



## City Council Study Session

# Agenda

**May 30, 2019**

**6:00 p.m.**

**City Hall, Medford Room**

**411 W. 8<sup>th</sup> Street, Medford, Oregon**

1. Planning Code Amendments
2. Council Goal Setting

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City of Medford

# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## MEMORANDUM

Subject 2019 Housekeeping & Other Regulatory Changes  
File no. DCA-19-001  
To Mayor & City Council *for May 30, 2019, study session*  
From Sarah Sousa, Planner IV  
Date May 16, 2019

### COUNCIL DIRECTION

For this study session, please review the attached code amendments. Staff is seeking feedback and recommended changes on the proposed revisions.

### PRESENTATION OUTLINE

- Presentation and information – Sarah Sousa
- Discussion & Direction – Mayor and City Council

### PREVIOUS STUDY SESSIONS ON THE TOPIC

- None

### BACKGROUND

Each year the Planning Department prepares a list of housekeeping corrections and clarifications needed for Chapter 10 of the Medford Municipal Code. In addition to code fixes, amendments are included to address bike parking, support density, and remove housing barriers. Changes proposed this time around are based upon the input of staff, the Housing Advisory Committee, the Planning Commission, the Bicycle and Pedestrian Advisory Committee, Technical Advisory Committee, and Opticos Design, Inc., a city-hired consultant.

Prior to the newly formed Housing Advisory Commission, a Housing Advisory Committee was formed in 2017 to review economic incentives and regulatory changes to promote housing in Medford. In February 2018, the Council directed staff to begin working on those recommendations. Seven of the nineteen regulatory amendments proposed by the committee have already been approved by the Council including:

- 1) Creating a director level review of minor partitions;
- 2) Modifying the density calculation method;
- 3) Allowing residential care facilities in the multifamily zones;
- 4) Modifying the zone change locational criteria for the SFR-6 zone;
- 5) Allowing the conversion of single family homes in the commercial zones to convert back and forth between residential and commercial;
- 6) Expanding where accessory dwelling units are permitted, and
- 7) Modifying minimum access easement standards.

A few of the recommendations are also addressed in this group of amendments, including:

- Adding locational criteria to SFR-4 (Single Family Residential – 4 dwelling units per gross acre) zone changes to address constraints such as steep slopes and wildfire areas (pages 7 and 8 of the draft language);
- Changing locational criteria to SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zone changes to promote density (page 8 of the draft language); and
- Providing flexibility for buildings originally built as residential in the commercial zones to promote density and mixed-use (page 1 of the draft language).

The City was awarded a technical assistance grant from the Oregon Department of Land Conservation and Development (DLCD) at the end of 2017. With the funds, the City hired two consultants to work on economic programs and regulatory changes that the City can implement to encourage more housing in Medford. Opticos Design, Inc. was selected to make recommendations to the City related to the regulatory changes. A Technical Advisory Committee was required to be formed to review the consultant's work. The group (made up of developers, affordable housing advocates, architects, land use consultants, Planning Commissioners, and staff) met four times beginning in October of 2018 and ending in March of 2019. Staff is currently working on many of these recommendations. Three of which are included in the housekeeping amendment:

- Allowing duplexes in the SFR-4 and SFR-6 zones without the requirement to be divided by a lot line to simplify the process by eliminating the subdivision requirement (pages 16 and 17 of the draft language);
- Matching lot width for duplexes in the SFR-4 and SFR-6 zones with detached single family standards to promote a more efficient use of land (pages 16 and 17 of the draft language); and
- Changing building height measurement calculation to make it easier to administer (pages 10-13 of the draft language).

Since the building height measurement calculation is proposed to change, the Fire Department asked if this could also address measuring building height on steeper slopes. Currently, the building height is only measured on the front elevation for the purposes of side and rear yard setbacks. For properties that slope down from the street this can often result in a one story side

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setback even if the rear of the property has a two-story configuration. The one-story setback is not adequate for positioning of ladders needed to provide emergency access and evacuation during fires. Due to that reason, the Fire Department asked to have the rear elevation measured for the purpose of side and rear yard setbacks for these steeper sloped properties. As a result, one of the proposed amendments includes:

- Changing building height measurement calculation for steeper sloped properties (pages 10-13 of the draft language).

The Planning Commission reviewed the proposed changes at a study session on April 22, 2019. They recommended removing a proposed amendment related to increasing the building height for structures in the Heavy Commercial zone. Staff has since removed this from the list, but will be reviewing it in future code amendments. They also recommended some changes to the bike parking location and racks which staff has also modified.

The commission expressed concerns about the changes to the zone change locational criteria for the SFR-10 zone. The proposal is to allow properties to rezone if they are within 200 feet of a SFR-10 zone. The current standard requires properties to be abutting. The Planning Commission was concerned that if the abutting requirement is removed, the continuity of a neighborhood zoning might get disrupted. Staff has kept this amendment in the proposal for consideration as it helps make the SFR-10 zoning more attainable to increase density and diversify housing types.

The second proposed locational requirement change includes reducing the acreage size for properties that are not abutting SFR-10 from 5 acres down to 3 acres. The Commission wanted more information about how many 3 acre properties (currently zoned SFR-00) are adjacent to SFR-4. They were also concerned with how this would affect the Southeast Area. Since the study session, staff has added a provision that allows SFR-00 properties in the Southeast to keep the current allowance of obtaining the SFR-4 zone. Also, staff has found there are 19 undeveloped properties zoned SFR-00 abutting the SFR-4 zone outside of the Southeast Area.

Planning staff also met with the Bicycle and Pedestrian Advisory Committee on May 13, 2019, to review changes to the bicycle parking regulations. The committee supports the changes proposed including:

- Changing bike parking locational requirements (page 20 of the draft language);
- Adding bike parking rack standards (page 21 of the draft language); and
- Adding a diagram for bike parking spaces (page 21 of the draft language).

Planning staff has also added amendments to help remove housing barriers including:

- Eliminating one-story restrictions for attached units within 20 feet of single family zoning (pages 15 and 19); and

- Changing site development standards for multi-family buildings in commercial zones to match commercial standards (page 23).

