The justification is that it stifles development outside of downtown, in commercial areas.

Commissioner McFadden asked, are all the zones contiguous with residential areas? Mr. Kearns responded in some ways. They are also adjacent to other commercial areas. C-S/P

has a lot of medical buildings and older parts of Medford. The C-N zone is predominately in residential areas.

The proposed parking reductions would be optional choices for developers and property owners that may reduce parking needs if the proposed criteria is met. Criteria includes things like whether it is near bike facilities, or if to preserves environmental resources and developers may hire a professional to perform an analysis to show parking reduction. Staff would like to expand that to TOD's.

Commissioner Mansfield asked the brokers, do they have any idea of whether the building industry will jump into these new standards or will they ignore them? Commissioner Culbertson stated that it would need to be cost effectiveness. It would be dependent on purchasing land, how many units they can put on the land and what product they are going to build would have a place in the market place.

Chair McKechnie reported changing height limitations on multi-family does not change the number of units per acre. He does not know if that would have any major impact regardless of 35 feet or 55 feet the parking requirements and maximum density per acre. However, changing the commercial with no limitation on a number of units will have an impact. There will be a lot more commercial property being converted to multi-family with a higher density. Is a property not zoned commercial limited to 35 feet regardless of what the adjacent property is zoned? Mr. Kearns responded that is the current code. Staff is proposing changes to that language.

Chair McKechnie stated most commercial is small and a 150 foot radius leaves 25 feet in the middle that can go 85 feet but everything else will be limited to 35 feet. Staff may need to look at that better. Mr. Kearns commented that the current language states: "*85 feet except 35 feet if structure is within 150 feet of a residential zoning district boundary*." Staff could change the language to state: "*85 feet except 35 feet for the portions of a structure within 150 feet of a residential zoning district specifically outlined in SFR-6*. Chair McKechnie thinks 85 feet is a stretch for commercial. He would limit residential up to 55 feet.

Staff's Recommendation:

1. Modify C-B to be more consistent with existing code
2. Setback and lot dimension deviations
3. Multi-family updates (lot coverage and building height)
4. Commercial updated (lot coverage and building height)
5. Parking reductions (with staff's suggested additions)
6. Investigate density increases and/or floor area ratio use instead of, or with, lot coverage and building height

Chair McKechnie likes the idea of being able to count on-street parking. He is okay with reducing the parking if there is justification.

Chair McKechnie stated that maybe the flexible design standards are not that flexible and use specific alternatives well defined that can be selected. Mr. Kearns responded that staff feels they have that. The legal department helped draft the language. An applicant has to clearly indicate they intend to use these and the criteria outlines what they have to meet in order to use them.

Carla Paladino, Principal Planner asked the Commission if they wanted to see this in its final version in another study session. Chair McKechnie and Commissioner McFadden replied yes.

Commissioner Pulver has general reservations since he has not studied this. He is concerned if they are achieving density with the proposal. It is more coverage and not increase density.

Ms. Paladino asked, is the Commission open to staff looking at multi-family and a density change? Chair McKechnie thinks it would be helpful to find real life examples or hypothetical ones.

Mr. Kearns asked, would the Commission want that in conjunction with this or on its own? Chair McKechnie and Vice Chair Foley agreed on its own. Commissioner Pulver does not disagree but what is the point of this then. Mr. Kearns is hearing that the multi-family changes are premature and separate from this project that focuses on changing the commercial and parking.

Staff will determine needed study sessions for future review of the Planning Commission, Housing Advisory Commission and Site Plan and Architectural Commission. Staff's goal is to bring this to public hearing in the summer of 2020 for adoption.

***** ***** *****

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:50 p.m.

Submitted by:

Terri L. Richards

Terri L. Richards
Recording Secretary

PLANNING COMMISSION STUDY SESSION MINUTES

May 11, 2020
12:00 P.M.
Lausmann Annex, Room 151
200 S. Ivy Street, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:08 p.m. in 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
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Kyle Kearns, Planner II

20. Subject

20.1 DCA-19-012 Flexible Design Standards

Kyle Kearns, Planner II reported that this proposal addresses exceptions and reducing development barriers to affordable and available housing costs. The project originated from the original Housing Advisory Committee (HAC) recommendations from 2017/18. The Housing Advisor Committee's highest priority is to review lot sizes for multi-family residential and reduce parking. Their medium priority is to build in flexibility for site design and layout allowing minor adjustments without the exception process.

