



Planning Commission

Agenda

Study Session

January 22, 2018

Noon

Lausmann Annex, Room 151
200 South Ivy Street, Medford, Oregon

10. Introductions
20. Discussion items
 - 20.1 **ZC-17-115 / Public Parks Zoning District Amendment**
DCA-16-072 /
CP-17-114
30. Adjournment

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MEMORANDUM

SUBJECT Public Parks Zoning District Amendment
TO Planning Commission *for the January 22, 2018 study session*
FROM Sarah Sousa, Planner IV
DATE January 18, 2018

The Planning Department is proposing to add a new zoning district, the Public Parks Zone, to the City of Medford. The Public Parks zone would be applied to publicly owned and park properties and trails in the City of Medford.

Currently, the City of Medford has a Parks and Schools General Land Use designation but no corresponding zoning. Therefore, when reviewing the zoning map, the location of parks facilities is unknown. Adding a Public Parks zoning district would offer greater legibility to the general public. It would also help for City reporting purposes to differentiate these areas from the inventory of residential, commercial, and industrial lands.

This is a good time to go forward with this amendment, especially because there are two large parks within the proposed Urban Growth Boundary (UGB). Chrissy and Prescott Parks encompass approximately 1,800 acres. Having a Public Parks zone will allow these properties to be annexed and zoned as parks rather than residential land.

The proposed project includes four land use actions: 1) a General Land Use Plan Map Amendment to add the Parks and Schools General Land Use Plan designation to newer parks in the system and change two other property designations; 2) a Major Zone Change to convert park properties to the Public Parks zone, 3) a Development Code Amendment to add language related to the Public Parks zone, and 4) a Comprehensive Plan Amendment to add language regarding Public Parks zoning.

As a result from the previous two study sessions on July 25, 2016 and October 9, 2017, staff has taken the Planning Commission’s input into consideration for this latest draft of materials. Staff is proposing all parks still go through a land use process with a public hearing before the Planning Commission. Minutes from the last study session are attached.

For this study session, please review the attached amendments with special attention on 1) Park Development Review Criteria, 2) Permitted Uses in the Public Parks Zone, and 3) Site Development Standards for the Public Parks Zone.

PUBLIC PARKS ZONING AMENDMENT (Draft 1/16/18)
(DCA-16-072/CP-17-114/ZC-17-115)

(Blue indicates proposed language / Red strikeouts indicate words to be removed)

ARTICLE I – GENERAL PROVISIONS

10.012 Definitions, Specific.

Public Park. An area or facility publicly owned which provides recreational opportunities for the general public. This includes future parkland as well as existing mini, neighborhood, community, special use, and linear parks as described in the Leisure Services Plan.

ARTICLE II – PROCEDURAL REQUIREMENTS

10.102 Plan Authorizations.

A plan authorization is a specific planning and development review process which sets forth specific conditions for development consistent with the policies, standards and criteria of the Comprehensive Plan and this chapter. Plan authorizations are categorized as follows:

Class A

Comprehensive Plan Amendment, Major
Land Development Code Amendment
Zoning Map Amendment, Major

Class B

Annexation
Comprehensive Plan Amendment, Minor
Transportation Facility Development
Vacation

See Review & Amendments Chapter of the Comprehensive Plan for definitions of “major” and “minor” Class A and B authorizations.

Class C

Conditional Use Permit
Exception
Historic Review
Land Division
Planned Unit Development (PUD)
Site Plan and Architectural Review
Zoning Map Amendment, Minor (i.e., “Zone Change”)
Park Development Review

10.122 Authority of the Planning Commission.

The Planning Commission is hereby designated as the approving authority for the following actions:

	Plan Authorization	Class
1.	Zone Changes, except when applied by the City concurrent with annexation	"C"
2.	Planned Unit Developments, Preliminary PUD Plan	"C"
3.	Conditional Use Permits	"C"
4.	Exceptions	"C"
5.	Land Divisions, Tentative Plats	"C"
6.	Park Development Review	"C"

10.146 Referral Agencies, Distribution.

This Chapter employs the use of referral agencies for the review of those plan authorizations indicated below, as shown on the Schedule which follows:

- A. Major Comprehensive Plan Amendment
- B. Land Development Code Amendment
- C. Minor Comprehensive Plan Amendment
- D. Annexation, except as provided in Section 10.199
- E. Vacation
- F. Zone Change, Major and Minor
- G. Conditional Use Permit and Park Development Review
- H. Exception
- I. Planned Unit Development
- J. Land Division
- K. Site Plan and Architectural Review
- L. Transportation Facility Development
- M. Historic Review
- N. Administrative (Class D) plan authorization

10.157 Notification, Publication and On-Site Posting.

(1) Publication. Unless otherwise indicated notification of all proposed actions shall be published in a newspaper of general circulation prior to the scheduled meeting date before the approving authority. The schedule of publication for each type plan authorization shall be as follows:

Plan Authorization Classification	Specific Type	Publication Schedule
A	All	No later than 10 days prior to the scheduled meeting date before the advisory agency. No later than 10 days prior to the scheduled public hearing date before the approving authority.

B	Annexation	Once each week for two successive weeks prior to the day of the hearing before the approving authority. Notice shall also be posted in four public places in the city for a like period.
B	Vacations	Once a week for two consecutive weeks prior to the date of the hearing before the approving authority. Within five days after publication of the first notice, the City Recorder shall cause to be posted at or near each end of the proposed vacation a copy of the notice which shall be headed "Notice of Street Vacation", "Notice of Plat Vacation" or "Notice of Plat and Street Vacation" as the case may be; the notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be not less than 14 days before the hearing.
B	Minor Comp. Plan Amendments [quasi-judicial], Transportation facility development	Shall be published in a newspaper of general circulation no later than 10 days prior to the scheduled meeting date before the approving authority.
C	Zone changes, Preliminary PUD plans, Conditional use permits, Exceptions, Land divisions, Park Development Review	Shall be published in a newspaper of general circulation no later than 10 days prior to the scheduled meeting date before the approving authority.
C	Site plan and architectural review, Historic review	Shall be posted in a public place no later than five days prior to the scheduled meeting date before the approving authority.
D		None

10.158 Notification, Affected Property Owners.

Notification shall be mailed to the applicant and all affected property owners no later than 20 days prior to the scheduled meeting date before the approving authority. All addresses for mailed notices shall be obtained from the latest property tax rolls of the Jackson County Assessor's office. Affected property owners for each type of plan authorization shall be determined as follows:

Plan Authorization Classification	Specific Types	Affected Property Owners
A		Generally not applicable to a legislative action unless it meets ORS 227.186 criteria (<i>i.e.</i> , the change effectively rezones property.)
B	Vacations	All property owners within the area of a plat vacation or all

		abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated.
B	Annexations, Minor Comp. Plan Amendments (quasi-judicial), Transportation Facility Development	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.
C	Zone Changes, Conditional Use Permits, Exceptions, Site Plan and Architectural Review, Land Divisions, Historic Review, Park Development Review	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.
C	Preliminary PUD Plans	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries. The owners of no less than seventy-five tax lots shall be notified. If seventy-five tax lots are not located within 200 feet of the exterior boundary of the PUD, the notification area shall be extended by successive 50-foot increments, until the minimum number of lots are included in the notification area. Owners of all tax lots within the extended notification area shall receive notice.
D		All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.