Staff prepared a complete list of the proposed housekeeping changes in Exhibit A.

## **TIMELINE**

The proposed amendments are scheduled for a Planning Commission hearing on June 13, 2019, and a City Council hearing on July 18, 2019.

## **EXHIBITS**

- A Amendments Table
- B Draft Code Amendments to Chapter 10 of the Medford Municipal Code

## EXHIBIT A

2019 HOUSEKEEPING & OTHER REGULATORY CHANGES 2019				
	Description of Amendment	Code Section	House Keeping Change	Other Change
1.	Expanded non-conforming allowance for residential structures in commercial zones	10.033(2)		✓
2.	Added major and minor modifications for Park Development Reviews to procedure table / Corrected Code reference to final plats	10.108-1	✓	
3.	Added revisions and neighborhood meetings to PUD noticing table	10.124-1	✓	
4.	Correction to referenced code section	10.188(H)(3)	✓	
5.	Directed all PUD noticing to table in Section 10.124-1	10.190(C)(e) 10.190(3) 10.194(C)	✓	
6.	Added locational criteria for SFR-4	10.204(B)(2)(b)		✓
7.	Added an additional locational criterion for SFR-10	10.204(B)(2)(c)		✓

	Description of Amendment	Code Section	House Keeping Change	Other Change
8.	Correction to show duplexes are allowed in SFR-4 without requirement to be on a corner	10.314 (2)	✓	
9.	Changed building height measurement calculation & how to measure buildings on steeper slopes	10.705(A)		✓
10.	Eliminated one-story restriction for townhomes within 20 feet of single family zoning	10.712		✓
11.	Eliminated requirement that duplexes have to be divided by a lot line in the SFR-4 & SFR-6 zones	10.713		✓
12.	Reduced lot width requirements for duplexes in SFR-4 & SFR-6	10.713		✓
13.	Eliminated one-story restriction for multi-family buildings within 20 feet of single family zoning	10.714		✓
14.	Clarified that multi-family design standards apply to multi-family units (not townhomes)	10.716A	✓	
15.	Reduced window inset from 3 inches to 1.5 inches in multi-family design standards	10.717(4)	✓	

	<b>Description of Amendment</b>	<b>Code Section</b>	<b>House Keeping Change</b>	<b>Other Change</b>
16.	Added bike parking requirement with parking lots	10.747		✓
17.	Changed wording of bike parking location	10.749		✓
18.	Added bike parking dimensional diagram	10.750 (2)	✓	
19.	Added bike parking rack types and diagrams	10.750(6)		✓
20.	Corrected noise standard Code reference	10.752(B)(1)	✓	
21.	Added language to attached ADUs to provide for ADUs to be above or below an existing residence	10.821	✓	
22.	Added language to clarify conversion of existing space to an ADU does not have to be existing <b>habitable</b> space	10.821(B)(5)	✓	
23.	Clarified small food vendors are subject to drive-thru restaurant parking.	10.823	✓	
24.	Clarified the amount of landscaping required for equipment related to wireless communication facilities.	10.824(F)(2)(c)	✓	

	Description of Amendment	Code Section	House Keeping Change	Other Change
25.	Changed site development standards for multi-family buildings in commercial zones to match commercial standards	10.837		✓
26.	Corrected constraints analysis to allow City Engineer 10 days to review for completeness	10.933	✓	

## EXHIBIT B

### Housekeeping & Other Regulatory Changes 2019

(Blue lettering = proposed addition / Red strikeout = words to be removed)

#### ARTICLE I

##### 10.033 Continuation of Nonconforming Development.

(2) ~~A structure in any commercial zone that was originally built as a single family home may be converted to a permitted commercial use and then converted back to its original residential use subject to the requirements of the Building Code.~~ An existing structure in any commercial zone that was originally built for residential use may be converted to a permitted commercial use and then converted back to a residential use, subject to the requirements of the Building Code with the following allowances:

- (a) The minimum density requirement does not have to be met;
- (b) There may be a mix of residential and commercial uses within the same building without a required amount of square footage attributed to either.

#### ARTICLE II

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Annexation	IV	Urbanization, 10.216	City Council	No
Appeal of Final PUD Plan Decision	I	10.140(F)(3)	Planning Commission	No
Appeal of Minor Historic Review Decision	I	10.140(F)(4)	LHPC	No
Appeal of Type II Decision	III	10.140(G)	Planning Commission	Yes
Appeal of Type III Decision	IV	10.140(H)	City Council	Yes

Appeal of Type IV Decision	IV	10.140(I)	LUBA	No
Comprehensive Plan Amendment, Major	IV	Review & Amendment, 10.220	City Council	No
Comprehensive Plan Amendment, Minor	IV	Review & Amendment, 10.222	City Council	No
Conditional Use Permit	III	10.184	Planning Commission	Yes
De Minimis Revision(s) to an Approved PUD Plan	I	10.198	Planning Director	No
Exception	III	10.186	PC/LHPC/SPAC	Yes
Final PUD Plan	I	10.196	Planning Director	No
Final Plat, Subdivision or Partition	I	10.1602	Planning Director	No
General Land Use Map Amendment, Major	IV	GLUP, Review & Amendment, 10.220	City Council	No
General Land Use Map Amendment, Minor	IV	GLUP, Review & Amendment, 10.222	City Council	No
Historic	III	10.188	LHPC	Yes
Land Development Code Amendment	IV	10.218	City Council	No
Minor Historic Review	I	10.148	Planning Director	No
Major Modification to a Site Plan & Architectural Review Approval	III	10.200(H)(1)	SPAC	Yes

