

# PLANNING COMMISSION STUDY SESSION AGENDA MARCH 9, 2020



**MEDFORD**  
OREGON

## Commission Members

David Culbertson  
Joe Foley  
David Jordan  
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Planning Commission study sessions are held on the second and fourth Mondays of every month

Study Sessions begin at noon

## City of Medford

Lausmann Annex Room 151  
200 S. Ivy Street, First Floor  
Medford, OR 97501  
541-774-2380

# PLANNING COMMISSION STUDY SESSION AGENDA



**MEDFORD**  
OREGON

March 9, 2020

Noon

Lausmann Annex, Room 151

200 South Ivy Street, Medford, Oregon

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10. **Introductions**

20. **Discussion Item**

20.1 Flexible Design Standards

20.2 Citizen Involvement Report

20.3 Public Utility Easement Amendment question (no memorandum)

30. **Adjournment**



## MEMORANDUM

**To:** Planning Commission  
**From:** Kyle Kearns, AICP, Planner II | Long Range Planning  
**Date:** March 4, 2020 *for 03/09/2020 study session*  
**Subject:** DCA-19-012 – Flexible Development Standards

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### BACKGROUND

Staff, at a previous Planning Commission study session, presented the idea of flexible development standards in conjunction with the SPAR – Type II (DCA-19-002) development code amendment. Staff was directed to create a separate file for the creation of the flexible development standards project.

In addition to the direction of the Planning Commission, the proposed flexible development standards arose out of the regulatory strategies proposed by the 2017 Housing Advisory Committee. These strategies were to promote the creation of affordable and market-rate housing throughout the City of Medford. Council made a motion for staff to begin work on these recommendations on February 15, 2018 (referenced in Ordinance 2018-15). Among the specific recommendations included in DCA-19-012 include:

- “Building in flexibility for site design and lot layout;” and
- “Reduce parking standards.”

Currently, the majority of deviations from the Medford Land Development Code (MLDC), unless stated otherwise, require an Exception land use application. Exception applications cost \$3,500 and require a public hearing process which adds soft cost (i.e. staff time or design work) to any development needing an Exception. As stated in the HAC recommendations, “[A] failure to fully comply with any development standard requires an exception to the development code. Code exceptions are always risky and a lot of design energy gets wasted on Medford projects working on project layouts that are inferior simply to avoid the legal risk of an exception.” It is the intent of this amendment to provide some time and financial relief to developers and property owners in the City of Medford.

In addition to the savings of not applying for an exception, it is estimated that the average cost of a surface parking stall ranges from \$5,000-\$10,000 (including land value) while

structured parking can cost between \$25,000 and \$50,000.<sup>1</sup> Ultimately, the goal of DCA-19-012 is to reduce overall cost of development in the City of Medford by providing relief from otherwise expensive development requirements. To date, no public hearings are scheduled for this project. Staff intends to gauge the preferences of the applicable Commissions and members of the public prior to moving forward with a public hearing schedule.

## **SUMMARY OF PROPOSAL**

Exhibit A has the full proposal, however a brief summary of the core Land Development Code changes is provided below. The proposed language either modifies existing MLDC language to be more flexible or creates new sections to administer code flexibility.

### 10.012 Definitions, Specific

Added detail to the existing definition of “pedestrian-friendly” while adding the new definitions for environmental resources and restoration, infill development, open space, significant trees, Transit Oriented Development/Design, Transit Oriented District (TOD) and topographic features. Inclusion of these definitions is to enable proposed text and to create more clear and objective standards.

### New Section, 10.701A Flexible Development Standards

The provisions of 10.701A allow for deviations of site setbacks or lot dimensions of the underlying zone. Setback deviations are permitted only if it is needed to meet fire, life and ADA standards, preservation of environmental resources and if in conformance with existing code language in 10.707(A)(4). Setback deviations may be 20% or two feet, whichever number is greater, of the underlying zone.

Lot dimension deviations are permitted for lot area, width, depth and frontage at a rate of 20% or 30 feet, whichever number is smaller. Deviations from lot dimensions are permitted if environmental resources are protected, for infill development or for subdivisions. When applied to subdivisions, the application of the flexible development standard shall only be applied to 20% of the total proposed lots. Furthermore, this section is designed in a way to easily add additional flexible development standards as the Commission desires.

### Changes in Development Standards (10.714 and 10.721)

In early drafts, staff had proposed to have allowances for flexible lot coverage and building height within 10.701A. However, after further review staff determined that changing lot coverage and building height for all development was more advantageous and created

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<sup>1</sup> Strong Towns Media. “The Many Costs of Too Much Parking.” Strong Towns, Strong Towns, 20 Nov. 2018, [www.strongtowns.org/journal/2018/11/20/the-many-costs-of-too-much-parking](http://www.strongtowns.org/journal/2018/11/20/the-many-costs-of-too-much-parking).

more overall flexibility in development citywide. Staff has proposed the following development standards:

- An increase in multi-family lot coverage, except for in the SFR-10 zone;
- Building height has been increased in all the Commercial zones, except for the C-S/P zone, and the MFR-15, 20 and 30 zones;
- Commercial lot coverage has been increased in the C-N, C-S/P, C-C, and C-R zones; &
- How building height is measured in commercial zones when adjacent to SFR zones has been adjusted to ensure lower density zones are not impacted by adjacent buildings of 35 feet or greater.