10.295 Park Development Review

In order to ensure a harmonious transition between parkland and adjacent uses, a [Park Development Review](#) is required for new and expanded parks within the Public Parks zone. The review of a [Park Development Review](#) is a procedural Class “C”, quasi-judicial decision, with the Planning Commission as the approving authority.

New buildings with uses permitted in the Public Parks zone, not associated with parks uses, are subject to the Conditional Use Permit as listed in Section 10.246. Parks within other zones, parks previously approved under a Conditional Use Permit, and trails outside of parks are subject to a Conditional Use Permit as listed in Section 10.246. New phases of parks within the Public Parks zone, not previously reviewed under a Conditional Use Permit, are subject to the [Park Development Review](#).

A. Park Development Review Criteria

The approving authority (Planning Commission) shall approve a Park Development Review application if it can find the proposed park development conforms, or can be made to conform through the imposition of conditions, with all of the following criteria:

1. The proposed park or park building facility is located within the Public Park zone.
2. The proposal complies with setbacks, lot coverage, off-street parking, signage, lighting, concealment of HVAC and trash, block length, landscaping (parking area planters, parking lot screening, and frontage landscaping) and other site development standards of the Code.
3. The proposal applies with all other applicable provisions of all city ordinances or the Planning Commission has approved an exception as provided in Section 10.251.

B. Special Conditions

In authorizing a Park Development Review approval, the Planning Commission may impose any of the following conditions to ensure compliance with the standards of the code, and to otherwise ensure the general welfare of the surrounding area and the community as a whole:

1. Limit the manner in which the park operates, including restricting the time an activity may occur, restraints to minimize noise, vibration, air pollution, glare, and odor;
2. Establish a special setback;
3. Limit the height, size, bulk, or location of a building or other structure; This can be accomplished with changes in: building direction and articulation, building projections, surface materials, windows, doors, and other architectural features;
4. Designate the size, number, location, or nature of vehicular access points;
5. Increase the improvements within the street right-of-way, including sidewalk width and materials as well as planter strip width and plantings;
6. Designate the size, location, screening, drainage, surfacing, or other improvement of the parking areas;
7. Designate the location, surfacing, or type of bicycle parking and require covered bicycle parking;
8. Limit or increase the number of vehicular and bicycle parking spaces;
9. Limit the number, size, location, height, or lighting of signs;
10. Limit the number, location, height, directional orientation, and intensity of exterior lighting;
11. Require the installation of landscaping, wall, or fences or other methods of screening and buffering; designate the size, height, location, or materials of fencing;
12. Increase or decrease the amount of landscaping on the site;
13. Protect and retain existing natural features.

ARTICLE III - ZONING DISTRICTS

It is the purpose of Article III to divide the City into zoning districts according to land use by type and intensity of development.

10.300 Establishment of Zoning Districts.

This Code separates the city into ~~four~~ ~~three~~ basic use classifications, ~~16~~ ~~17~~ zoning districts, nine overlay districts, and five administrative mapping categories as follows:

A. RESIDENTIAL

SFR-00	Single-Family Residential	-	(1 dwelling unit per existing lot)
SFR-2	Single-Family Residential	-	(2 dwelling units per gross acre)
SFR-4	Single-Family Residential	-	(4 dwelling units per gross acre)
SFR-6	Single-Family Residential	-	(6 dwelling units per gross acre)
SFR-10	Single-Family Residential	-	(10 dwelling units per gross acre)
MFR-15	Multiple-Family Residential	-	(15 dwelling units per gross acre)
MFR-20	Multiple-Family Residential	-	(20 dwelling units per gross acre)
MFR-30	Multiple-Family Residential	-	(30 dwelling units per gross acre)

B. COMMERCIAL

C-S/P Commercial, Service and Professional Office

C-N Commercial, Neighborhood

C-C Commercial, Community

C-R Commercial, Regional

C-H Commercial, Heavy

C. INDUSTRIAL

I-L Industrial, Light

I-G Industrial, General

I-H Industrial, Heavy

D. PUBLIC

P-1 Public, Parks

~~D~~. E. OVERLAY DISTRICTS

I-00 Limited Industrial

A-A Airport Approach

A-R Airport Radar

A-C Airport Area of Concern

C-B Central Business

E-A Exclusive Agriculture

F Freeway

S-E Southeast

H Historic

~~E~~. F. ADMINISTRATIVE MAPPING CATEGORIES

Downtown Parking

Limited Service

P-D Planned Unit Development

R-Z Restricted Zoning

Airport Fence Line

It is the intent in establishing the above districts to implement the “General Land Use Plan Element” of the *Comprehensive Plan*, and to achieve compatibility of adjacent land uses.

10.314 Permitted Uses in Residential Land Use Classification.

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)

These symbols indicate the status of each listed use:

- “P” = Permitted Use.
- “C” = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Sections 10.246 - 10.250.)
- “X” = Prohibited Use .
- “s” = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)
- “EA” = Permitted only when within an EA (Exclusive Agriculture) overlay district.
- “PD” = Permitted Use if in a PD (Planned Unit Development).