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(H)(2)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(D)(1)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	10.184(E)(2)	Planning Director	No
Major Modification to an Approved Park Development Review	III		Planning Commission	Yes
Minor Modification to an Approved Park Development Review	I		Planning Director	No
Nonconformities	I	10.032-10.036	Planning Director	No
Portable Storage Containers	II	10.840(D)(6)	Planning Director	Yes
Park Development Review	III	10.185	Planning Commission	Yes
Pre-Application	I	10.156	Not Applicable	No
Preliminary PUD Plan	III	10.190-10.198	Planning Commission	Yes
Property Line Adjustment	I	10.158	Planning Director	No
PUD Plan Revision(s)	III	10.198	Planning Commission	Yes
PUD Plan Termination	III	10.198	Planning Commission	Yes
Riparian Corridors, Reduction, or Deviation	I	10.927	Planning Director	No
Sign Permit	I	10.1000-10.1810	Planning Director	No
Site Plan and Architectural Review	III	10.200	SPAC	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
Tentative Plat, Subdivision	III	10.202	Planning Commission	Yes
Transportation Facility Development	IV	10.226	City Council	No
Urban Growth Boundary Amendment, Major	IV	Urbanization, 10.220	City Council	No
Urban Growth Boundary Amendment, Minor	IV	Urbanization, 10.222	City Council	No
Urbanization Plan	IV	10.200(B)(4)	City Council	No
Vacation of Public Right-of-Way	IV	10.226	City Council	No
Wireless Communication Facilities in Public Right-of-Way	I	10.824(G)	Planning Director	Yes
Zone Change, Major	IV	Review & Amendment, 10.220	City Council	No
Zone Change, Minor	III	10.204	Planning Commission	Yes

Table 10.124-1: Notice of Public Hearing Schedule by Procedure Type			
Procedure Type	Newspaper Publication	On-Site Public Hearing Sign	Affected Property Owners Notice
Type I	None	None	None
Type II	None	None	Within 14 calendar days of deeming an application complete, notice will be sent to all property owners within 200 feet of the project boundaries.
Type III: Conditional Use Permit, Exception, Park Development Review, Preliminary PUD Plan, Zone Change	Notice shall be published no later than 10 days prior to the public hearing date before the approving authority.	A sign shall be placed on the subject property 21 days prior to the public hearing date.	21 days prior to the public hearing date notice will be sent to all property owners within the project boundaries plus all property owners within 200 feet of the project boundaries.  For Preliminary PUD Plans, Major Revision to a PUD, or neighborhood meetings, in addition to the above requirement that owners within the PUD are noticed and property owners within 200 feet of the PUD project boundary, the owners of no less than 75 tax lots shall be notified. If 75 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.

**10.188 Historic Review.**

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**(H) Historic Review Application Content**

An application for Historic Review shall include the information and materials listed below:

- (1) Application form.
- (2) All information requested on the application form.
- (3) Findings of fact demonstrating compliance with the approval criteria in Section 10.188(c)10.258, Historic Review, Approval Criteria.
- (4) Appropriate fee.

In addition to that listed, the City may require the applicant to submit additional information deemed necessary to take action on an application in accordance with this Code and applicable State laws.

**10.190 Planned Unit Development (PUD) – Application and Approval Provisions.**

**(C) Application for a Preliminary PUD Plan.**

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~~(e) The names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor’s Office, shall be submitted in accordance with the noticing requirements listed in Section 10.124-1. located within the PUD boundary and located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy five (75) tax lots shall be notified of the pending land use hearing. If seventy five (75) tax lots are not located within two hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy five (75) tax lots may be required. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each parcel.~~

(f) A conceptual stormwater facility plan with associated landscape plan, if applicable, pursuant to Sections 10.486(B) or 10.729(B).

(g) Documentation of pre-submittal PUD Neighborhood Meeting. Documentation shall include:

(i) A copy of a Certificate of Mailing for the neighborhood meeting notification mailing pursuant to Section 10.194(C);

(ii) A completed Verification of Neighborhood Meeting form attesting to the contents of the materials provided or reviewed at the meeting;

- (iii) A set of the notification materials listed in Section 10.194 (B); and,
- (iv) The signature sheet(s) from the Neighborhood Meeting.

(2) An applicant may postpone the submission and approval of architectural plans for proposed buildings and to have such plans approved later as a separate matter under Section 10.192(I) after the Preliminary PUD Plan has been approved. When the approval of architectural plans has been postponed, the Preliminary PUD Plan shall show a conceptual footprint for each planned building and each building footprint shall be separately enclosed by a dashed line which shall be called and labeled a building envelope. Building envelopes shall reasonably anticipate and define the maximum extent of the footprint for each building in the PUD.

(3) Extended Notification Area, PUD. The application for Preliminary PUD Plan shall include the names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, **in accordance with the noticing requirements listed in Section 10.124-1.** ~~located within the PUD boundary and located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy five (75) tax lots shall be notified of the pending land use hearing. If seventy five (75) tax lots are not located within two hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy five (75) tax lots may be required. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each parcel.~~

#### 10.194 Preliminary PUD Plan – Neighborhood Meeting Requirement.

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#### (C) Scheduling and Noticing Neighborhood Meeting, Preliminary PUD Plans.

It shall be the responsibility of the applicant to schedule the neighborhood meeting and provide adequate notification of the meeting. The applicant shall send mailed notice of the neighborhood meeting **in accordance with the noticing requirements listed in Section 10.124-1.** ~~to the owners of no less than 75 of the nearest tax lots regarding the neighborhood meeting. If 75 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 a minimum of 75 tax lots are included in the notification area. The owners of all tax lots within the extended notification shall receive written notice; therefore, noticing of more than 75 tax lots may be required.~~ In addition to the affected property owners, the applicant shall also provide notice to the Planning Department. The applicant shall use the Jackson County Tax Assessor's property owner list from the most recent property tax assessment roll. The notice shall be mailed a minimum of 15 days prior to the neighborhood meeting which shall be held in Medford on a weekday evening. A certificate of mailing attesting to the date of mailing and the name and signature of the agent responsible for mailing said notices

shall be prepared and submitted to the Planning Department in accordance with the materials identified in the application for Preliminary PUD Plan. The notice for PUD neighborhood meeting shall include:

- (1) Date, time and location of the neighborhood meeting; and,
- (2) A brief written description of the proposal; and,
- (3) The location of the subject property, including address (if applicable), nearest cross streets and any other easily understood geographical reference, and a map (such as a tax assessor's map) which depicts the subject property.