#### Parking Standards (10.741, 10.743)

To make additional flexibility staff has proposed exceptions to City's parking standards. Without a comprehensive study on whether or not parking minimums need to be changed, staff is concluding that a compromise would be to incorporate flexibility into parking minimums. Proposed exceptions are aimed at several development constraints parking can cause including cost of parking, restrictions on redevelopment, increased automobile use, and underutilization of on-street parking. Exceptions include:

- Reduction in required off-street parking for change of use/business expansions;
- Reduction of up to five spaces for multi-family development of 15 units or more;
- Each 24 feet of on-street parking may count as one required parking space;
- Residential development may reduce parking requirements when near transit or bicycle facilities;
- Any size reduction may be available to preserve environmental resources; and
- Any size reduction may be available if a proper analysis supports the reduction.

#### **DIRECTION SOUGHT**

Staff is seeking initial direction from the Planning Commission to gauge the support of the Commission for the proposal. Additionally, staff is seeking whether items need to be added into the proposal or whether items need to be removed. It is important to note that the application of the parking exceptions and development standards proposed in 10.701A are optional development standards, not required.

#### **NEXT STEPS**

Staff will make changes per the Planning Commission's suggestions. If the Commission would like to review the changes another study session will be scheduled. Staff will take these items before the Housing Advisory Commission for comment and recommendation and will prepare a hearing schedule seeking adoption by summer of 2020.

#### **EXHIBITS**

A Proposed Text DCA-19-012

## 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 and other waterways as defined by the Comprehensive Plan

(c) Wetlands (Locally Significant wetlands as defined by the Comprehensive Plan or as defined by an applicable 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 applicable professional with the knowledge to determine the validity of said feature/resource.

**Environmental Restoration.** References activities identified in 10.924(B)(1-2), planting of native vegetation, improving water quality of wetlands or waterways, or other comparable activities that can be substantiated in the Comprehensive Plan as it relates to the natural environment of City.

\* \* \*

**Infill Development.** Development of a vacant parcel, whether due to demolition or lack of previous development, where at least 75 percent of the abutting properties have been developed and are not more than a quarter acre in size.

\* \* \*

**Open Space.** Any property or area of land or water that is designed or reserved for the public or private use that provides places for recreation, community gathering, conservation of environmental resources, or other similar uses.

\* \* \*

**Pedestrian-friendly.** Features and elements of a development that encourage walking by making it safe and convenient. Elements are dimensionally related to pedestrians, and may include small building spaces with individual entrances, 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 automobile traffic.

\* \* \*

**Significant Trees** Shall be any tree with a specific trunk diameter (as indicated below) as measured four feet above the ground (known as DBH, for “diameter at breast height”).

1. Deciduous trees: DBH of six inches or greater

2. Coniferous trees: DBH of 10 inches or greater

\* \* \*

**Transit Oriented Development/Design.** A development pattern that mixes residential, retail, and office uses (among other commercial uses) with a supporting network of roads, bicycle and pedestrian networks focused on transit and pedestrian-friendly design. For further definition, refer to the Transit Oriented Development section of the Transportation System Plan.

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

\* \* \*

Topographic features. Any existing slope, butte, rock outcropping, wetland or other physical feature of a site.

\* \* \*

## ARTICLE III - ZONING DISTRICTS

\* \* \*

### 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.

\* \* \*

~~(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 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 for the MFR-30 zoning district contained in Article V, Section 10.713, Duplex, through 10.715, Apartment.

~~(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.~~ Such residential development shall be subject only to the off-street parking and loading requirements as provided in (a) above and shall be allowed only as a conditional use pursuant to Article II, Section 10.184.

(23) Streetscape Standards. All new or reconstructed streets and streetscapes within the C-B District shall be developed according to the following standards and as identified in the Street Materials Standards List.

\* \* \*

### 10.445 Street Intersection Curb Radius Standards.

\* \* \*

(3) Curb radii for certain intersections designated for corner extensions in the Central Business District (CBD) overlay zoning district shall be consistent with Section 10.358 ~~(32)~~, Figures 13, 14 and 15.

\* \* \*

## ARTICLE V - SITE DEVELOPMENT STANDARDS

\* \* \*

### 10.701A Flexible Development Standards

(A) Purpose of Flexible Development Standards. It is the purpose of this section to provide the approving authority the discretion to allow for deviations from the development standards, as defined here-in, contained within Article V. It is the intent of this section to provide for efficient development throughout the City and provide for flexibility in site design standards for infill development and preservation and restoration of environmental resources.