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(a) Bed and Breakfast Inn	X	X	Cs	Cs	Cs	Ps	Ps	Ps	10.828
(b) Child Day Care Center	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.811
(c) Institutional Uses (Schools, Churches, Government Facilities— Excluding Storage or Repair Yards or Warehouses, Cemeteries, etc.)	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(d) Community Services Facilities (Parks, Recreation, etc.)	C	C	C	C	C	C	C	C	10.817
(e) Transit, Pedestrian, or Bicycle Facilities	P	P	P	P	P	P	P	P	10.747-810
(f) Utility Distribution Systems	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.830
(g)(i) Agriculture, Agricultural Building, Livestock, Farm	EA	EA	EA	EA	EA	EA	EA	EA	10.360-361
(g (ii) Conditional Agricultural-Related Activities (On-Site Farm	EA/C	EA/C	EA/C	EA/C	EA/C	EA/C	EA/C	EA/C	10.362

Product Sales, Small Winery, Public/Private Events)

(h) Riding Stable or Paddock (Private)	EA	10.813								
(i) Temporary Contractor's Office and/or Construction Equipment Shed	Ps	10.840								
(j) Temporary Model Home	Ps	10.840								
(k) Temporary Real Estate Office	Ps	10.840								
(l) Wireless Communication Support Structure	Cs	10.824								
(m) Wireless Communication Facilities, other than Support Structure	Ps	10.824								
(n) Beekeeping	Ps	Ps	Ps	Ps	Ps	X	X	X	X	10.813(C)

10.325 Commercial, ~~and~~ Industrial, and Public Land Use Classifications.

The City's commercial, ~~and~~ industrial, and public land is divided into ~~nine~~ ~~eight~~ (8) ~~commercial and industrial~~ zoning districts as follows:

- (1) Service Commercial and Professional Office C-S/P
- (2) Neighborhood Commercial C-N
- (3) Community Commercial C-C
- (4) Heavy Commercial C-H
- (5) Regional Commercial C-R
- (6) Light Industrial I-L
- (7) General Industrial I-G
- (8) Heavy Industrial I-H
- (9) Public Parks P-1

10.333 Public Parks, (P-1)

The P-1 district provides land for publicly owned open space, parkland, and trails. It is intended for city parks, recreational facilities, trails, and open space publicly owned and operated within the city.

PROPOSED USES IN PARKS ZONE TO BE INSERTED INTO TABLE 10.337

SIC #	USE	P=Permitted Ps = Special Use C=Conditional Use Cs=Conditional Use with special regulations	Additional Regulations
002	Public Parks, Recreation and Leisure Facilities and Services	Ps	The special use for parks corresponds with Section 10.295
0279	Beekeeping	Ps	The special use for beekeeping corresponds with Section 10.813
431	U S Postal Service	Ps	The special use for post offices in parks corresponds to Section 10.822.
481	Wireless Communication Support Structure	Cs	The special use references for Wireless Communication Support Structure and Wireless Communication Facilities, other than Support Structure, correspond with special uses 10.824
	Wireless Communication Facilities, other than Support Structure	Ps	
491	Electric Services	Ps	The special use references correspond with Section 10.830
492	Gas Production and Distribution	Ps	
493	Combination Utility Services	Ps	
494	Water Supply	Ps	
495	Sanitary Services	Ps	
5261	Christmas Tree Sales	Ps	The special use reference for the sale of Christmas trees corresponds with Section 10.840
5421	Live Crab Sales	Ps	The special use reference for the sale of live crab corresponds with Section 10.840
543	Fruit Stores and Vegetable Markets	Ps	The special use reference for fruit stores and vegetable markets in parks corresponds to Section 10.822

SIC #	USE	P=Permitted Ps = Special Use C=Conditional Use Cs=Conditional Use with special regulations	Additional Regulations
	Eating and Drinking Places		
5815	Without Entertainment	Ps	The special use reference for eating and drinking places in parks corresponds to Section 10.822
5816	With Outdoor Eating	Ps	Establishments with Outdoor Eating Areas correspond with Section 10.833
5817	Temporary Food Vendor	Ps	The special use reference for temporary food vendor corresponds with Section 10.840
703	Camps and Recreational Vehicle Parks	C	
792	Producers, Orchestras, Entertainers	P	
794	Commercial Sports	C	
799	Misc. Amusement, Recreational Services	P	
821	Elementary and Secondary Schools	C	
829	Schools & Educational Services, nec	C	
835	Child Day Care Services	Ps	The special use reference for child day care services corresponds with section 10.811
841	Museums and Art Galleries	P	
842	Botanical and Zoological Gardens	C	
881	Dwelling Units	Ps	The special use reference for public and industrial zones corresponds with Section 10.835

SIC #	USE	P=Permitted Ps = Special Use C=Conditional Use Cs=Conditional Use with special regulations	Additional Regulations
9221	Public Order and Safety (Police Stations)	C	
9224	Public Order and Safety (Fire Stations)	C	

ARTICLE V – SITE DEVELOPMENT STANDARDS

10.720 Public Parks Site Development Standards.

The following standards apply to the Public Parks and development. See Article III, Sections 10.333 for a detailed description of the zoning district, and Section 10.337 for conditional, special, and permitted uses.

PUBLIC ZONING DEVELOPMENT	
Development Standards	Parks
Minimum and Maximum Area for Zoning (Acres)	None
Lot Area Range (Square Feet)	
Maximum Coverage Factor (See 10.706)	
Minimum Lot Width	
Minimum Lot Depth	
Minimum Lot Frontage	
Minimum Front & Street Side Yard Building Setback	15 feet, except 20 feet for vehicular entrances to garages or carports
Minimum Side & Rear Yard Building Setback	10 feet
Maximum Building Height (See 10.705)	35 feet

PUBLIC ZONING DEVELOPMENT	
Development Standards	Parks
<p><i>Courts for volleyball, basketball, tennis, or other noise producing sport activity must be located 150 feet from the nearest residential property unless the approving authority determines it is unnecessary.</i></p> <p><i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i></p>	

**Table 10.743-1 – City of Medford
Minimum and Maximum Parking Standards**

Park, public mini	No parking required for parks one acre or less without active sports activities	No parking required for parks one acre or less without active sports activities	
Park, public neighborhood	2.5 spaces per acre of usable active park area	3.0 spaces per acre of usable active park area	5.0 spaces per acre of usable park area
Park, public community	40 spaces per ball field, plus 5.0 spaces per acre of usable active park area	50 spaces per ball field, plus 5.0 spaces per acre of usable active park area	65 spaces per ball field, plus 5.0 spaces per acre of usable active park area

10.746 General Design Requirements for Parking.

(3) Parking Area Planters.

It is the purpose of this subsection to create shade and visual relief for large expanses of parking.