#### 10.204 Zone Change.

##### (A) Zone Change Initiation.

A zoning district boundary change may be initiated by the Planning Commission either on its own motion or at the request of the City Council, or by application of the property owner(s) in the area subject to the zone change.

##### (B) Zone Change Approval Criteria.

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.
- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

(a) For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:

- (i) if at least 70% of the area proposed to be re-zoned exceeds a slope of 15%,
- (ii) if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.

(b) For zone changes to SFR-4, the zoning shall be approved under any of the following circumstances:

- (i) if at least 70% of the area proposed to be re-zoned exceeds a slope of 12%; or

- (ii) if area to be rezoned is within a wildfire hazard zone;
- (iii) if the property to be rezoned is one gross acre or less in size; or
- (iv) if the property to be rezoned is within the Southeast Area Overlay.

(bc) For zone changes to SFR-10 ~~where the permitted density is proposed to increase~~, one of the following conditions must exist:

~~(i) At least one parcel that abuts the subject property is zoned SFR-10; or~~

(i) At least one parcel within 200 feet of the subject property is zoned SFR-10; or

(ii) The area to be re-zoned is ~~five~~ three acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.

(e-d) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:

(i) The overall area of the C-N zoning district shall be three acres or less in size and within, or abutting on at least one boundary, with residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.

(ii) The overall area of the C-C zoning district shall be over three acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.

(iii) The overall area of the C-R zoning district shall be over three acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential or I-H zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(de) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:

(i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(ii) The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(iii) The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(ef) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one or more of the following criteria:

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one zone;

(ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;

(iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or

(iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

(fg) For zone changes to apply or to remove an overlay zone (Limited Industrial, Exclusive Agricultural, Freeway, Southeast, Historic) the criteria can be found in the applicable overlay section (Sections 10.345 through 10.413).

**ARTICLE III**

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)
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**2. MULTIPLE  
FAMILY  
RESIDENTIAL**

<del>(a) Duplex Dwelling— Interior Lot</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>Ps</del>	<del>Ps</del>	<del>Ps</del>	<del>Ps</del>	
(a) Duplex Dwelling	X	X	P	P	P	P	P	P	

**ARTICLE V**

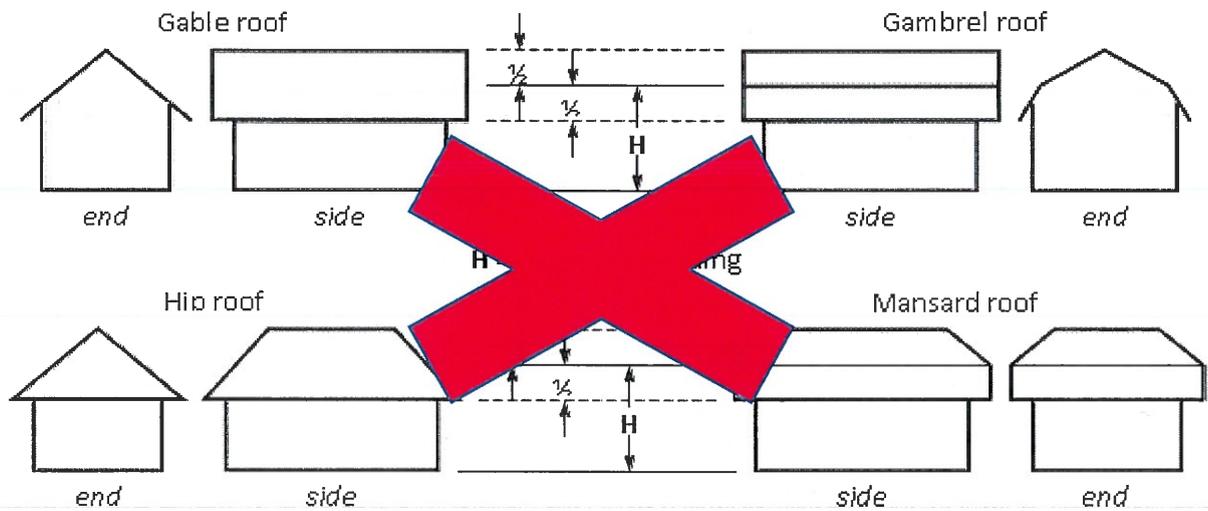
**10.705 Building Height and Side-Yard Determination**

A. **Calculation.** Building height shall be determined by measuring the vertical distance from the average contact ground level at the front wall of the building to the highest ~~point of the roof surface for flat roofs; and to the average height between eaves and ridge for gable, hip, mansard, and gambrel roofs~~ top plate. For properties that slope downward from the street, the building height shall be measured from both the front and rear elevations as per the following:

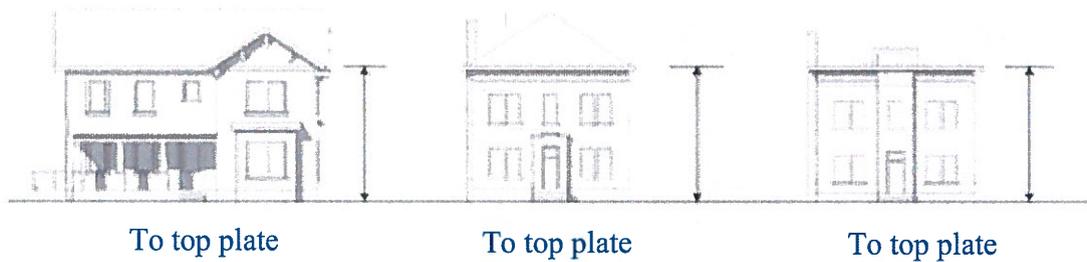
(1) The measurement of the front wall shall be calculated as listed above in subsection A. The measurement of the back wall shall be calculated measuring the vertical distance from the lowest contact ground level at the back wall of the building to the highest top plate. If the back elevation is higher than the front wall elevation, the rear elevation shall be used for purposes of side and rear yard setbacks.