#### (B) Approval of Flexible Development Standards.

The flexible development standards shall only be applied when an applicant elects to do use them in a land use application. Applicants electing to use the flexible development standards shall clearly indicate on any applicable site plan, landscape plan, architectural elevation or any applicable submittal document how the flexible development standard meet the provisions of 10.701A. Additionally, applications shall provide a brief, written narrative explaining the flexible development standards used; photo evidence may be used in a narrative to support the use of the flexible development standards.

The deviations within 10.701A shall not be considered an Exception, Type III, land use review as outlined in Section 10.186. If a proposal electing to use the flexible development standards is shown to deviate from the standards outlined in 10.701A, it shall be subject to the Exception criteria outlined in Section 10.186; all other deviations from the development standards outlined in the Medford Land Development Code shall be subject to Section 10.186, Exception.

(C) Denial of Flexible Development Standards. If the approving authority finds that an application for land use review, reviewed under this section, does not satisfy the conditions of 10.701A or Article V, the approving authority shall make such findings on the record or in the decision rendered, as applicable.

(D) Flexible Site Development Standards Permitted. The use of the flexible development standards shall only be permitted as follows:

(1) *Setbacks.* The approving authority shall approve an encroachment into the required setbacks, as set forth in Article V, by up to twenty percent or 24 inches, whichever is greater. The approving authority shall not allow setback deviations when the Hillside Ordinance applies, see Section 10.929 – 10.933. The requested deviation shall be compliant with applicable building, fire and life-safety codes. Deviations shall be permitted upon determination that one or more of the following conditions exist:

- (a) The part of the proposed structure that encroaches into the minimum setback area is necessitated by a fire, life, Americans with Disabilities Act (ADA) standard, or other public safety code requirement; or
- (b) The proposed structure will allow the preservation of existing environmental resources; or
- (c) The requested setback deviation is for environmental restoration work; or
- (d) The proposed development is considered infill; or
- (e) Deviations greater than twenty percent or 24 inches may be permitted if it can be found to meet the provisions of Section 10.707(A)(4).

(2) Lot Dimensions. 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%) or thirty feet, whichever is smaller; in the case of land area (e.g. square feet) it shall be twenty percent. Provisions of this subsection shall not apply to the land use review outlined in Section 10.158, Property Line Adjustment. When reductions in lot dimensions are proposed for a Type III land use review, 10.701A(D)(2) may only be applied to twenty percent of the total number of proposed parcels. Reductions shall be permitted upon determination that the following conditions exist:

- (a) The proposal may require lot dimension deviations in order to preserve environmental resources; or
- (b) The requested setback deviation is for environmental restoration work; or
- (c) The proposed development is considered infill development; and
- (d) When not infill development, the proposal creates four or more parcels; and
- (e) If a flag lot is created, the pole of the flag lot is no less than 30 feet;

\* \* \*

**10.707 Exceptions to Yard Requirements.**

**A. General Exceptions.** These exceptions shall be in addition to the provisions outlined in section 10.701A(E)(1). The following projections shall be permitted within the required yard area:

\* \* \*

**10.714 Multiple-Family Dwellings.**

The following standards apply to the development of multiple-family dwellings within the various residential districts. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

<b>MULTIPLE-FAMILY DWELLINGS</b> Three or more attached dwelling units.				
Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	Multiple-family dwellings in SFR-10 are permitted ONLY if the units can be individually owned			
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Minimum Lot Area (Square Feet)	15,000	9,000	8,000	
Maximum Coverage Factor (See 10.707)	50%	<del>50</del> 60%	<del>50</del> 65%	<del>50</del> 70%
Minimum Interior Lot Width	80 feet			
Minimum Corner Lot Width	90 feet			

<b>MULTIPLE-FAMILY DWELLINGS</b> Three or more attached dwelling units.				
Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
<b>Minimum Lot Depth</b>	120 feet	100 feet		
<b>Minimum Lot Frontage</b>	30 feet			
<b>Minimum Front Yard Setback</b>	20 feet EXCEPT 15 feet IF vehicular access to the garage is parallel to the street			
<b>Minimum Street Side Yard Setback</b>	15 feet EXCEPT 20 feet for vehicular entrances to garages or carports	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports		
<b>Minimum Side Yard Setback</b>	10 feet	4 feet PLUS 1/2 foot for each foot in building height over 15 feet		
<b>Minimum Rear Yard Setback</b>	20 feet	4 feet PLUS 1/2 foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street		
<b>Maximum Height (See 10.705)</b>	35 feet	<del>35</del> <u>45 feet</u>	<del>35</del> <u>55 feet</u>	<del>35</del> <u>65 feet</u>
<b>Bufferyard Setback</b>	8 feet from bufferyard to any doors on a dwelling unit			
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>				

\* \* \*

**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.

<b>COMMERCIAL AND INDUSTRIAL DEVELOPMENT</b>								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
<b>Minimum &amp; Maximum Area for Zoning District (Acres)</b>	0.5 - 3.0	None						