The proposal would help to reduce development cost by enabling reduced parking that could have a savings from $5,000 to $25,000 depending on whether it is surface or structure parking. The removal of the Exception requirement would remove the cost of $3,500. Total cost savings per unit could be $8,500 to $28,500. Reduced parking and flexible site development process increases development potential in all zones.

In commercial zones refinements were made defining residential in commercial zones; increasing lot coverage allowance and increasing building height allowance.

At the March 9, 2020 Planning Commission study session the Commission directed staff to remove the amendments to multi-family zone updates and create its own project.

Exceptions since 2016 were four right-of-way reductions; five right-of-way reduction and amenity reduction; six lot dimension (lot depth, width, frontage, etc.); two setback or height; and twelve miscellaneous requests. The miscellaneous requests were unique and some pertained to parking and fencing height.

The two types of Exceptions are through the Land Use Review process or Prescriptive, codified processes. Examples of the prescriptive processes include the existing parking exceptions, multi-family development standards and legacy street standards. Staff is proposing additional prescriptive processes.

Bicycle parking standards (how to count bicycle parking) were added to Code section 10.358 Central Business.

In code section 10.426 Block Length adding standards to allow exceptions to block length without Type III exception process when it meets the infill definition.

New is code section 10.701A Flexible Development Standards. Deviations for setbacks and lot dimensions apply to all development if it pertains to infill, protecting environmental resources and environmental restoration. Added to this code section is an example imagery on how to display the use of flexible development standards. Deviations for setbacks could be twenty percent or 24 inches, whichever is greater. This would not apply in Hillside Overlay and requires compliance with building, fire and life-safety codes. Permitted upon determination that one or more of the following conditions exist: needed to meet fire, life or ADA standards; environmental preservation of restoration; and/or development is considered infill.

Proposed for lot dimensions is a deviation of up to 20%. The deviation is permitted if environmental preservation or restoration exists; development is considered infill; and/or if there are 4 or more parcels.

Staff amended code section 10.704 Lot Types to include infill criteria. Proposed under commercial maximum lot coverage updates 30% to 40% in C-N zones; 40% to 60% in C-S/P, C-C, C-R zones; and 60% to 70% in C-H zones. Proposed a maximum height update from 35 to 85 feet in all but the C-N zones. Clarified residential allowances in C-N zones.

Commercial changes are justified because it stifles development outside of downtown in neighborhoods such as East and West Main, Liberty Park, downtown adjacent areas and

commercial areas. Additionally, existing lot coverage on developed lots does not reflect existing development.

Proposed parking reductions are optional choices for developers and property owners that allows for, reductions for change of use or expansions; first five spaces waived for multi-family units of 15+; 24 feet of on-street parking counts towards requirement; may reduce if near bike facilities; may reduce to preserve environmental resources; may perform analysis to show parking reduction; and reduce in Transit Oriented District.

Chair McKechnie suggested under Code Section 10.704(A)(1)(c) make "*nor shall abutting parcels be zoned SFR-00*" to subsection (d) and change the current subsection (d) to (e).

Chair McKechnie asked, has the Commission previously discussed the code condition that when abutting a residential parcel one is limited to 35 feet? Mr. Kearns responded that it was not in the presentation because it is ambiguous on how it is applied. Due to previous comments the proposed table shows the maximum building height of 35 feet in C-N zones and 85 feet in the other commercial zones except 35 feet for the portions of a structure within 150 feet of a residential zoning district, specifically the SFR-00, SFR-2, SFR-4 and SFR-6 zones. Further clarification is that the 150 feet shall be measured from the property line residential zoning district, not the street centerline.