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

- (1) Chimneys, church spires, belfries, cupolas, flag poles, antennas, support structures and antennas for amateur radio operations (as per ORS 221.295), and other similar projections that are accessory to the permitted use.
- (2) Wireless communication transmission towers, which are subject to the Special Use Standards contained in Section 10.824.
- (3) Public utility service facilities, which are subject to the Special Use Standards contained in Section 10.830.



### How to Measure Building Height



#### C. Determining Side-Yards for Detached Single-Family, Duplex Dwellings, and Townhomes.

1) Side-yards are calculated using the building height measured at the adjacent contact ground level at the outside edges of the front wall of the building. The side-yard is measured from property line to the nearest vertical structural element (i.e. wall or post) of any area under roof cover. For properties that slope downward from the street, the measurement for determining side yard setbacks is listed in Section 10.705(A)(1).

2) The side-yard is based on the following building heights:

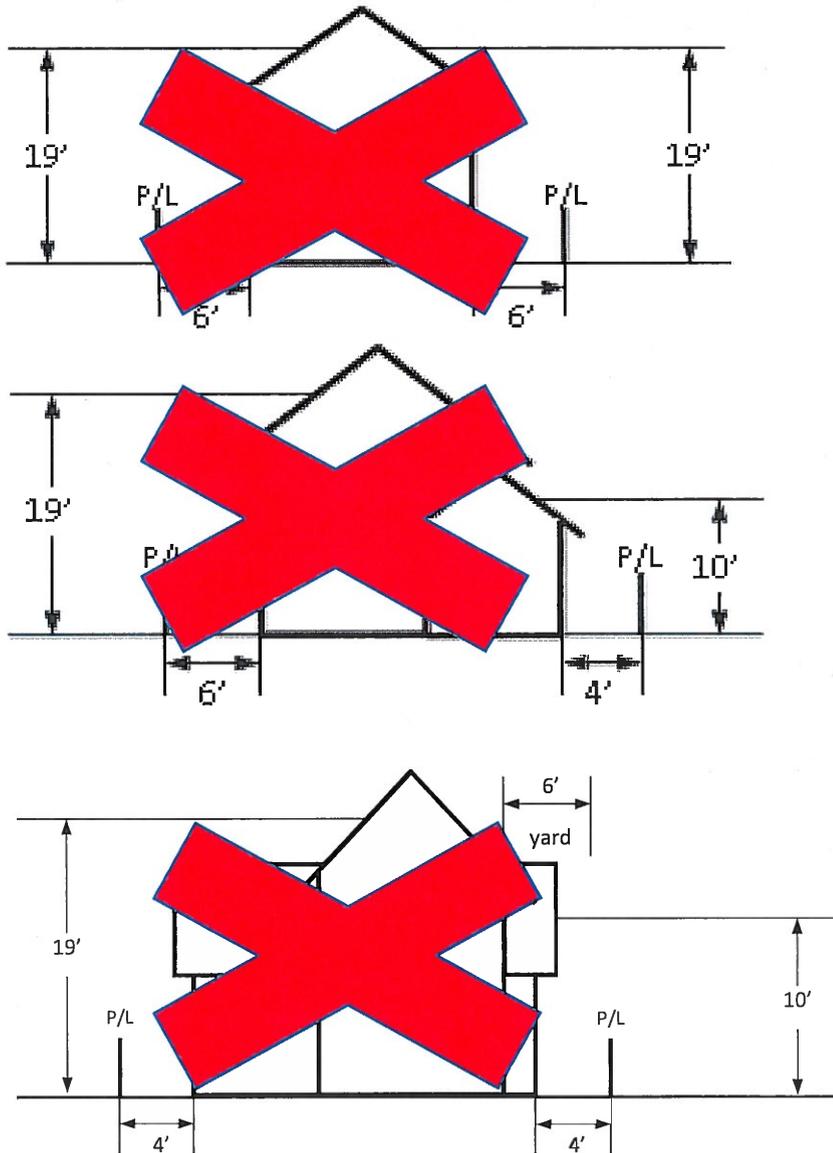
Table 10.705-1

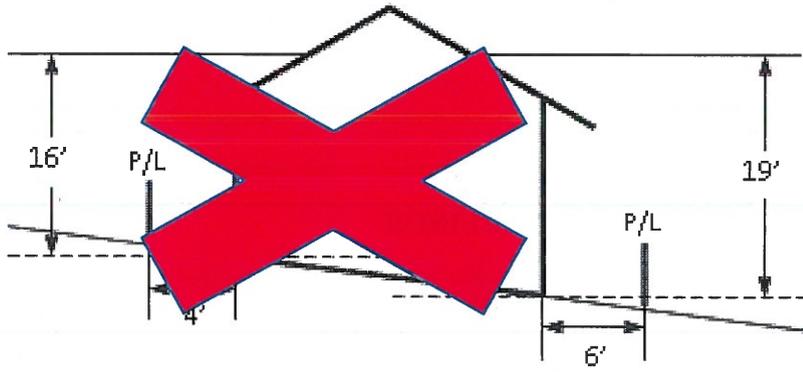
Building Height Range:	Required Yard:
0 – 18 feet	4 feet
19 – 22 feet	6 feet
23 – 26 feet	8 feet
27 – 30 feet	10 feet
31+ feet	12 feet

Note: Height is rounded to the nearest whole number (up for numbers 0.5 and greater, and down for numbers less than 0.5)

