



Oregon  
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

04/08/2013

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment  
DLCD File Number 010-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

### Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, April 18, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Carly Guillory, City of Medford  
Gordon Howard, DLCD Urban Planning Specialist  
Josh LeBombard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

## Notice of Adoption

☐ In person ☐ electronic ☐ mailed

DEPT OF

APR 01 2013

LAND CONSERVATION  
AND DEVELOPMENT

Form 2 (Rev. 1/01)

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Medford**Local file number: **DCA-12-090**Date of Adoption: **3/7/2013**Date Mailed: **3/13/2013**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: **7/5/2012**☐ Comprehensive Plan Text Amendment☐ Comprehensive Plan Map Amendment☒ Land Use Regulation Amendment☐ Zoning Map Amendment☒ New Land Use Regulation☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Consideration of a Class A (major) legislative amendment of the Medford Land Development Code to revise the Southeast Plan overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 pertaining to the Master Plan and features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations, and stormwater facilities in the Commercial Center Core Area (7A), approximately 18 acres located at the northeast corner of East Ba

Does the Adoption differ from proposal? No, no explanation is necessary

N/A

Plan Map Changed from: **N/A**to: **N/A**Zone Map Changed from: **N/A**to: **N/A**Location: **371w26 tax lots: 1604, 1605, 1601, 1606, 1602**Acres Involved: **18**Specify Density: Previous: **N/A**New: **N/A**

Applicable statewide planning goals:

|                                     |                                     |                          |                          |                                     |                                     |                                     |                                     |                                     |                                     |                          |                                     |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                            | <b>6</b>                            | <b>7</b>                            | <b>8</b>                            | <b>9</b>                            | <b>10</b>                           | <b>11</b>                | <b>12</b>                           | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD File No. 010-12 (19595) [17403]

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Medford

Local Contact: **Carly Guillory**

Phone: **(541) 774-2380** Extension:

Address: **200 S. Ivy Street**

Fax Number: - -

City: **Medford**

Zip: **97501-**

E-mail Address:

**carly.guillory@cityofmedford.org**

## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. 2013-42

AN ORDINANCE amending Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 of the Medford Code pertaining to the Commercial Center Core Area (7A) of the Southeast Plan overlay zone.

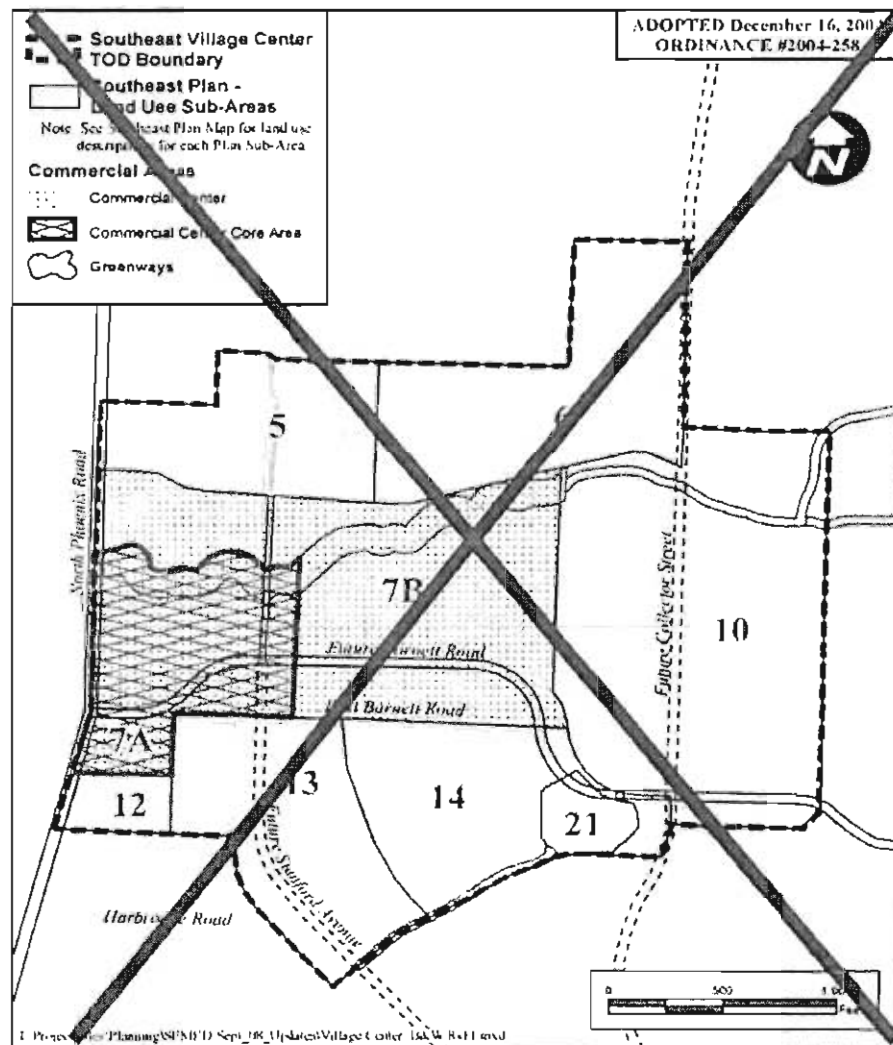
THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 10.372 of the Medford Code is amended to read as follows:

10.372 General Land Use Plan Map And Southeast Plan Map Consistency, S-E.

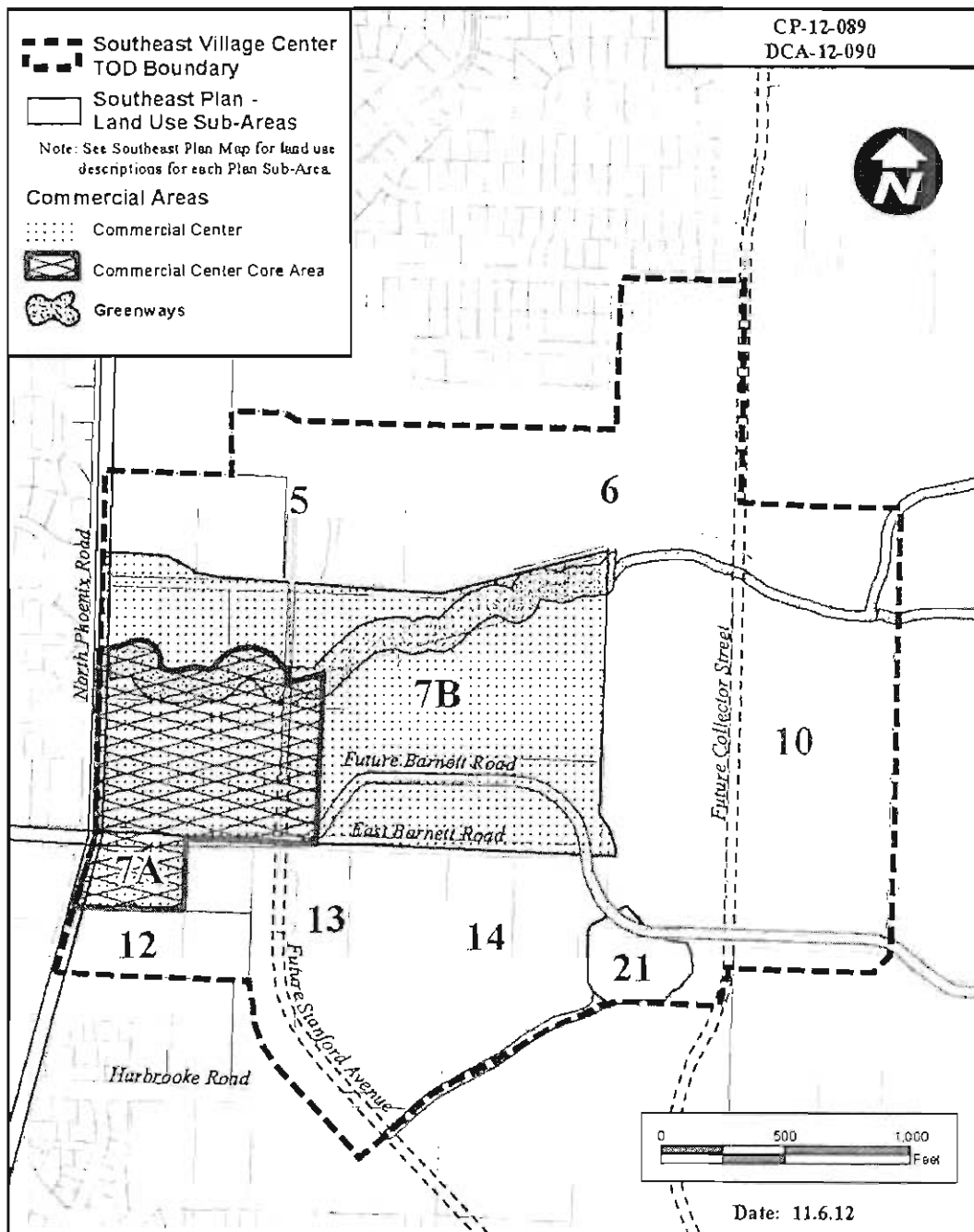
\* \* \*

**FIG. 10.372 - SOUTHEAST VILLAGE CENTER**



(Revisions include: Goddard property removed from 7A, and Barnett Road realigned to east)