Chair McKechnie, asked, does the current code also have the limitation of a residential zone or a residential use in a commercial zone? Kelly Evans, Assistant Planning Director replied it is zone to zone not zone to use.

Chair McKechnie asked, was there an exception for Bonaventure since it is in or adjacent to a residential zone? Ms. Evans stated that there was an exception and the way it worked out was that the highest point in the design of the structure was greater than 150 feet from the residential zones.

Staff plans to have the Housing Advisory Commission review this on Wednesday, May 13, 2020. It will be presented at the Planning Commission public hearing on Thursday, June 25, 2020 and City Council August 20, 2020.

Staff is seeking from the Planning Commission whether any changes are needed before the hearing and does the Commission support infill definition or does it need to be revised to make it less complex?

Commissioner Pulver does not like the proposal. Does six or seven exceptions over the last four or five years (actual number is 31 exceptions) justify this change? Right-of-way exceptions have gone away with the addition of legacy street standards. He thinks applicants and staff will still do the same amount of work with the applicant not paying a fee. If the code is bad then it should be

fixed but if creating more work around the existing code he does know what they are doing. He does not see, outside of bikes, where the decrease in parking demand is going. He does not know if it is fair that parking on-street is going to be leveraged. He thinks there is a safety question there.

Chair McKechnie did not see anything in the proposal that talked about parking. Is the Commission discussing infill development at this point and not parking? Mr. Kearns responded that they are talking of allowing for prescriptive exceptions in parking if development choses to use them. Under exceptions to required off-street parking for non-residential uses staff proposes to remove the "for non-residential uses." Then outlined specific ways to apply for an exception.

Chair McKechnie asked, is the exception to the required off-street parking an administrative decision or does it go before the approving body? Mr. Kearns responded that it would go the approving body depending on the land use proposed.

Chair McKechnie agrees with Commissioner Pulver with the exception fee of $1,000 but when staff increased it to $3,500 it is outrageous. It is pricey for infill developments. He is in favor of doing as much of this administratively as long as parameters are established.

Commissioner Pulver reflected back to the last housekeeping amendments that if what was put before the Commission was for infill development, the fee for exceptions would be lowered across the board, or no exception fees to encourage infill development is different and a singular question. This proposal is a bunch of code changes that are all over the board with a similar thread but makes it difficult to analyze and assess. This may be the reason he does not like it. He feels it is being crossed over and that it how he felt about the housekeeping amendment.

Vice Chair Foley asked, does an applicant need to give justification why the exception should apply to them? Mr. Kearns replied yes. For setbacks there are four conditions each and they must fall under one of the following: (a) The part of the proposed structure that encroaches into the minimum setback area is necessitated by a fire, life, ADA standard, and other public safety code requirements; or (b) The proposed structure will allow the preservation or restoration or existing environmental resources; or (c) The proposed development is considered infill, per 10.704; or (d) Deviations greater that twenty percent or 24 inches may be permitted if it can be found to meet the provisions of Section 10.707(A)(4). Lot dimension reductions shall be permitted upon determination that the following conditions exist: (a) The proposal may require lot dimension deviations in order to preserve or restore environmental resources; or (b) The proposed development is considered infill per 10.704; and (c) When not infill development, the proposal creates four or more parcels; and (d) If a flag lot is created, the pole of the flag lot is no less than 20 feet.

Vice Chair Foley asked, are there restrictions on the parking other than allowing it? Mr. Kearns stated parking targets residential specifically rather than just infill.

Chair McKechnie commented that Mr. Kearns has outlined the hearing dates for the proposal. Does the Commission want to poll how ready the proposal is for hearing?

Vice Chair Foley is okay with the schedule but shares some of Commissioner Pulver's concerns on the parking.

Commissioner Culbertson agrees with Vice Chair Foley. The schedule is fine but the proposal is creating too much work.

Commissioner Jordan is undecided and needs to get up to speed on the proposal.

Commissioner McFadden kind of agrees with Commissioner Pulver. He does not know if the schedule can be met and sort out the issues brought forward. He is hesitant to move forward on it right away.

Commissioner McManus agrees with Commissioner McFadden. He does not feel confident to review it.