- a. Parking areas exceeding 24 parking spaces shall contain areas of interior landscaping, such as planter islands or planter projections into the parking area, which comply with the planting schedule provided in Subsection 10.746 (3)f. and Section 10.780, Landscape and Irrigation Requirements, and as approved by the approving authority.
- b. Planters shall be dispersed throughout the parking area and contain, at minimum, the landscaping area square footage specified in the Planting schedule of Subsection 10.746 (3)f. Square footage of each parking area planter may vary; however, each parking area planter shall meet the soil volume requirements of Subsection 10.780 G(10)a.
- c. Prior to installing plant materials in parking area planters, the developer shall remove detrimental construction materials and prepare the soil within the planters in accordance with Subsection 10.780 G(9). If structural soils are necessary, areas under planned impervious surfaces surrounding planters, shall be prepared in accordance with Subsection 10.780 G(10)(a).
- d. So as to not obstruct driver vision, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of three (3) feet and eight (8) feet above the top of the curb. The property owner shall maintain shrub and tree growth in planter areas to ensure shrubs are kept lower than three (3) feet and tree canopies are maintained above eight (8) feet.
- e. Trees planted in parking area planters shall have a moderate to broad spreading canopy.

f. The minimum landscaped area within parking area planters and number of required plants per 24 spaces is as follows:

Parking Area Planters
Planting Schedule

<i>Zoning District</i>	<i>Plants/ per 24 Spaces</i> <i>trees/shrubs</i>		<i>Sq. Ft./ per 24 Spaces</i>
Industrial Zones	2	4	325
SFR (Nonresidential uses only), MFR zones, Commercial Zones, *Public Zones	3	6	500

*Shrub and ground cover within the parking lot planter bays in parks may be substituted with non-living ground cover if allowed by the approving authority (artificial turf not allowed).

(9) Screening. Where parking, vehicle maneuvering, or loading areas abut a public street, there shall be provided a minimum ten (10) foot wide landscaping buffer.

Within public parks, shrub and groundcover within this area may be substituted with non-living ground cover if approved by the approving authority (artificial turf not allowed).

10.748 Bicycle Parking Standards.

Bicycle parking spaces shall be provided in accordance with the following:

Commercial: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Industrial: 20% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Office: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Institutional: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Parks: 10% of the number of spaces provided by automobiles, to be calculated by rounding up to the nearest whole number.

Residential, multiple-family: One space per unit (4 units or more).

Residential, retirement or congregate housing: .05 space per unit; 4 space minimum, regardless of number of units.

Schools: 4 spaces per classroom.

Transit centers/park and ride lots: 10% of the number of spaces provided for automobiles

10.780 Landscape and Irrigation Requirements.

A. Purpose.

The purpose of this section is to help ensure the aesthetic environment of the entire community, and to enhance the quality of life for all citizens.

B. General Provisions.

(1) Landscaping shall provide a variety of plant sizes, shapes, texture and color while being horticulturally compatible and minimizing irrigation reliance, thus conserving the public water supply.

(2) Landscaping shall be maintained in good health by the property owner in conformance with approved landscaping plans and shall not be reduced in area or number.

(3) Noncompliance with this section or approved plans is a violation of the Medford Land Development Code and is subject to a maximum fine of \$250 per day.

C. Applicability.

(1) The provisions of this section are applicable to all landscaping areas within commercial, industrial, institutional, or multiple-family developments and open space/landscaping tracts within all subdivisions, including single family residential.

a. Except as provided in subsection 10.780 C.(1)b., provisions of this section are not applicable to:

- 1. Single-family lots.
- 2. Duplex lots.
- 3. Individual townhome lots.
- 4. [Public Parks](#)
- 5. Future development sites, unless irrigated landscaping is placed thereon.

When irrigated landscaping is provided upon a future development site, all provisions of this section shall apply.

b. Covenants, Conditions and Restrictions (CC&Rs) recorded for private regulation of any development or subdivision, regardless of development type or zoning district, shall not establish any restriction inhibiting the use of water-conserving landscaping design, or require the installation of high water use landscape elements, as defined herein, upon property governed by the CC&Rs.

10.797 Street Frontage Landscaping Requirements.

A. This section establishes the minimum landscaping requirements along all street frontages outside of the public right-of-way. Plans submitted to comply with this section shall be approved by the approving authority.

(1) For land divisions with houses that do not face an arterial street, an arterial street frontage landscape plan shall be submitted showing a vertical separation feature that is a minimum of eight (8) feet in height. The separation feature shall create a solid visual screen. A fence or wall shall be engineered to stand straight. The separation feature shall be reduced in height where otherwise required in a front or side yard or clear vision triangle. The Planning Commission may allow adjustments to the above requirement in response to topography.

(2) For all other street frontages the number of plants required for distances above or below one hundred (100) feet shall be prorated with the resulting numbers of plants rounded so that one-half or more shall be deemed to require a full plant. All required planting shall be located in the required yard area adjacent to the street unless otherwise approved by the approving authority.

(3) Existing plant materials which meet the requirements of this code may be counted as contributing to the total landscaping required by this section. Interstate 5 and other highway frontages shall be treated the same as city street frontage.

(4) The following table specifies the type and number of plants required by this section.

Table 797-1. Frontage Landscaping—Materials and Quantities

<u>Zoning District</u>	<u>Number of plants required per 100 feet of street frontage less driveways</u>	
	Trees	Shrubs
SFR (nonresidential uses), MFR, C-N, C-S/P, C-C, C-R, C-H, P-1 I-L, I-G, I-H	4	25
	3	15

Frontage landscaping shall not be required for areas in public parks that do not have buildings within 20 feet from the adjacent right-of-way unless the approving authority determines it is necessary to buffer specific park activities.

10.813 Agricultural Services and Animal Services

C. Beekeeping.

The City recognizes the many benefits of bees including pollination services and useable products such as honey and wax. The keeping of bees is permitted in the single-family residential districts, and the commercial and industrial districts, and the public districts in the city limits subject to the following standards:

10.822 Permitted Uses and Accessory Uses in All Industrial and Public Parks Zones

A. Eating and Drinking Places in Industrial Zones.

Permitted eating and drinking places (SIC 58) shall not exceed 6,000 square feet, including the outdoor eating area.

B. Banking Institutions in Industrial Zones.

Banking institutions (SIC 60) shall not exceed 3,500 square feet of gross floor area.