**FIG. 10.372 - SOUTHEAST VILLAGE CENTER**



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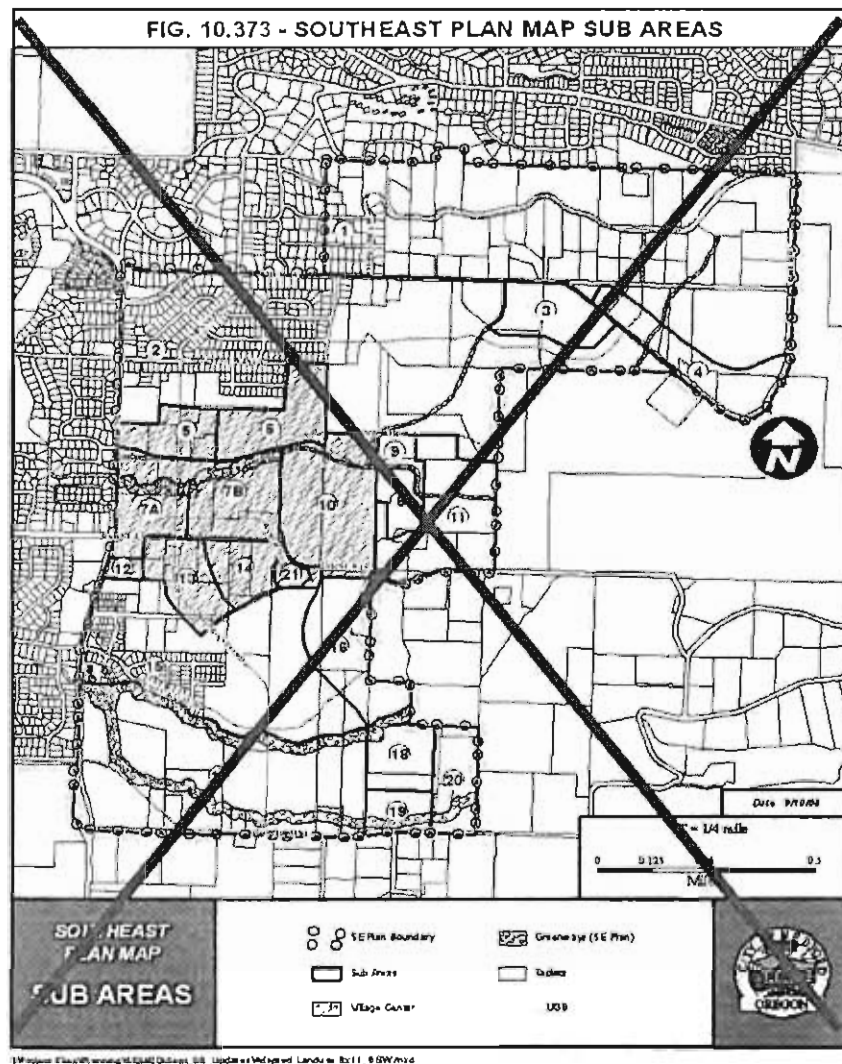
SECTION 2. Section 10.373 of the Medford Code is amended to read as follows:

10.373 General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density, S-E.

\* \* \*

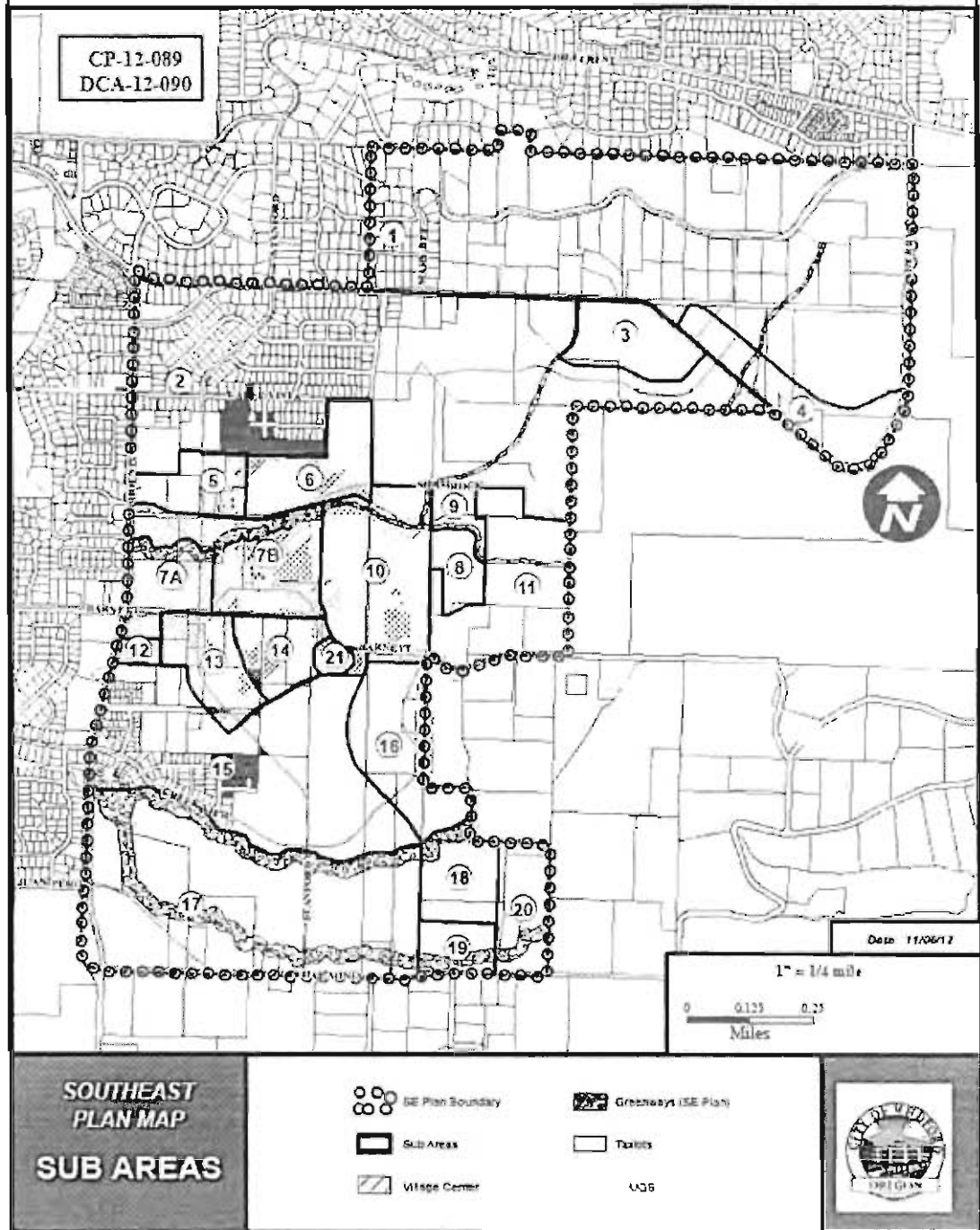
3. Zone Changes in Commercial Center Core Area (7A).