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
<b>Residential Standards (See 10.837)</b>	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.				N/A		
<b>Minimum Lot Area (Square Feet)</b>	7,000	15,000			7,000	20,000	10,000	
<b>Maximum Coverage Factor (See 10.706)</b>	<del>30</del> 40%	<del>40</del> 60%			<del>60</del> 70%	50%	90%	
<b>Minimum Lot Width</b>	70 feet							
<b>Minimum Lot Depth</b>	100 feet							
<b>Minimum Lot Frontage</b>	70 feet	30 feet	70 feet		30 feet	70 feet		
<b>Minimum Front &amp; Street Side Yard Building Setback</b>	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports							
<b>Minimum Side and Rear Yard Building Setback</b>	None EXCEPT 1/2 foot for each foot in building height over 20 feet							
<b>Maximum Building Height (See 10.705)</b>	35 feet	<del>85 feet</del> EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.			35 feet	<del>85 feet</del> EXCEPT 35 feet if structure is within 150 feet of a residential zoning district boundary or Special Area Plan designation.		

COMMERCIAL AND INDUSTRIAL DEVELOPMENT								
Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
<u>Maximum Building Height</u> (See 10.705)	35 feet	85 feet <u>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.</u>						
Maximum Gross Floor Area Per Business (Square Feet) Except as noted in 10.337	2,500	None	50,000	None				
Permitted Outdoor Uses	See Note 1	See Note 2				See Note 3		
<b>Note 1:</b> All uses must be located completely within an enclosed building or behind a sight-obscuring fence.								
<b>Note 2:</b> All uses, EXCEPT those customarily conducted outdoors, must be located completely within an enclosed building.								
<b>Note 3:</b> All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence.								
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>								

\* \* \*

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

\* \* \*

**B. Change 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 the number of parking and loading spaces provided may expand without having to provide additional parking and loading spaces under 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 or change in use results in the need to provide no greater than ~~twenty-five~~fifty percent (~~25~~50%) additional parking and/or loading spaces in order to meet the minimum number of required spaces, these additional spaces are waived. This provisions shall not exempt conformance with parking requirements required under the Americans with Disabilities Act (ADA);

\* \* \*

### 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 to Required Off-Street Parking for Non-Residential Uses. The approving authority may allow exceptions 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; if any of the below provisions apply. No more than two proposed deviations outlined in 10.743(3) may be used for a parking exception. The parking exceptions 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) Expansion or change of use of an existing structure, with a permitted use, may waive the first fifty percent (50%) of the new required parking. This provisions shall not exempt conformance with parking requirements required under the Americans with Disabilities Act (ADA); or

(b) In multi-family or mixed-use developments, the first five off-street parking spaces required of the residential units shall be waived when fifteen or more units are proposed;

or

(c) 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/throats; or

(d) Residential development may reduce the required off-street parking requirement by fifty percent if it is within:

(i) A quarter miler (1/4) radius of a transit stop;

(ii) A half (1/2) mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path or neighborhood bikeway; or

(e) Reductions of any amount of off-street parking shall be approved to preserve environmental resources or to allow for environmental restoration.

(f) Reductions of off-street parking, of any number, shall be approved when the applicant for land use review has produced parking needs analysis for the proposed use that demonstrates that a lower parking requirement adequately serves the parking needs of the use. This parking needs analysis shall be prepared by an Oregon registered engineer or architect or by a professional qualified to do such analysis.



## MEMORANDUM

**To:** Planning Commission  
**From:** Carla Angeli Paladino, Principal Planner  
**Date:** February 27, 2020 *for March 9, 2020 study session*  
**Subject:** 2019 Citizen Involvement Program Year-End Report

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Annually, the Planning Department updates and completes a report on the citizen involvement program and department accomplishments from the previous year. Citizen Involvement is Goal 1 of the Statewide Planning Goals and the report outlines how citizens can engage in the planning process. The Planning Commission serves as the Committee for Citizen Involvement for the City, and evaluates the annual report for corrections or additions.

The final report is provided to the City Council and made available to the public on the Planning Department's website. A copy of the 2019 report is attached for the Planning Commission's review and comments.

Planning staff is asking the Planning Commission to identify any suggested modifications to the report prior to forwarding on to the City Council.

# CITIZEN INVOLVEMENT PROGRAM YEAR END REPORT 2019

March 2020

## CITY OF MEDFORD VISION STATEMENT

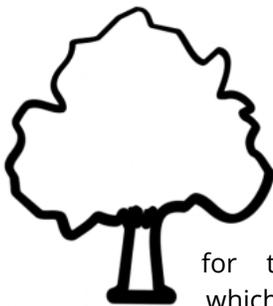
We envision Medford as an outstanding community – a fantastic place to live, work, and play.

## PLANNING DEPARTMENT MISSION STATEMENT

We are a dynamic team working with the community to shape a vibrant and exceptional city.