C. Accessory Retail Sales in Industrial Zones.

All of the following standards shall be met:

1. The retail sales shall be directly related to and accessory to a principal use.
2. The product must be assembled, produced, or processed on the site.
3. The retail use must be clearly incidental to the principal industrial use.
4. For multiple businesses on a site, the retail use of each individual business may occupy 20 percent of the gross floor area of the structure in which it is proposed, to a maximum of 1,000 square feet.
5. For a single business on a site, the retail use may occupy 20 percent of the combined gross floor areas of all the structures on the site, to a maximum of 4,000 square feet.
6. The retail sales portion shall be conducted entirely within an enclosed building.
7. The construction of a separate building exclusively for retail use is prohibited.
8. Parking for the accessory use shall be calculated at the principal use rate.

D. Accessory Uses in the Public Parks Zone.

Accessory uses within public parks include uses such as concession stands with sales of food and goods, areas for eating and drinking, Farmers Markets, and educational classes and activities. Accessory uses allowed within parks must clearly be incidental to the primary park use. No manufacturing uses allowed.

10.824 Wireless Communication Facilities.

B. Permitted Use.

Wireless Communication Facilities that do not include a Wireless Communication Support Structure are permitted in all commercial, ~~and~~ industrial ~~zones~~, and public zones and on parcels that contain legally established nonresidential uses within the SFR and MFR zones, subject to the design standards in Section 10.824(D). Only concealed wireless communication facilities are allowed within a Historic (H) Overlay District or on parcels containing a use or structure on the National Historic Register, subject to approval of the Historic Commission per Section 10.406; and on parcels containing a residential use, subject to the design standards in Section 10.824(D).

10.833 Restaurants - Outdoor Eating Areas.

Outdoor eating areas shall be allowed for restaurants in all commercial, ~~and~~ industrial, and public zoning districts subject to the following:

- (1) Compliance with all other provisions of this Chapter.
- (2) Historic Review or Site Plan and Architectural Review as applicable and approval when the outdoor eating area includes seating for more than 15 patrons.
- (3) Where adjacent or abutting a residential zone, outdoor activity shall only be allowed between the hours of 8:00 a.m. and 9:00 p.m.

10.835 Residence for Caretaker or Watchman.

One single-family residence for a caretaker, owner, operator, manager, or security guard is allowed for any industrial use or for public parks for purposes of security and protection of the principle use.

10.840 Temporary Uses and Structures.

- (3) Temporary Mobile Vendors.
 - a. Temporary Food Vendors (Outdoor).
 1. Application Requirements.
 - i. A business license pursuant to Chapter 8 shall be required.
 - ii. In addition to the requirements of Chapter 8, the applicant shall submit a site plan drawn to scale indicating the following:
 - (a) Dimensions of the temporary food vendor unit.
 - (b) Location of the temporary food vendor unit on the site.
 - (c) Paved vehicular access, including driveway location(s).
 - (d) Off-street vehicular parking spaces.
 - (e) A trash receptacle located within ten (10) feet of the temporary food vendor unit.
 - (f) Dimensions of the area to be occupied by the temporary food vendor unit, including any table(s), seating, and other exterior items, if applicable; and

- (g) Location of utility connections, if any.
- 2. Standards.
 - i. Locational and Size Standards.
 - (a) Temporary food vendors are permitted in the following zoning districts: C-S/P, C-N, C-C, C-H, C-R, I-L, ~~and I-G~~, and P-1.
 - (b) When within both the Central Business (C-B) and Historic Preservation (H) Overlays:
 - (1) The exterior length and width, when multiplied, shall be no more than 128 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - (2) Outdoor equipment, such as tables and chairs, shall not be permitted.
 - (c) In all other zones:
 - (1) The exterior length and width, when multiplied, shall be no more than 170 square feet, including any slide-outs, and excluding trailer tongue, and bumper.
 - (2) An additional 170 square feet is allowed for outdoor equipment.
 - (d) On City-owned property and right-of-way, temporary food vendor units shall obtain a permit pursuant to Chapter 2, and are exempt from the standards of 10.840(D)(3).
 - (e) At an Event of Public Interest, temporary food vendors per 10.840(D)(1) are exempt from the standards of 10.840(D)(3).
 - ii. General Standards.
 - (a) If the temporary food vendor unit is located on or adjacent to a privately-owned walkway, the minimum remaining unobstructed walkway width shall be five (5) feet.
 - (b) All food must be in a ready-to-eat condition when sold.
 - (c) Required parking spaces or access to required parking spaces shall not be displaced or obstructed.
 - (d) The temporary food vendor unit shall be located outside any required setbacks.
 - (e) Attached awnings are permitted if smaller than the size of the temporary food vendor unit.
 - (f) The temporary food vendor unit and all outdoor equipment shall be located on an improved surface.
 - (g) Temporary food vendors shall comply with the Fire Department's Outdoor Food Vendor Safety Checklist.
 - (h) Any utility connections require a building permit from the Building Safety Department.
- b. Temporary Medical Services (Human or Animal) Vendors and Temporary Nonprofit Vendors (Outdoor).
 - 1. Application Requirements.
 - i. A business license pursuant to Chapter 8 shall be required.
 - ii. In addition to the business license requirements of Chapter 8, the applicant shall submit a site plan drawn to scale, indicating the following:
 - (a) Dimensions of the temporary vendor unit.
 - (b) Location of temporary vendor unit on the site.

- (c) Paved vehicular access, including driveway location(s).
 - (d) Off street vehicular parking spaces.
 - (e) Location of utility connections, if any.
2. Standards.
- i. Locational and Size Standards:
 - (a) Temporary vendors shall be permitted in the following zoning districts: C-S/P, C-N, C-C, C-H, C-R, I-L, ~~and I-G-~~, and P-1.
 - (b) When within both the Central Business (C-B) and Historic Preservation (H) Overlays, the exterior length and width of the temporary vendor unit, when multiplied, shall be no more than 128 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - (c) In all other zoning districts, the exterior length and width of the temporary vendor unit, when multiplied, shall be no more than 300 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - ii. General Standards.
 - (a) If the temporary vendor unit is located on or adjacent to a privately-owned walkway, the minimum remaining unobstructed walkway width shall be five (5) feet.
 - (b) The temporary vendor unit shall be located on an improved surface.
 - (c) Required parking spaces or access to required parking spaces shall not be displaced or obstructed.
 - (d) The temporary vendor unit shall be located outside any required setbacks.
 - (e) Attached awnings are permitted if smaller than the size of the temporary vendor unit.
 - (f) Outdoor equipment such as tables and chairs shall not be permitted.
 - (g) Any utility connections require a building permit from the Building Safety Department.