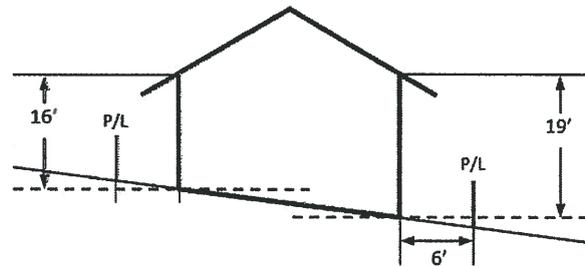
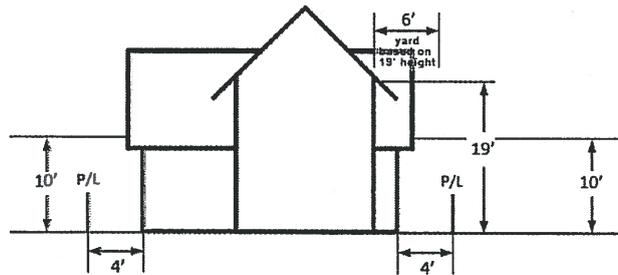
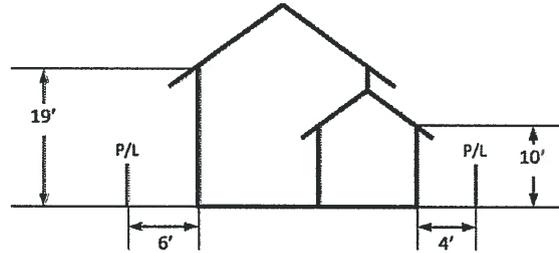
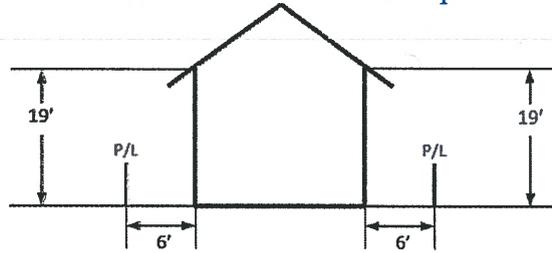
Note: Minimum required yards allow for a maximum one-foot eave overhang. Required yards for buildings with an eave overhang greater than one foot shall be increased in direct correlation. (See Section 10.707).

### Side Yard Examples





Side Yard Setback Examples



**10.712 Townhouse Dwellings.**

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<b>TOWNHOUSE DWELLINGS</b>			
Three or more attached dwelling units, with each unit on a separate tax lot, occupying the interior space from ground to roof, and having direct access to individual private outdoor space.			
Development Standards	SFR-10	MFR-15	MFR-20
<b>Minimum and Maximum Density Factor Range</b> (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
<b>Lot Area Range</b> (Square Feet)	3,250 to 8,125	2,500 to 4,500	1,800 to 3,000
<b>Maximum Coverage Factor</b> (See 10.706)	50%		
<b>Minimum Interior Lot Width</b>	25 feet	20 feet	
<b>Minimum Corner Lot Width</b>	35 feet	30 feet	
<b>Minimum Lot Depth</b>	90 feet	90 feet	
<b>Minimum Lot Frontage</b>	25 feet	20 feet	
<b>Minimum Front Yard Building Setback</b>	15 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
<b>Minimum Street Side Yard Building Setback</b>	10 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
<b>Minimum Side Yard Building Setback</b> (side not attached to building)	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30 feet building height 12 feet for 31 feet or taller building height		
<b>Minimum Rear Yard Building Setback</b>	10 feet *	10 feet *	
<b>Maximum Height</b> (See 10.705)	35 feet		
<b>Bufferyard Setback</b>	8 feet from bufferyard to any doors on a dwelling unit		

**TOWNHOUSE DWELLINGS**

Three or more attached dwelling units, with each unit on a separate tax lot, occupying the interior space from ground to roof, and having direct access to individual private outdoor space.

<b>Development Standards</b>	<b>SFR-10</b>	<b>MFR-15</b>	<b>MFR-20</b>
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~~\* Those portions of any townhouse dwelling located within 20 feet of any property line common with property containing single family zoning shall not exceed one story.~~

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

**MORE ON NEXT PAGE..**

**10.713 Duplex Dwellings.**

The following standards apply to the development of duplex 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>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	<del>A duplex SHALL be divided by a lot-line.</del> A duplex is permitted on a lot if it meets the density calculation.	<del>A duplex SHALL be divided by a lot-line.</del> A duplex is permitted on a lot if it meets the density calculation.	<del>A duplex need not be divided by a lot-line.</del> A duplex is permitted on a lot if it meets the density calculation.	One or more duplexes are permitted on a single site when density is met.		
Minimum and Maximum Density Factor Range (See 10.708)	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	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
Lot Area Range (Square Feet)	8,500* to 18,750* <del>each half</del>	6,000* to 12,500* <del>each half</del>	6,000* to 12,500*	5,000* to 12,500*		
Maximum Coverage Factor (See 10.706)	50%		50%			
Minimum Interior Lot Width	<del>75 feet each half</del> 60 feet*	<del>60 feet each half</del> 50 feet*	50 feet*			
Minimum Corner Lot Width	<del>75 feet each half</del> 70 feet*	60 feet* <del>each half</del>	60 feet*			
Minimum Lot Depth	90 feet					

<b>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Minimum Lot Frontage	<del>15 feet each half</del> 30 feet*					
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet (see Garage Setback Diagram in Section 10.710)					
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports					
Minimum Side Yard Building Setback	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23 –26 feet building height 10 feet for 27 –30 feet building height 12 feet for 31 feet or taller building height					
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.					
Maximum Height (See 10.705)	35 feet					
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit					
<del>Where the duplex is REQUIRED to be divided by a lot line (SFR-4 and SFR-6), THEN the standards pertain to each half separately.</del>						
<del>For the other zoning districts, the The* indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot line, THEN T</del> two DETACHED dwelling units are permitted in lieu of the duplex.						
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>						

**MORE ON NEXT PAGE..**

**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%			50%
Minimum Interior Lot Width	80 feet			
Minimum Corner Lot Width	90 feet			
Minimum Lot Depth	120 feet	100 feet		
Minimum Lot Frontage	30 feet			
Minimum Front Yard Setback	20 feet- <sup>*</sup> EXCEPT 15 feet IF vehicular access to the garage is parallel to the street			

<b>MULTIPLE-FAMILY DWELLINGS</b> Three or more attached dwelling units.				
Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
<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			
<b>Bufferyard Setback</b>	8 feet from bufferyard to any doors on a dwelling unit			
<del>• Those portions of any multiple family dwelling located within 20 feet of any property line common with property containing single family zoning shall not exceed one story.</del>				
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>				

**10.716A Multiple-Family Dwelling, Special Development Standards, Applicability.**

A. The requirements of Sections 10.717 through 10.719 shall apply to all multiple-family dwellings consisting of three or more attached dwelling units [as per Section 10.714](#).