### HISTORY

Citizen involvement is a long-standing tradition in Medford. The first citizens' land use committee was formed in October 1974. This committee was formed by resolution of the City Council. The purpose of the committee was to evaluate the data gathered by the Planning Commission and City Council to form the *Comprehensive Plan*. The citizens' committee evaluated this data and formulated goals, policies, and a plan map



for the *Comprehensive Plan*, which was later adopted on October 16, 1975. This is also the date the Medford Citizens' Committee was appointed by City Council. Membership on this citizens' committee included 25 citizens representing virtually all occupational, social, and economic groups of the region. After the adoption of the *Comprehensive Plan* Goals, Policies and Plan Map, the citizens' committee established itself into an organizational format. The Citizens' Planning Advisory Committee (CPAC) was then established and served the community for over 35 years. The CPAC was dissolved in 2014.

### PURPOSE

As required by *Oregon Statewide Planning Goal 1*, the City of Medford is required to have a Committee for Citizen Involvement (CCI). Medford's CCI is the Planning Commission. The Planning Commission (PC) is required to ensure implementation of the citizen involvement program in conformance with all applicable laws and regulations and to continually evaluate the success of the program. The PC is responsible for preparing a formal evaluation of the citizen involvement program at least once a year for transmittal to City Council. Suggestions are encouraged to alleviate any problem areas.

### STATEWIDE PLANNING GOAL 1

Statewide Planning Goal 1 states, "To develop a citizen involvement program that insures the opportunity for all citizens to be involved in all phases of the planning process." Goal 1 requires that cities clearly define procedures by which the general public can be involved in the on-going land use planning process and incorporate the following components:



- (1) Widespread citizen involvement;

## Citizen Involvement Program Year End Report 2019

- (2) To assure effective two-way communication with citizens;
- (3) Provide the opportunity for citizens to be involved in all phases of the planning process;
- (4) To assure that technical information is available in an understandable form;
- (5) Assure feedback mechanisms so that citizens will receive a response from policy-makers; and
- (6) Financial support to insure funding for the citizen involvement program.

### *(1) CITIZEN INVOLVEMENT*



As noted, the CCI for the City of Medford is the Planning Commission. The PC broadly represents the geographic areas and interests of Medford as related to land use and land-use decisions. This Commission is composed of members appointed by the City Council in an open, well-publicized, public process. The PC has the ultimate responsibility of assisting with the development, implementation, and evaluation of the program that promotes and enhances citizen involvement in land-use planning.

### *(2) COMMUNICATION*

The City of Medford has established mechanisms to provide for effective communication



between citizens and elected and appointed officials. The various methods used in the land use planning process include: public hearing notices, on-site signs, public hearings, mailings, posters, questionnaires, on-line

surveys, face-to-face interaction, telephone assistance, and the City of Medford website.

### *(3) CITIZEN INFLUENCE*

Through the citizen involvement program, citizens have the opportunity to inventory, analyze, and evaluate elements of proposed plans and policies. The Planning Department ensures all *Comprehensive Plan* and *Land Development Code* amendment proposals are posted to the City of Medford website with a request for public comments. This opportunity to provide comments encourages citizen involvement in the development of policies and goals by which land is conserved and developed.

All development proposals are available to the public upon request. Copies of materials are found at the Medford Planning Department. Seven days prior to all public hearings, the agenda packets for the hearing are posted to the City of Medford Planning Department webpage. These agenda packets include the proposal accompanied by the Staff Report and all recommended conditions of approval. The Staff Report contains a recommendation to the approving authority.

### *(4) TECHNICAL INFORMATION*

The land use process is clearly defined in the *Medford Land Development*



*Code* (MLDC). The Planning Department works diligently to articulate and clarify this process to all customers through various media: front counter interaction, telephone inquiries, and at *Land Development Committee (LD)* meetings. LD meetings provide the opportunity for applicants to meet with city staff members to review land use applications, discuss requirements of the code, and discuss options and next steps. This meeting is held prior to the public hearing and is informal in nature.

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Additionally, all technical information contained in plans and studies is placed on the City of Medford website. The *Comprehensive Plan*, *Transportation Plan*, and *Riparian Corridors* are some examples of the documents available.

### *(5) FEEDBACK MECHANISM*

Land use decisions are made by review bodies, including the Planning Commission (PC), Site Plan and Architectural Commission (SPAC), the Landmarks and Historic Preservation Commission (LHPC), and the Planning Director. The outcomes of Commission hearings and Director decisions are mailed to those who testified at the public hearing or in writing, explaining the appeal process. Additionally, approved minutes of the hearings are posted on the City of Medford website.

### *(6) FINANCIAL SUPPORT*

The City of Medford funds the citizen involvement program in various ways. A manager, Planning staff, and Recording Secretary attend all Commission meetings (PC, SPAC, and LHPC). Additionally, Planners prepare and present staff reports at the hearings, including the City Council. The Planning Department also staffs the Bicycle and Pedestrian Advisory Committee (BPAC) and other ad hoc committees. Some recent committees have included the Joint Transportation Subcommittee/Citizen Advisory Committee (JTS/CAC), the Housing Advisory Committee, and the Neighborhood Advisory Committee for the Liberty Park Neighborhood Plan.