ARTICLE VI - SIGNAGE

10.1022 Exceptions to Permit Requirements.

The provisions of Article VI shall not apply to:

- (1) Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, and signs of a non-commercial nature required by public laws, ordinances or statutes.
- (2) Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:
 - (a) Primary purpose of such vehicle or equipment is not the display of signs.
 - (b) Signs are painted upon or applied directly to an integral part of the vehicle or equipment.
 - (c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of a business/or use.

(d) Vehicles and equipment are not used as static displays, advertising a product or service, for more than two (2) days in any location, nor utilized as storage, shelter or distribution points for commercial products or services for the general public.

(e) During periods of inactivity exceeding five work days, such vehicle/equipment is not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.

(3) Signs on Temporary Portable Storage Containers permitted through Section 10.840.D(6), provided all of the following conditions are adhered to:

(a) The primary purpose of such vehicle or equipment is not the display of signs.

(b) Signs are painted upon or applied directly to an integral part of the vehicle or equipment (the “sign” is a regular part of the portable storage container). Hanging banners, roof signs and/or attached sign structures are not allowed.

(c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of a business/or use. (This section (3) effective through June 30, 2015.)

(4) Signs not exceeding three (3) square feet in area located in a commercial or industrial zone not to exceed four (4) signs for each business frontage.

(5) Signs not exceeding six (6) square feet in area and an overall height of six (6) feet in the Single-Family Residential Zoning Districts - (SFR 2, 4, 6, 10), ~~and~~ the Multiple-Family Residential Districts - (MFR 15, MFR 20, MFR 30), [and the Public Zoning District – \(P-1\)](#), not to exceed two (2) signs per parcel.

(6) National and State flags. National and state flags shall be flown and displayed in a manner whereby they are not construed as attraction-gaining devices to advertise a product or use, or in a manner to otherwise draw attention of the traveling public to an establishment or sales office.

Such displays shall conform to the criteria established in House Document 209 of the 91st Session of Congress.

(7) Signs Located in the Interior of any Building. Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings, which are designed and located to be viewed by patrons only. Such signs may be illuminated and are not subject to the provisions of this chapter.

(8) Change of face. Where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure. In Historic Preservation Overlay Zoning Districts, only the message may be changed without Historic Review.

(9) Window Signs. Signs located in windows, if they are mounted or painted upon the inside of windows within all commercial or industrial zoning districts.

(10) These types of Temporary Signs, which are in addition to any of the signs in subsections 1-8 above:

(a) Holiday Displays. Decorations or displays celebrating the occasion of traditionally accepted patriotic or religious holidays.

(b) Real Estate Signs. Signs erected on private property for the period of time that a site or structure is for sale, lease or rent. In all residential zones such signs shall be limited to six (6) square feet in area and a maximum height of six (6) feet. In all commercial and industrial zones such signs shall be limited to thirty-two (32) square feet in area. Temporary real estate signs shall be limited to one (1) sign per frontage.

(c) Political Campaign Signs. Signs erected on private property no earlier than eight (8) weeks prior to any federal, state or local election and removed no later than seven (7) days after the applicable election. In all residential zones such signs shall be limited to six (6) square feet in area and a maximum height of six (6) feet per sign. In all commercial and industrial zones such signs shall be limited to thirty-two (32) square feet in area per sign.

(d) All other Temporary or Portable Signs require a permit.

10.1150 Signs in Public-Parks (P-1) Zoning Districts: Basic Regulations.

Signs shall be permitted only as follows in the P-1 zoning district:

(1) Ground Signs: Each parcel of land is permitted one (1) ground sign per street frontage, subject to the following limitations:

(a) Maximum Square Footage: 40 square feet per sign

(b) Maximum Height: 5 feet

(c) Minimum Setback: 15 feet from any property line

(d) Exempt: Ground signs within public parks and stadiums that are placed and located so as not to be viewed from the street are exempt from these provisions.

(2) Wall Signs:

(a) Maximum Square Footage: 40 square feet per sign

(b) Maximum Height: No part of any wall sign shall be higher than the building height as defined in Section 10.705.

(c) Exempt: Wall signs within public parks and stadiums which are placed and located so as not to be viewed from the street are exempt from these provisions.

(3) Electronic Message Signs: Electronic message signs are a conditional use. A Conditional Use Permit may authorize one electronic message signs as a permitted ground or wall sign. Regardless of the number of street frontages, one of the permitted ground or wall signs may be an electronic message sign, provided it complies with the following provisions:

(i) Electronic message signs shall apply for and receive approval for a Conditional Use Permit pursuant to Section 10.250.

a. The electronic message sign shall be considered as an element of the CUP for the use.

b. Existing conditional uses shall apply for an amendment to their existing approved CUP to request an electronic message sign, pursuant to Section 10.250.

c. The expiration of a CUP shall require the removal of the electronic message sign.

(ii) Maximum Size: 20 square feet

(iii) Maximum Height: 5 feet if a ground sign. If a wall sign, shall not be higher than the building height as defined in Section 10.705.

(iv) All text displayed on an electronic message sign must be static for a minimum of five seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(v) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night, consistent with Section 10.764, *Glare*.

(vi) The conversion of an existing, conforming ground or wall sign to an

electronic message sign is permitted.

(vii) The conversion of any existing, nonconforming ground or wall sign to an electronic message sign is prohibited.

10.1160 Public-Parks District (P-1): Additional Special Signs.

Additional Special Signs shall be permitted as follows:

(1) Freeway Signs: Prohibited

(2) Construction Sign: One non-illuminated sign may be installed on each construction site after a building permit has been obtained for a construction project, and must be removed not later than two years after issuance of the building permit or upon completion of the project, whichever occurs sooner. The sign shall not exceed 50 square feet in area, and 14 feet in height.

(3) Temporary Sign: One temporary sign on each street frontage is allowed. Display period is limited to 30 days and is renewable upon application, but shall not exceed four (4) permits in one (1) calendar year. The area of each temporary sign shall not exceed 32 square feet. No part of any sign shall be higher than the building height as defined in Section 10.705.