Commissioner Thomas would move it forward at this time.

Commissioner Mansfield votes to move it forward.

Chair McKechnie responded that it sounds like they need one more study session on the parking aspect. It would be helpful if there were "what if" scenarios. If parking is not standard then the design professional needs to provide justification why more or less parking is needed. Is that the way he understands this? Mr. Kearns replied that summarizes it.

Commissioner Pulver asked, if he summarized his thoughts and concerns and emailed those to Mr. Kearns and Carla Paladino, Principal Planner could it be shared with the Commission and not perceived as a meeting outside of a meeting? Eric Mitton, Deputy City Attorney responded that if he communicated with staff then put in the record that is not a public meeting issue.

Commissioner Pulver is fine with the timeline but if there are other Commissioners uncomfortable then they probably need another study session.

Mr. Kearns offered Plan B. Separate out the parking piece and move forward with the rest and the schedule. Chair McKechnie replied that it would be helpful to see what Commissioner Pulver has to say about his thoughts and concerns. He would like to see more on the parking. He does not know if they should arbitrarily reduce parking spaces for residential uses without a backup of the current code.

Commissioner Pulver senses discomfort with some of the other Commissioners.

Vice Chair Foley's main concern is in the parking. Why make the change? Mr. Kearns noted that the reason is from the Housing Advisory Committee's high priority recommendations adopted by City Council. The goal is to increase flexibility and available and affordable housing. The easiest way to do that is reduce lot size requirements and reduce parking minimums. The parking part can be its own project and move forward with the rest of the proposal.
Ms. Paladino clarified that the Commission would like another study session and break down the topics specifically and identify why staff is proposing them the way they are. Maybe in different categories to better understand. Chair McKechnie commented that it may be easier to go through the general topics to find out if any Commissioner has an issue with it. Ms. Paladino thinks it would be helpful to staff for the Commission to send her or Mr. Kearns their specific comments and/or concerns so they can be addressed in their next study session.

Commissioner Pulver asked, is the Planning Commission being asked to approve or make a recommendation to City Council when it comes before them in a public hearing? Ms. Paladino responded that code changes are always a recommendation from the Planning Commission to City Council. City Council makes the final decision.

Ms. Paladino reported that last week City Council reviewed and approved the urbanization plan for MD-7c.

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:54 p.m.

Submitted by:

Terri L. Richards

Terri L. Richards
Recording Secretary

PLANNING COMMISSION STUDY SESSION MINUTES

July 27, 2020
12:00 P.M.
Lausmann Annex, Room 151
200 S. Ivy Street, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:00 p.m. in 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
Jared Pulver

Staff Present
Matt Brinkley, Planning Director
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Terri Richards, Recording Secretary
Kyle Kearns, Planner II

Commissioner Absent
David McFadden, Unexcused Absence
Jeff Thomas, Unexcused Absence

20. Subject

20.1 DCA-19-012 Flexible Design Standards

Kyle Kearns, Planner II reported that the proposal creates flexible design standards for setbacks, lot coverage, lot dimensions, off-street parking and modifies building height and lot coverage standards within the commercial and industrial zoning districts.

Direction to evaluate this amendment is based on the list created by the Housing Advisory Commission in 2017 which outlined a list of both regulatory and economic incentives to consider to help increase housing production and remove barriers to development.

The Housing Advisory Commission provided a favorable recommendation of the proposal during their May 13th meeting. The Planning Commission reviewed this proposal during study sessions on March 9th and May 11th. Recently, a revised draft was reviewed and discussed with the City Council during a series of three meetings. The City Council did not provide any objections to the

proposal moving ahead. In addition, Legal and Planning staff met to discuss the proposal. The amendment before the Commission incorporates the changes discussed with Legal staff.

In addition, to sending the proposal via email to staff's list of consultants, developers, non-profits, and municipal agency representatives, staff will also present the material through a webinar platform in early August. Staff will invite the community to listen to the proposed code changes and provide time for questions and answers at the end of the session to gather feedback and help clarify the proposal.