Staffing of all these commissions and committees requires a high level of staff resources and city funds, which results in an efficient and valuable citizen involvement program.

## **COMMISSIONS AND COMMITTEES**

All commission and committee members are citizen volunteers. The Planning Commission meets four times per month and the Site Plan and Architecture Commission meet twice per month, while the Landmarks and Historic Preservation Commission, Bicycle and Pedestrian Advisory Committee, the Community Development Grants Commission, the Housing Advisory Commission, and Transportation Commission meet one time each month unless a study session is scheduled. Ad hoc committees meet as necessary.

### *PLANNING COMMISSION*

Members of the Planning Commission apply to and are appointed by the City Council. Openings for the PC are announced using media such as press releases, web site postings, and postings in City Hall. The PC holds two public hearings per month, on the second and fourth Thursday at 5:30 p.m. Two study sessions generally are held each month, on the second and fourth Monday at noon.

### *SITE PLAN AND ARCHITECTURAL COMMISSION*

Like the PC, the Site Plan and Architectural Commission (SPAC) consist of members who are appointed by the City Council. Also like PC, SPAC position openings are posted on the City of Medford website and in City Hall. A press release is sent to all local media outlets. SPAC holds two quasi-judicial public hearings each month, on the first and third Friday at noon. Study sessions are held as needed.

### *LANDMARKS AND HISTORIC PRESERVATION COMMISSION*

The Landmarks and Historic Preservation Commission also holds quasi-judicial public hearings. Members are appointed by the City Council. The Landmarks and Historic Preservation Commission meets on the first Tuesday of the month, starting at 5:30 p.m.

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### *TRANSPORTATION COMMISSION*

The Transportation Commission is an eight member body appointed by the City Council. The Commission works with the BPAC and the Traffic Coordinating Committee to advise the City Council and the Planning Commission on all matters affecting transportation policy in the City and surrounding areas. The Commission may submit testimony and evidence in a land use matter in the same manner as any other party, but their meetings are not considered part of the land use process. This Commission meets on the fourth Wednesday of each month at 12:30 p.m.

### *BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE*

The purpose of the Bicycle and Pedestrian Advisory Committee is to advise Medford City Council through the Transportation Commission on plans and issues related to non-motorized transportation.

Membership requires appointment by the City Council. All



members must reside in the City of Medford throughout his/her term.

### *COMMUNITY DEVELOPMENT GRANTS COMMISSION*

Council appointed the new nine-member Community Development Grants Commission (CDGC) in November 2018 to administer the City's Community Development Block Grant (CDBG) and General Fund Grant programs. The CDGC holds one public meeting per month, on the first Wednesday at 5:30 p.m. Study sessions are held as needed on the third Wednesday of the month. Like PC and SPAC, position openings are posted on the City's website and in City Hall.

### *HOUSING ADVISORY COMMISSION*

Council appointed the new nine-member Housing Advisory Commission in June 2018 to administer the City's affordable housing program, advise on matters related to the City's housing stock and development, administer the construction excise tax funds also known as the Housing Opportunity Fund (HOF). The HAC holds one public meeting per month, on the second Wednesday at noon. Study sessions are held on the fourth Wednesday of the month as needed.

### *AD HOC AND SPECIAL PROJECT COMMITTEES*

The Planning Department also staffs and facilitates ad hoc committees, groups whose purpose is directly related to a specific project, Code Amendment, or Comprehensive Plan Amendment. The 2017 Housing Advisory Committee is a recent example of such a committee. It was formed to identify how to increase housing opportunities through review of regulatory barriers and economic incentives. The Committee forwarded 36 recommendations for staff and Council to evaluate. The City has completed twelve of the recommendations to date.

Membership on these ad hoc committees is generally through appointment by the City Council.

### **CITIZEN INVOLVEMENT & THE MEDFORD LAND USE PROCESS**



The City of Medford *Land Development Code* establishes the process by which land-use applications comply with the Citizen Involvement Program. These steps include the following: posting of signs on all properties with a current land-use proposal; availability to the public of submitted proposals; notice to all property owners within 200 feet of any proposed land-use application, or a minimum

## Citizen Involvement Program Year End Report 2019

of 75 properties for Planned Unit Developments (PUD); neighborhood meetings prior to submittal of a land use application (for PUDs); except for LHPC, broadcast of public hearings on local television; the recording of minutes of each public meeting; and mailing decision letters to all citizens and affected parties who testified orally or in writing to a proposed land-use application, including an explanation of their appeal rights.

### **TYPES OF LAND-USE APPLICATIONS**

There are four types of land-use applications: Type I, II, III, and IV.

#### TYPE I

Type I applications are Administrative decisions. The Planning Department Director or designee is the designated approving authority for this type of application. These types of decisions do not require public notice, a public comment period, or a public hearing.