**PUBLIC PARKS ZONING
(DCA-16-072/CP-17-114/ZC-17-115)
Comprehensive Plan Amendment**

(Blue indicates proposed language / Red strikeouts indicate words to be removed)

PUBLIC FACILITIES ELEMENT

PARKS, RECREATION, AND LEISURE SERVICES

The City of Medford complies with ORS 660-034-0040(1)(a) and (b) through the adoption and implementation of a Parks and Schools designation on the *General Land Use Plan Map*, which depicts existing public parks and schools. There is no specific zoning district associated with this designation for schools. Instead, ~~parks and~~ schools are permitted conditionally in all single-family residential zones, multi-family residential zones, commercial and light industrial zones. ~~The City intends to pursue the development of objective land use and siting review criteria for parks.~~ The corresponding zoning for parks is Public Parks (P-1).

GENERAL LAND USE PLAN ELEMENT

Parks and Schools This designation depicts existing and proposed public parks and schools. There is no specific zoning district associated with ~~this designation~~ schools. The zoning district associated with publicly owned parks is Public Parks (P-1).

GREENWAY GLUP MAP DESIGNATION

The General Land Use Plan designation of Greenway applies to certain stream corridors and waterways in the Southeast Plan Area, and to other locations within the Urban Growth Boundary. The designated Greenways are indicated on the General Land Use Plan (GLUP) Map. This designation denotes linear parklands, Riparian Corridors, or public or private open space, particularly those along stream corridors and waterways. The Environmental Element of the Medford *Comprehensive Plan* and the *Medford Parks, Recreation, and Leisure Services Plan* (~~1996~~ 2016, or as amended) identify the location of several existing and potential Greenways for parks, open space, habitat preservation, and recreational purposes. Based upon the *Comprehensive Medford Area Drainage Master Plan* (1996), some Greenways may require limited improvement for all-weather access by vehicles and equipment for storm drainage maintenance and storm observation. As long as the impact on the riparian area is minimized, such improvement can often include facilities for public pedestrian and bicycle circulation, fostering transportation goals simultaneously with storm water management.



Planning Commission

Minutes

From Study Session on **October 9, 2017**

The study session of the Medford Planning Commission was called to order at 12:00 p.m. in the Lausmann Annex Room 151-157 on the above date with the following members and staff in attendance:

Commissioners Present

David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Staff Present

Kelly Akin, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Sarah Sousa, Planner IV

Commissioner Absent

Patrick Miranda, Chair, Unexcused Absence
E. J. McManus, Excused Absence
Alex Poythress, Excused Absence

Subject:

20.1 GF-17-122 Wholesale Marijuana In Community Commercial Zoning District

Kelly Akin, Assistant Planning Director, stated that there is now a poultry ordinance. It allows six hens in the City of Medford. Peacocks, ostrich, emu and turkeys are not allowed.

Ms. Akin reported that staff received a request from James Scott, who is present today, owner of Oregon Grown Cannabis in Medford at the end of August. Oregon Grown Cannabis operates on the south side of Stewart Avenue, located near Columbus Avenue. Fire Station 2 was recently completed next door. Mr. Scott is requesting a code amendment to allow the wholesale trade of marijuana in the Community Commercial (C-C) zoning district.

As currently written, wholesale trade of marijuana is not permitted in the C-C zoning district. In October 2015, the code was amended to include marijuana related uses including production, processing, wholesale, laboratory and dispensaries. Special use regulations were also adopted outlining specific conditions related to marijuana uses. In December 2016, the code was amended to permit retail sales of marijuana in specific zoning districts. The code was amended again in May of this year to allow marijuana production and the manufacture of sugar and confectionary products in the C-H zone.

Wholesale trade of non-durable goods is not permitted in the C-C zone district. When marijuana uses were first introduced into the code it was considered equal to tomatoes and classified the various related uses accordingly. In this case, staff used classes 512

(Drugs, Proprietaries, and Sundries), 516 (Chemicals and Allied Products), and 519 (Miscellaneous Nondurable Goods) as a basis to determine the appropriate location of marijuana related uses. These are not allowed in the C-C zone district.

In researching other cities, Ashland does not allow wholesale uses in the commercial zones but does in the industrial zones. Central Point allows retail sales but staff could not find information on wholesale uses. Roseburg allows wholesale uses in their industrial zones.

The policy staff has been working under related to citizen requests. The policy states that the Commission will initiate no more than two citizen requested text amendments in a calendar year. The Planning Commission has already done that. Also, staff's focus is on the Urban Growth Boundary expansion project. Based on those two factors, staff is recommending that this amendment not be initiated. Staff will place this item on the Thursday, November 14, 2017 agenda for the Planning Commission's decision.

The Thursday, October 12, 2017, Planning Commission meeting has been cancelled due to no business. There are no business items for Thursday, October 26, 2017, Planning Commission so that meeting may be cancelled.

Commissioner Pulver asked, when this comes before the Planning Commission, is it for the Planning Commission to direct staff to research this or to process it because the Commission thinks it has validity? Ms. Akin stated that if the Planning Commission initiates this it is important enough to add it into staff's workload.

Commissioner McKechnie asked Mr. Scott, what is the difference between retail and wholesale? Mr. Scott reported that the retail sells to the consumer. The only reason he is requesting this is that he constructed an FDA approved bank vault which is considered wholesale storage inside this dispensary. There is one camera to the OLCC designated to one rack in the vault. Wholesale is that he sells for farms. There would be no more traffic than what is there now.

Commissioner McKechnie asked, does a farm bring Mr. Scott cannabis in bulk and then Mr. Scott sells that cannabis bulk to other cannabis stores? Mr. Scott replied yes.

Mr. Scott asked, is there a variance allowed on his location? Ms. Akin reported no. Under the code he cannot apply for a variance to the use tables.

20.2 DCA-16-072 / CP-17-114 / ZC-17-115 Public Zoning Amendment

Sarah Sousa, Planner IV, reported that in July of 2016 there was a study session on public zoning. At that time, staff proposed two public zones that included zoning for parks, schools, government facilities, utilities, and the airport. The Planning Commission agreed that there was no need to rezone government buildings as uses are already

allowed in commercial zones. Same is true for the airport, the uses are allowed outright in the light industrial zone. Also, the Commission could not see any real purpose in rezoning utilities. Staff generally agreed with those conclusions.

Staff scaled that back and is now proposing one new zoning district, the Public Parks Zone. This zone would only be applied to publically owned park properties and trails in Medford.

This would distinguish parks from other zoning districts. The current zoning map of Medford shows a lot of yellow residential zoning and red/pink commercial zoning. It will be more transparent to the public as to where the parks are in Medford. There is a General Land Use Plan Map (GLUP) designation for parks but not a matching zone. There is a GLUP designation for residential, commercial and industrial with corresponding zoning. Having a parks zone will be consistent with handling the other designations.