Staff is seeking any final changes to the amendment prior to the start of the hearing process.

Definitions tied to the proposal are environmental resources, environmental restoration and infill or infill development. Updated environmental resources definition is to provide clarity and limit applications. Significant trees and topographic features are tied to the above definitions. Further defined "significant tree" is to limit preservation of trees to older, more mature trees. To be more specific the definition would include that small groupings of trees, consisting of four or less of deciduous trees would be 24 inches or greater. Coniferous trees would be 30 inches or greater. Large groupings of trees consisting of five or more trees would measure for deciduous trees 12 inches or greater and coniferous trees 20 inches or greater.

The proposal clarifies language in the Central Business District to meet the City Council's direction of exempting residential uses from the parking requirement.

The use of the flexible development standards shall be at the option of the applicant for land use review. It creates an optional process that is clear and objective. At the option of the applicant for land use review they can get a 20% reduction in lot dimension for an infill parcel or when reductions in lot dimensions are proposed for a subdivision, reductions may only be permitted on 25% of the total number of proposed parcels. Reduction in lot dimensions, for a land division, may exceed 25% of the proposed number of parcels to the extent necessary to preserve or restore environmental resources.

The infill criteria for SFR-10, MFR or Commercial Zones only: A subject parcel shall be considered infill when a single family home is removed and/or redeveloped to create two or more dwellings, excluding ADUs, but including mixed use buildings. In addition, in other zones, a lot is considered infill if it is a mixed-use building or residential development and the subject parcel is not large enough to be split into four or more lots, consistent with the underlying zoning district.

Exceptions to yard requirements, per the Fire Departments comments, increased the setback to 10 feet or larger, not in Wildfire Risk Area, not on slopes greater than 15%. In order to use this it must be preservation of environmental resources or considered infill development.

Commercial changes proposed a maximum coverage update of C-N from 30 to 50%, C-S/P, C-C, C-R from 40 to 60% and C-H from 60 to 70%. Also, proposed a maximum height update from 35 to 85 feet in all but the C-N zone except 55 feet for the portion of a structure within 150 feet of SFR-00, SFR-2, SFR-4 and SFR-6 zoning districts. When proposed development is adjacent to a lot with the SFR-00 zoning and the General Land Use Plan designation of the lot is Commercial, Service Commercial, Urban Medium Density Residential or Urban High Density Residential the above building height restrictions shall not apply.
Commissioner Pulver asked, what are the height limitations on UM and UH? Carla Paladino, Principal Planner responded that she would get that information while Mr. Kearns continued. She believes it is 35 feet. Chair McKechnie stated that the residential code maximum is 35 feet. Ms. Paladino replied that is correct. Under the multifamily dwelling chart three or more attached dwellings the maximum height is 35 feet.

Commissioner Pulver asked, is this saying that the 55 feet would not apply if the GLUP was UM or UH? Ms. Paladino reported yes or in the future to be commercial.

Chair McKechnie thinks that is a problem because people will be looking for commercial land to build a building 55 feet high when they are limited to 35 feet on any land zoned multifamily. It needs to be 35 feet next to residential zones. Mr. Kearns agreed that it needs to be consistent.

Mr. Kearns continued that parking reductions remain in the same context as the last time the Commission reviewed them. At the option of the applicant reductions for change of use/expansions are still permitted if parking increase is 50% or less. The 24 feet of on-street parking counting towards parking requirement remains the same. The off-street parking requirement shall be reduced by 25% when a subject use or parcel is within ¼ mile of an existing transit stop; or a ½ mile of an existing bike facility including bicycle lane, shared use path or neighborhood bikeway excluding sharrows on higher order roads. When within a Transit Oriented District (TOD) residential development may use a parking standard of one space per two dwelling units.