Such applications include:

- (1) Minor Historic Reviews
- (2) Final Plats for Subdivisions and Partitions

#### Type II

Type II applications are also administrative decisions decided on by the Planning Director or designee. Decisions are rendered based on applying clear and objective approval criteria and standards while using limited discretion to determine impacts on adjacent properties. These decisions include public notice and a public comment period but do not include a public hearing.

Such applications include:

- (1) Partitions
- (2) Portable Storage Containers
- (3) SPAR-Type II (new as of 2020)

#### Type III

Type III applications are quasi-judicial actions decided by the Planning Commission, Site Plan and Architectural Commission, or the Landmarks and Historic Preservation Commission. These quasi-judicial actions may be appealed to the City Council. All Type III applications are required to receive final action within 120 days from the date the application is deemed complete unless an extension is granted. The decisions of the Planning Commission, Site Plan and Architectural Commission, or the Landmarks and Historic Preservation Commission require the application of clear, objective criteria and standards and a degree of discretion to determine compliance. These decisions include public notice and a public hearing.

Type III applications include:

- (1) Conditional Use Permits;
- (2) Exceptions;
- (3) Historic Reviews;
- (4) Tentative Plats; Subdivisions;
- (5) Park Development Review
- (6) Planned Unit Developments;
- (7) Site Plan and Architectural Reviews;
- (8) Zone Changes.

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### *Number of Type III Applications Approved 2018 and 2019*

TYPE III APPLICATIONS	APPLICATIONS APPROVED	
	2018	2019
Conditional Use Permits	8	2
Exceptions	8	8
Historic Review	17	21
Land Divisions, Partition	12	8
Land Division, Subdivisions	12	11
Preliminary Planned Unit Developments	5	2
Site Plan and Architectural Review	17	19
Zone Changes	19	15
<b>TOTAL</b>	<b>98</b>	<b>86</b>

### *Number of Type IV Applications Adopted 2018 and 2019*

TYPE IV APPLICATIONS	APPLICATIONS ADOPTED	
	2018	2019
Major Comprehensive Plan Amendments	4	1
Minor Comprehensive Plan Amendments	0	0
Major Zoning Map Amendments	1	0
Code Amendments	10	8
GLUP Map Amendments	4	6
Annexations	1	3
Street or PUE Vacations	1	5
Transportation Facilities	1	0
<b>TOTAL</b>	<b>22</b>	<b>23</b>

#### Type IV

Type IV applications are typically legislative decisions that establish policies and regulations. In some cases, the actions may be quasi-judicial. In most cases, the PC provides a recommendation to the City Council who then makes the final decision. The Council decision is based upon applicable criteria of the *Comprehensive Plan* and *Land Development Code*, compliance with the Statewide Planning Goals and Guidelines, staff analysis, comments from the referral agencies, public testimony, and any other evidence that may be provided.

Type IV applications include:

- (1) Major Comprehensive Plan Amendments;
- (2) Major Zoning Map Amendments; and
- (3) Code Amendments.

#### **PUBLIC HEARINGS/MEETINGS**

Section 10.130 of the Medford *Land Development Code* regulates the conduct of public hearings before an approving authority.

In 2018 and 2019, the identified Commissions held a combined total of 210 public meetings. The Planning Department is responsible for staffing the Planning Commission, Site Plan and Architectural Commission, Landmarks and Historic Preservation Commission, Community Development Grants Commission and the Housing Advisory Commission. Staff also presents at City Council meetings as necessary.

## Citizen Involvement Program Year End Report 2019

### *Number of Public Meetings 2018 and 2019*

APPROVING AUTHORITY	PUBLIC MEETINGS	
	2018	2019
City Council	24	24
PC	24	22
SPAC	19	21
LHPC	11	11
CDGC	2	17
HCDC	14	-
HAC	-	19
<b>TOTAL</b>	<b>94</b>	<b>114</b>

that involve notice to both affected and surrounding properties may require notice to hundreds of owners. Notification for current planning projects can vary from less than twenty to several hundred.

### **PUBLIC HEARING NOTICES**

Before public hearings can take place, various noticing requirements must first be met. As required by the *Land Development Code* and State Statute, the following methods are used to notice a public hearing. These may vary depending on the type of land use application.

- (1) The posting of signs on the subject property 21 days prior to the public hearing.
- (2) Mailed letters to all property owners within 200 feet of the subject site 20 days prior to the public hearing. PUDs are required to notice a minimum of 75 property owners;
- (3) For PUDs and Urbanization Plans, neighborhood meetings are required prior to submittal of a land use application;
- (4) Notices printed in the local newspaper ten days prior to the public hearing;
- (5) Staff reports available seven days prior to the public hearing;
- (6) The posting of staff reports and public hearing notices on the Planning Department website seven days prior to the public hearing; and
- (7) Mailed decision notices.