Having a parks zone is also helpful for reporting purposes and help to further refine the types of land in Medford. Two large parks will eventually be brought in with the proposed Urban Growth Boundary. Chrissy and Prescott Parks are over 1800 acres and it does not seem appropriate to annex them to the City and give them residential zoning.

Vice Chair McFadden asked, would putting them in the parks zone drop them out of the calculations for City density? Ms. Akin stated it drops them out of the buildable lands inventory.

The project includes four land use actions:

1. General Land Use Plan Map Amendment
 - Add the Parks Designation to newer parks in the system
 - Change the designation on two other properties
2. Major Zone Change
 - Convert park properties to Public Parks Zone
3. Development Code Amendment
 - Add new zoning with site development standards and permitted uses
4. Comprehensive Plan Amendment
 - Add description of Parks zone

Moving forward, staff will continue to work with the Parks Department, refine the Land Development Code amendments and present to the Planning Commission and City Council by the end of this year or early next year.

Staff would like the Planning Commission to consider whether continue reviewing parks as conditional use permits or through another type of review. It could be through the

Planning Commission or the Site Plan and Architectural Commission. Currently, parks require a conditional use permit in the residential and commercial zones. The Parks zoning will imply that parks are the permitted use in the zone. Staff wants to maintain a higher level of review for parks with more active recreation, amplified noise, and field lighting. With existing parking getting updated and smaller parks getting developed, would an administrative review or director's decision be more appropriate for those situations?

Commissioner Foley does not think it is a bad idea in general. A conditional use permit for the smaller parks is a pain. His concern is some of the permitted uses. It is his opinion they are over extensive. There are too many permitted uses in the park that would require no review. Ms. Sousa reported that should have been clarified more. It would still require a Site Plan and Architectural Commission review. It is distinguishing between conditional and permitted.

Commissioner McKechnie stated that developing a school or government building it is not a park it is a building. It should not be categorized as a park if it is publicly owned. To him a park is an open space with play equipment. The uses do not fit.

Bill Mansfield reported that conditional use permits cost the tax payer's money to process. Isn't that a time honored system of letting the local folks that could be affected come in and say their peace? It seems to him that if these are set out in standards there may be situations that are detrimental to neighboring properties. Carla Paladino, Principal Planner, stated that under the parks zoning and if the Parks Department wanted to build a standard park, they would submit a staff report with a site plan, and the uses are already permitted, neighbors would be notified and then it would go to the director for approval. There would not be a hearing but there would still be an opportunity for comments from the public.

Vice Chair McFadden stated that parks are terrible neighbors. He feels more comfortable with the conditional use permit version than just the code.

Commissioner McKechnie reported that parks are not usually developed in an existing neighborhood. The park land is designated long before something else is built around it.

Ms. Sousa stated that the Parks Department does have neighborhood meetings when they are developing parks.

Commissioner McKechnie asked, regarding Cedar Links, was there a requirement to develop a park when the golf course was created? Ms. Akin reported no. The Parks Department acquired that property as the original developers were losing the property.

Commissioner McKechnie stated that if there was a development with a park component that would get deeded to the City. The zone change would require a public hearing.

Vice Chair McFadden responded that later there would be developmental conditions.

Commissioner McKechnie added that if they wanted to add a basketball court or lights then that would require public comment.

Staff had discussed how to initiate the changes. As the Parks Department acquires park land in the future those lands would need to be changed. Would that require the Parks Department to submit an application or would the Planning Department annually inquire of the Parks Department what land have they acquired in the past year. Then staff could do an annual GLUP and zone change combination that would come before the Planning Commission. Making it more of a routine. Staff could write in the standard that they would notify neighbors within 250 feet of the property that is being converted.

Commissioner McKechnie thinks it would be easier for the Planning Commission every time the Parks Department acquired park land for them to submit an application.

Commissioner Pulver does not think this is the solution for the problem. He thinks there are other ways to designate where a park is other than creating a zone.

Commissioner Culbertson asked, why did the property on Merriman and Mason get switched to urban residential? Ms. Sousa reported that the school district no longer owns that property so it will be changed from parks and schools back to urban residential. A developer purchased the property.

Ms. Paladino heard from a few of the Commissioners that they are not sure about staff creating a park zone. Is that the consensus of the rest of the Commissioners?

Commissioner Foley, Commissioner McKechnie and Commissioner Culbertson thinks it makes sense to have a park zone.

Commissioner Pulver thinks it is inappropriate for one person to make the decision. Parks are one thing in one's head and another in reality. Saying all parks are the same is wrong. They are not. One may get noticed and write a letter to complain but it is different than having one's voice heard. That is part of the reasons this body exists. He disagrees with this zone. Ms. Paladino stated that is the process piece and staff can work on that piece.

Commissioner Foley asked, is Commissioner Pulver's concerns other than not wanting to add another complexity to it, if there was the right criteria so that there was review if

something weird was happening, would that work? Commissioner Pulver replied, sure. Why are we going down this path to being with? It is supposed to lessen the work load but it seems like a lot of work to create something, in his mind, that does not need to be created in the first place.

The issue for Commissioner McKechnie came up when they had schools. Every time the school wanted to do something they had to go through a conditional use permit process which was a lot of time and money on their part for something that seemed reasonable and obvious. He thinks that is the impotence of this.

Commissioner Mansfield brought out the point about getting hearings for the people and Ms. Sousa make a good point that the Planning Director will do so but Commissioner Pulver thinks it should come before the Planning Commission.

Commissioner Culbertson thinks everything bears merit. Why can't the burdensome applications that come for something as simple as adding a swing set to a park be a desk decision? Why do paperwork and take up time to pull somebody off something? Maybe it comes as a small application for a partition that will be rubber stamped because it fits the box that the land use planning has created. If it is well within inside the bounds of the box and no one can punch a hole in the box even if a neighbor did not like it, it should be desk approved. There is no reason to take up the Planning Commission's time.

Commissioner McKechnie reported that the first decision is appealable.

Ms. Akin stated that appeals only go before the City Council.

Ms. Akins observation is that they do not often hear testimony for new parks but almost always hear testimony when changing a park. When they want to add something or revise something they hear from the neighbors.

30. Adjournment

The meeting was adjourned at 12:56 p.m.



Submitted by:

Terri L. Rozzana

Recording Secretary