The on-street parking is not clear to Chair McKechnie. If a lot has 100 feet of frontage can it have credit for four on-street parking spaces or only one because there is a minimum of 24 feet? Mr. Kearns responded that a reduction of one off-street parking space shall be approved for each 24 feet of linear roadway with on-street parking directly abutting the proposed development, excluding driveway widths. Chair McKechnie asked, is Mr. Kearns saying that with a net of 48 feet two on-street parking spaces are permitted? Mr. Kearns replied yes. Chair McKechnie thinks this could be interpreted if one has at least 24 feet only one on-street parking space is permitted. Mr. Kearns replied that is correct. Chair McKechnie thinks the sentence needs to be clearer so that developers will understand that they can count as many parking spaces on the street as they have 24 feet of qualifying frontage. Commissioner Pulver commented that it is clear in the code. Mr. Kearns's read the code section. Chair McKechnie was just responding to the shortcut on the PowerPoint slide.

Chair McKechnie commented that Ashland allows 2/3 credit. If there was room for three spaces in front they get a reduction of on-street parking of two spaces. He is thinking down the road for infill projects. Mr. Kearns asked, does the Commission want to put limits like Ashland or something different? Chair McKechnie thinks in may come into play for corner lots where they get parking on two streets.

Ms. Paladino wanted to know if there was a consensus on changing that or if that is something the Commissioners would do at their hearing so that staff has direction.

Commissioner Pulver is not in favor of any reduction for on-street parking.

Mr. Kearns will research Ashland to see if there are some provisions staff could add that limits how much on-street parking is allowed.

Mr. Kearns reported that the code allows reduced parking for environmental resources up to 50%, more if needed to further preserve environmental resources. Also, a revised parking needs analysis to be consistent with current code that demonstrates that a lower parking requirement can adequately serve the parking needs of the use.

Dwelling Units in Commercial Districts shall be allowed in all commercial districts. The proposal includes small revisions to make consistency throughout the code including current density references and additional criteria for C-N zone.

The next steps will be a live webinar event the week of August 4, 2020. Planning Commission public hearing on August 27, 2020 and City Council public hearing on September 17, 2020.

Mr. Kearns asked, are there any final changes to make to the proposal? The comments that he has so far are to clean up the 150 feet note, change the height restriction to 35 feet near a zone that requires a 35 foot height, clean up the 24 feet on-street parking allowance for reducing parking, looking at Ashland's code of the 2/3 reduction with concerns of corner lots not getting it to zero off-street parking requirement with the 24 feet of on-street parking.

Commissioner Pulver commented that making comments does not necessarily warrant a change. He implored the body to speak up. His next comment was that the exception language in Section 10.721 of maximum building heights of 85 feet in commercial zones is okay but if they are within 150 feet it should be 35 feet including all residential zones including medium and high density. In Section 10.741 he would advocate for not making changes at all. He thinks it was crossed out the option if it was not more than 25% increase additional spaces would not have to be created. He thinks that is adequate flexibility. In Section 10.743 he thinks leave the option to do a parking needs study but there is a table that directs what minimum and maximum parking can be or has to be and if that needs to be adjusted then adjust that. He has an objection to on-street. Transit

is grossly inadequate in Medford for serving the masses. Bike paths are grossly inadequate in term of connectivity. He has not seen the TODs work in Medford such that the need for an automobile has decreased to that level. The general is one to one and a half parking spaces per unit and the proposal is saying one space for 2 units. He thinks that is grossly inadequate. Reduction up to 50% of off-street parking shall be approved to preserve environmental resources is fluffy. It could be generally abused. The idea is to provide public benefit. A lot of this has to do with other types of developments not just housing. They have not answered the basic fundamental question of where is that going to go. If there were great bike paths and transit there would be evidence not needing to take an automobile but Medford does not have that. He would argue that is the predominant means of transport and will continue to be for the foreseeable future in this area. It is short sited to try and eliminate parking.

Commissioner Jordan thanked Commissioner Pulver for his advocacy for connected bike trails. It is certainly a need.

Mr. Kearns responded to the parking reduction language stating the standards drastically revised based on Commissioner Pulver's comments received through emails. Originally the TOD districts were a blanketed allowance for this type of standard. It has now been limited to residential. He encouraged the Commission to drive through TODs identified in the Comprehensive Plan which is West Main, Northern and Southern shopping centers and downtown. He would argue that there is ample parking in those places. This proposal is aimed at reducing costs to residential development. The problem with the bicycle facilities is that there are only a few shared use bike paths. The bicycle lanes are well connected in the areas this would apply.