The amount of public notification varies per project. Some long range planning projects

## Citizen Involvement Program Year End Report 2019

### BUILDING PERMITS

The table below shows the number of permits issued for new dwelling units in the years 2017-2019.

MEDFORD PERMITS ISSUED (2017-2019)	
Housing Types	Number of Units
<b>2017</b>	
Accessory Dwelling Units	23
Duplex	4 structures/8 units
Manufactured Units -In Park/On Parcel	1/0
Multi-Family	14 structures/115 units
Single-Family Attached	0
Single-Family Detached (Building Dept. web data)	291
<b>Total</b>	<b>333 permits/ 438 units</b>
<b>2018</b>	
Accessory Dwelling Units	20
Duplex	2 (4 units)
Manufactured Units -In Park/On Parcel	10/3
Multi-Family	15 structures/146 units
Single-Family Attached	0
Single-Family Detached	302
<b>Total</b>	<b>352 permits/ 485 units</b>
<b>2019</b>	
Accessory Dwelling Units	18
Duplex	3 structures/6 units
Manufactured Units -In Park/On Parcel	6
Multi-Family	49
Single-Family Attached	3
Single-Family Detached	290
<b>Total</b>	<b>372 units</b>

### AMENDMENTS COMPLETED

The City of Medford adopted the following Comprehensive Plan and Land Development Code Amendments in 2019:



COMPREHENSIVE AMENDMENTS	PLAN	MONTH ADOPTED
Sanitary Sewer Master Plan		March

DEVELOPMENT AMENDMENTS (CHAPTER 10)	CODE	MONTH ADOPTED
Lighting Standards		March
Cross Sections, Legacy Streets, & TIA		May
Minor Historic Review		August
Cottage Housing		August
Housekeeping		August
Food Pods and Street Vending		September
Concurrency		October
Emergency Shelters		November

### HOUSING & COMMUNITY DEVELOPMENT

Planning expanded its impact on the community by incorporating the Housing & Community Development division into the department in 2017. This Division works directly to address community development, homelessness and housing issues. It administers the Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Construction Excise Tax (CET), the Homeless System Action Plan implementation funds, General Fund Grant dollars; and works with other City Departments and community partners to address blight and problem properties throughout the City along with other housing related programs.

## Citizen Involvement Program Year End Report 2019

### OTHER ACCOMPLISHMENTS IN 2019

- (1) The Land Use Board of Appeals affirmed the City's position on the Transportation System Plan
- (2) Finalized the Draft Liberty Park Neighborhood Plan
- (3) Successfully recertified as a Class 6 community through the CRS program which provides residents 20% and 10% discounts on flood insurance premiums
- (4) Planning and Parks staff won the City's first Innovation Competition and successfully commissioned a mural at Vogel Plaza
- (5) Staffed a flood awareness booth at the Preparedness & Safety Fair in September
- (6) Spear headed a new community event with RVTD called Open Streets
- (7) Partnered with Jackson County Library to promote a community book read on Jeff Speck's book *Walkable City Rules: 101 Steps to Making Places Better*
- (8) Hosted a community forum about Jeff Speck's book through the Oregon Humanities Think and Drink series
- (9) Co-sponsored the RecFest Event at Hawthorne Park with the Parks Department
- (10) Secured a Community Planning Assistance for Wildfires grant to assist with review of vegetation and ignition zone regulations
- (11) Hosted a bicycle breakfast with Public Works & RVTD for Bike to Work Week at Hawthorne Park
- (12) Installed a bicycle fix it station in Hawthorne Park
- (13) Completed a downtown residential market study with Johnson Economics
- (14) Awarded \$400,000 in loans through the Housing Opportunity Fund (HOF) to



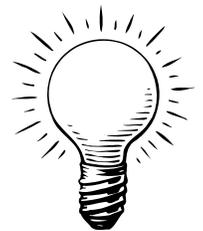
Hearts with a Mission and Columbia Care

- (15) Conducted the second annual meeting on Rent Burden – HB 4006
- (16) Completed the Homeless System Action Plan
- (17) Planning and Police were awarded \$50,000 from Providence; money will help rent a home to provide temporary supportive housing for homeless individuals transitioning from emergency shelter

### RECOMMENDATIONS FOR 2020

Some of the upcoming projects for this year include:

- (1) Adopting an implementation plan for the Liberty Park Neighborhood Plan
- (2) Updating the Downtown City Center 2050 plan
- (3) Revising the Downtown Historic Building Inventory
- (4) Urbanization Plans and Annexations will be processed for properties included in the 2018 UGB expansion areas
- (5) Developing a Climate Adaptation and Resiliency Plan
- (6) Increasing the City's floodplain rating through the Community Rating System to a Class 5
- (7) Updating the 2020-2024 Consolidated Plan for Housing and Community Development
- (8) Implementing the Homeless Reunification Program
- (9) Modifying code regulations related to HB 2001, middle housing changes



## Citizen Involvement Program Year End Report 2019

### **QUESTIONS OR COMMENTS**

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