**10.717 Multiple-Family Dwellings, Special Development Standards.**

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(4) Windows shall be inset a minimum of ~~3~~ 1.5 inches from the adjacent wall plane, or fully surrounded by trim in order to create the necessary minimum inset depth of ~~3~~ 1.5 inches.

#### 10.747 General Provisions, Bicycle Parking.

The bicycle parking and storage provisions are intended to provide bicycle parking facilities to accommodate bicycle travel and encourage additional bicycle trips.

Bicycle parking facilities shall be either lockable enclosures in which the bicycle is stored or stationary racks which accommodate bicyclist's locks securing the frame and both wheels. Bicycle racks or lockers shall be securely anchored to the surface or to a structure.

If 10 or more bicycle parking spaces are required, then at least 50% of the bicycle parking spaces shall be covered. For the purposes of this section, covered parking may include placement underneath an awning, eave or other overhang or other facility as determined by the approving authority that protects the bicycle from direct exposure to the elements.

Bicycle parking shall be separated from motor vehicle parking and maneuvering areas by a barrier or sufficient distance to prevent damage to parked bicycles.

Any building expansion, or any new construction (excluding two-family and three-family dwellings), **or new parking facilities, including parking lot expansions**, shall bring the property into conformance with the Bicycle Parking and Storage Regulations.

When required by this code, the site development plan shall include a bicycle parking plan, drawn to scale and submitted with the development permit application. The plan shall show all those elements necessary to indicate that the requirements of this code are being fulfilled.

#### 10.749 Location of Bicycle Parking Facilities.

Required bicycle parking facilities shall be located on-site in well lighted, secure locations within 50 feet of well-used entrances **or inside a building in a suitable, secure, and accessible location. and not farther from the entrance than the closest automobile parking space.** Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. ~~Bicycle parking may also be provided inside a building in suitable, secure and accessible locations.~~ Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

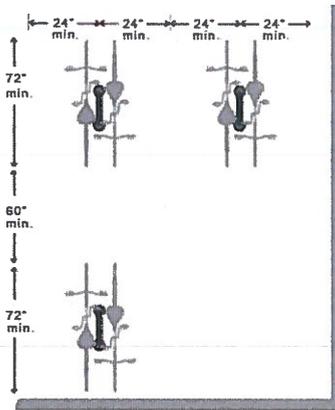
#### 10.750 General Design Requirements for Bicycle Parking.

All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards:

(1) **Surfacing:** Outdoor bicycle parking facilities shall be surfaced in the same manner as a motor vehicle parking area or with a minimum of a three-inch thickness of hard surfacing (i.e., asphalt, concrete, pavers or similar material). This surface will be maintained in a smooth, durable and well-drained condition.

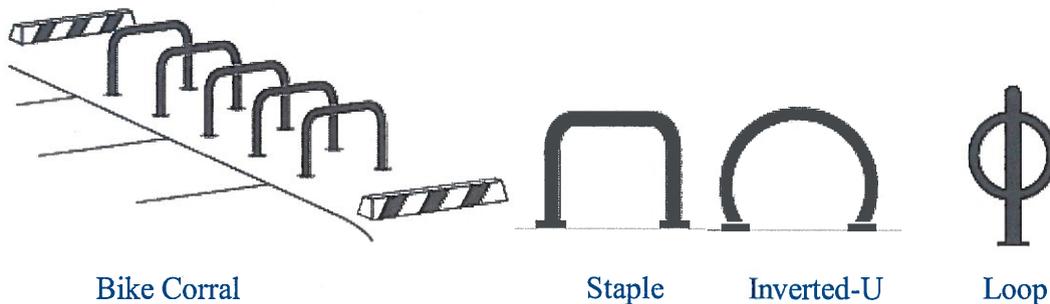
(2) **Parking Space Dimension Standard:** Bicycle parking spaces shall be at least 6 feet long and 2 feet wide with minimum overhead clearance of 7 feet.

### Bike Parking Dimensional Standards



- (3) **Lighting:** Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use.
- (4) **Aisles:** A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.
- (5) **Signs:** Where bicycle parking facilities are not directly visible from the public rights-of-way, entry and directional signs shall be provided to direct bicycles from the public rights-of-way to the bicycle parking facility.
- (6) **Rack Type:** Bicycle parking shall consist of racks that provide two points of contact with the frame at least 6 inches apart horizontally and have a minimum height of 32 inches. The approving authority may authorize other means of bicycle parking that provides protection, such as bike lockers or secured bicycle group enclosures. The wave rack style shall not be permitted.

### Examples of Acceptable Bike Rack Types



10.752 **Noise Standards and Regulations for Commercial and Industrial Sources.**

**B. New Noise Sources.**

(1) **New Sources Located on Previously Used Sites:** No person owning or controlling a new industrial or commercial noise source located on a previously used industrial or commercial site shall cause or permit the operation of that noise source if the statistical noise levels generated by the new source and measured at an appropriate measurement point, specified in Section 10.752.FB(2), exceed the levels specified in Table 752-2, except as otherwise provided herein.

10.821 **Accessory Dwelling Unit (ADU).**

For the purposes of this Chapter, a single-family dwelling with an accessory dwelling unit (ADU), as defined herein, shall not be considered a duplex or multiple-family dwelling. ADUs are defined as either:

Accessory Dwelling Unit - Attached (ADU-A). An ADU-A is attached to the primary dwelling unit by a shared wall or as an additional story above or below the primary dwelling unit.

\*\*\*\*

(5) Conversion of existing **habitable** space within the primary dwelling to an Attached ADU (ADU-A) **may shall** not be subject to the provision of 10.821(B)(4). When deviating from 10.821(B)(4) the ADU-A shall **be not exceed** 50 percent **or less in of the** GHFA **than of** the primary dwelling.