Chair McKechnie asked, for a residential developer to utilize parking on another site in a TOD would he need to have an agreement from the owner of that site that he could count that parking? Mr. Kearns responded yes they would need that permission.

Commissioner Jordon commented that he is an east Medford bike commuter and he has been amazed on the activity on the east Larson expansion up to Black Oak. It provides connectivity to Bear Creek then into west Medford.

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:50 p.m.

Submitted by:

Terri L. Richards

Terri L. Richards
Recording Secretary

HOUSING ADVISORY COMMISSION MINUTES

May 13, 2020
12:00 P.M. – 1:30 P.M.
Virtual Meeting
*Office of the Governor Executive Order No. 20-16 requires that the governing body of a public body (as defined by ORS 192.610(3) and (4)) shall hold public meetings and hearings by telephone, video or through some other electronic or virtual means whenever possible. To attend virtually, click **HERE**.*

10. Roll Call

The regular meeting of the Housing Advisory Commission (HAC) was called to order at 12:04 P.M. virtually on the above date with the following members and staff in attendance:

Commissioners Present
Randell Embertson, Chair
Steven Erb
Debra Lee
John Michaels
Matthew Stranahan

Staff Present
Angela Durant, Staff Liaison
Aleia Fletcher, Staff Liaison
Kyle Kearns, Staff Liaison
Eric Mitton, Legal Staff Liaison
Carla Paladino, Staff Liaison
Harry Weiss, Staff Liaison – arrived at 12:08 P.M.

Commissioners Absent
Jason Elzy, Vice Chair
Randy Jones
Paul Tanner

Staff Absent
Clay Bearnson, City Council Liaison
Matt Brinkley, Staff Liaison

20. Public Comments

None.

30. Approval of Minutes

N/A

40. Flexible Development Standards

Planner II Kyle Kearns provided background regarding code amendments, current exceptions of code amendments in Medford, and a summary of Proposal DCA-19-012.

Proposal DCA-19-012 seeks to reduce development barriers and cost associated with the exception process, in order to continue to address regulatory barriers to affordable and available housing. Based on HAC and Planning Commission feedback, DCA-19-012 addresses reviewing of lot sizes for multi-family residential development, reducing parking requirements, and building in flexibility for site design and layout by allowing minor adjustments—see attached PowerPoint for further details.

There are two types of processes for code exceptions: 1) the land use review process and 2) a prescriptive, codified process for exceptions, built into the code itself. DCA-19-012 seeks to utilize a prescriptive, codified process for exceptions; current examples of code process exceptions that exist include: existing parking exceptions, multi-family development standards, and legacy street standards. Additionally, DCA-19-012 seeks to address HAC regulatory strategies recommended by City Council from the beginning of 2018. Of those strategies, DCA-19-012 addresses: #4-review lot sizes for multi-family residential, #8-reduce parking, and #16-build in flexibility for site design and layout (allow minor adjustments).

Staff sought feedback regarding the proposed, prior to Planning Commission hearing on June 25, 2020 and City Council on August 20, 2020 (pending no changes due to COVID-19).

Motion: To recommend to move forward with this process.

Moved by: Randell Embertson **Seconded by:** John Michaels

Voice vote: Motion passes, 5-0

* * *

120. Adjourn

Meeting adjourned at 1:14 P.M.

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August 18, 2020

Planning Commission City of Medford
200 S. Ivy St., Lausmann Annex Medford, OR, 97501

RE: Flexible Design Standards (DCA-19-012)

Dear Medford Planning Commission:

Please include this letter in the official record for Planning File DCA-19-012.

In the second half of 2017, I volunteered on Medford's Housing Advisory Committee (HAC). This was a productive ad hoc volunteer committee appointed by the City Council that recommended a number of policy changes concerning housing matters in the City of Medford. By December 2017, the committee had outlined thirty-six (36) policy recommendations that included a mix of regulatory changes and economic program incentives to encourage the construction of additional housing units. At the February 15, 2018, City Council meeting, the Council approved the HAC's recommendations, including the creation of a Construction Excise Tax (AIC 40.3) and a motion directing the City to proceed with the HAC recommended regulatory changes (AIC 100.1).