10.823 **Small Food Vendors.**

(1) “Small Food Vendor” means any site-built or prefabricated structure that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service that is a maximum size of 128 square feet and is located on one site or tax lot for any period of 24 hours or more.

(2) Small food vendors shall be permitted in the C-S/P, C-N, C-C, C-H, C-R, I-L, and I-G zoning districts and subject to the following standards:

A. The exterior length and width dimension of the small food vendor unit (“unit”), when multiplied, shall enclose no more than 128 square feet. If the unit exceeds 128 square feet, the application must be reviewed and approved by either the Site Plan and Architectural Commission or the Landmarks and Historic Preservation Commission as

a ~~standard~~ drive-through restaurant under this chapter and is not subject to these provisions.

#### 10.824 Wireless Communication Facilities.

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##### 2) General Requirements:

(a) All facilities shall be installed and maintained in compliance with the requirements of the current Oregon Structural Specialty Code. Building Permit applications shall include written statements from the Federal Aviation Administration (FAA), Oregon Aeronautics Division, and the Federal Communication Commission (FCC) that the proposed wireless communication facility complies with regulations administered by that agency, or that the facility is exempt from regulation.

(b) When facilities are located within a C-N, C-S/P, or any residential zone, all associated transmittal equipment shall be housed in an all-weather equipment cabinet, or in the alternative, an equipment building, above or below ground level, which must be designed to achieve minimal visual impact with the surrounding environment.

(c) Any ground-mounted accessory equipment shall be enclosed by a security fence or wall subject to Sections 10.731 through 10.735. Such barriers shall be landscaped in ~~a manner that provides a natural sight-obscuring screen around the barrier to a minimum height of six feet~~ accordance with Section 10.824 (F)(3).

#### 10.837 Dwelling Units in Commercial Districts.

Dwelling Units shall be allowed in all commercial districts except the Neighborhood Commercial (C-N) zone subject to the ~~dwelling type density~~ standards ~~established~~ for housing within the MFR-30 district. ~~The site development standards shall follow the underlying commercial zoning in which the property is located.~~ In addition, single family dwelling units shall be allowed in all commercial districts when attached to a commercial building and approved by the Site Plan and Architectural Commission or Landmarks and Historic Preservation Commission as applicable. In the Neighborhood Commercial (C-N) district single family and multiple family residential uses are permitted only when the total residential use is attached, accessory, and subordinate to the primary commercial use.

#### 10.933 Constraints Analysis.

Prior to submitting a Type III land use application (except for zone changes), a Constraints Analysis identifying physical constraints and proposing mitigation measures shall ~~be have been~~ submitted. ~~and deemed "complete" by the City Engineer or designee within 10 working days of~~

**submission.** Within 10 days of receipt, the City Engineer or designee shall determine whether the constraints analysis is complete per this section. A “complete” Constraints Analysis is one that contains all items in Sections 10.933(A) (1)-(7) and 10.933(B) (1)-(4).



City of Medford

# Office of the City Manager

*Medford ~ A Fantastic Place to Live, Work & Play*

## MEMORANDUM

TO: Mayor and Council  
FROM: Brian Sjothun – City Manager  
SUBJECT: 2019-21 Biennial Goals  
DATE: May 21, 2019

May 30 Study Session  
Updated from May 9 Study Session

### COUNCIL DIRECTION

Staff is seeking Mayor and Council direction on the proposed 2019-21 Biennial Goals.

- Mayor and Council to discuss the six proposed goals and actions
  - Health & Safety
  - Housing Strategies
  - Public Infrastructure
  - Downtown Redevelopment
  - Community & Employee Engagement
  - Economic Development
- Discuss and update specific actions outlined for Mayor and Council
- Are there specific actions or outcomes Mayor and Council would add to the proposed list?

### PRESENTATION OUTLINE

- Facilitation on Goals – Megan Davis Lightman
- Discussion and Direction on Goals – Mayor and Council

### PREVIOUS STUDY SESSIONS AND G-3 MEETINGS ON THE TOPIC

February 28, 2019 – Mayor and Council worked with Megan Davis Lightman and Brian Sjothun to develop a list of priorities for consideration in developing the 2019-21 Biennial Goals: Overall Scoring from Council Goal Setting Study Session on February 28, 2019)

May 9, 2019 – Mayor and Council held a study session to discuss the proposed goals.

May 16 and 21 – Mayor and Council provided comments during the monthly G-3 meetings with Brian Sjothun and Eric Zimmerman

### BACKGROUND

During the summer/fall of 2017, Mayor and Council worked with staff to develop the 2017-19 Biennial Goals. These goals were approved by Resolution in October 2017 and have been the basis for much of the work that staff has completed during the past 18 months. The City engaged Megan Davis Lightman to assist with coordinating this effort.

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The November 2018 election brought changes to the Council in regards to Alex Poythress being elected to Ward 1 to replace Tim Jackle and Kim Wallan being elected as a State Representative and thus leaving a vacancy within Ward 4. The Council chose Eric Stark to fill the remaining term. The full council was not in place until mid-February 2019 and thus with any changes in elected positions, this sometimes creates a timing issue with the budget process.

Megan Davis Lightman returned to assist the Mayor and Council with prioritizing goals for the 2019-21 biennium at the February 28 Study Session. As a result of this meeting, the following priorities were established:

1. Bear Creek Greenway (33 points)
2. Aquatic Center (25 points)
3. Continuum of Care (15 points)
4. Creating a Community Vision with Stakeholders (15 points)
5. Event Center (14 points)
6. Develop Project List for Current MURA (10 points)
7. Public/Private Partnerships for Downtown Housing & Retail (9 points)
8. Downtown Housing (8 points)
9. Additional URA Districts (3 points)
10. Collaborate with SOREDI on Economic Strategy (2 points)
11. Re-apply for Urban Enterprise Zone (1 point)

The staff Leadership Team met several times to further refine the draft goals and actions. In addition, staff has added some additional items for discussion and consideration.

Once the goals and actions have been finalized, hopefully through this study session, staff will prepare an Agenda Item Commentary to be placed on the June 20 Council Agenda for consideration.

Thank you,  
Brian Sjothun  
City Manager