Regulatory change #16 of the HAC recommendations was to "Build in flexibility for site design and lot layout (allow minor adjustments)." This recommendation is the genesis behind the above captioned code amendments. I recommended this regulatory change that was incorporated into the HAC recommendations. The original purpose of the amendment was to simply allow minor adjustments to dimensional standards to make projects easier to lay out, but in a way that still respects the prevailing zoning characteristics in the City of Medford. The HAC recognized that, for the most part, the existing City code is workable and Medford has a good track record of delivering housing. The regulatory problem concerned the considerable design effort undertaken for projects in Medford to address rigid lot standards that could be resolved by allowing some minor flexibility through the design and subdivision layout process.

Many of the code amendments being proposed in DCA-19-012 do not appear to be anchored in the original committee work which triggered the code amendment process. I have reviewed the proposed code changes. Some changes appear to be beneficial. I have some concerns about others. Regardless, the "flexible development standards" has become an omnibus change to the ordinance that goes far beyond the original intent of the HAC recommendations.

I respectfully request the Planning Commission restructure these amendments in a manner that reflects the HAC process. The amendments associated with the HAC recommendations should be limited to the below two sections of code amendments. The other draft code amendments developed by staff should be tabled for a study session to first determine the objectives to be achieved. At the study session, the Planning Commission or the City Council should initiate a separate code amendment to advance the identified objectives desired by the Council or Commission.

The new code language I recommend be adopted is the following:

10.702 **Lot Area and Dimensions.**

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:
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(4) For land divisions, up to a twelve percent (12%) reduction shall be permitted with respect to the required lot dimensions (i.e. lot area, lot width, depth and frontage). If a reduced dimension lot is created as a flag lot, the pole width of the flag lot shall be no less than 20 feet. The reductions may be applied in combination to the creation of individual lots (i.e. up to a 12% reduction in lot width, lot depth, frontage, and lot area for the same lot). Within a land division application, the reduction provisions allowed by this section shall not be applied to fewer than one of the resulting lots nor more than twenty percent (20%) of the resulting lots.

10.707 **Exceptions to Yard Requirements.**

(A) **General Exceptions.** The following projections shall be permitted within the required yard area:
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(5) An approving authority shall approve an encroachment into the required setbacks, as set forth in Article V, by up to twenty percent (20%), for setbacks of ten (10) feet or greater. Reductions shall not be permitted when the parcel is within the Wildfire Risk Area, when a structure is placed on slopes greater than 15%, or when the Hillside Ordinance applies.

The above code language stands in contrast with the draft language. As written, the language proposed by staff in Section 10.702(4) is overly generous in allowing for up to a twenty percent reduction in lot dimensions for up to twenty-five percent or more of the total proposed lots in a subdivision. The draft language also leads one to question if all aspects of a lot's dimensions can be reduced by twenty percent. This could result in lots that are challenging to actually build on, and may not be accepted by the market. Moreover, a twenty-five percent adjustment factor is not in keeping with the characteristics that define each residential zoning district. Finally, it is my opinion that the proposed language pertaining to infill and the preservation or restoration of environmental resources does not meet the statutory requirement for needed housing development because it cannot be applied only in a clear and objective manner, *see ORS 197.307(4)*.

On the other hand, I believe the above code language has several advantages:

- It is more user-friendly.
- It can be applied only in a clear and objective manner.
- It builds on some of the draft language that has been prepared but is closer to the original HAC discussion.
- It would apply to all land divisions, allowing projects big and small to benefit from these amendments.
- It maintains consistency with the overall purpose and intent of the City's land development regulations, many of which are beneficial and have a proven track record of delivering housing in the city.

I intend to participate at the hearing and look forward to the Commission's consideration of these comments.

Very Truly Yours,

CSA Planning, Ltd.

President