The City shall not accept an application for a zone change within the Commercial Center Core Area (7A) until the City has adopted a Commercial Center Core Area (7A) Master Plan, in conformance with Section 10.374(4). Such zone change applications shall be accompanied by a Preliminary PUD Plan application that conforms to the adopted Master Plan and other applicable S-E Overlay District standards.



(Revisions include: Goodard property removed from 7A, and Barnett Road realigned to east)

FIG. 10.373 - SOUTHEAST PLAN MAP SUB AREAS



SECTION 3. Section 10.374 of the Medford Code is amended to read as follows:

10.374 Planned Unit Development And Master Plan Requirements, S-E.

1. Planned Unit Development Requirements.

Except for properties within Southeast Plan land use areas 1, 2, **7A**, 16, 17, 18, 19, and 20; for proposed institutional uses that require a Conditional Use Permit; or as otherwise exempted by the S-E Overlay District, all new developments consisting of one (1) or more acres shall require approval of a Planned Unit Development pursuant to Sections 10.230 through 10.245 and all applicable provisions of the S-E Overlay District. Proposed PUDs that are not required by this section must be at least one (1) acre in size. Regardless of the size of the property or number of dwellings, all zone change applications for projects in the Commercial Center (7A and 7B) shall be accompanied by a Preliminary PUD Plan application.

\* \* \*

4. Commercial Center Core Area (7A) Master Plan.

**A The Southeast Village Commercial Center Core Area (7A)** Master Plan, adopted by the City Council, shall govern design and development within the area designated (7A) "Commercial Center Core Area" on the Southeast Plan Map. (See Figure 10.372.) All zone changes, PUDs, other land use actions, and permits within the Commercial Center Core Area (7A) shall conform to the Master Plan. The Master Plan, at a minimum, shall contain the following elements:

~~a. Materials required for a Preliminary PUD Plan application.~~

**a. b. Provision for retail commercial uses on both sides of Barnett Road Stanford Avenue.**

**b. e. Pedestrian and bicycle circulation plan.**

~~c. d. Conceptual locations for civic sites such as post office, plaza, and branch library.~~

**Barnett Road shall be developed to Major Arterial street standards from North Phoenix Road east 250-feet. From two-hundred fifty (250) feet east of the intersection of North Phoenix Road and Barnett Road, to the easterly boundary of the Commercial Center Core Area (7A), Barnett Road shall be developed to Minor Arterial street standards.**

**d. e. Special street design standards for the main street(s) , Stanford Avenue, that include on-street parking and a three-lane configuration for Barnett Road, sidewalks of at least twelve (12) feet in width on both sides of Stanford Avenue, street trees, and no planter strips. and maximum block-lengths.**

**e. f. Required architectural design standards and unique architectural themes for each sector of development. All applicants shall incorporate neo-traditional design elements into the development.**

~~f. g.~~ Required "pedestrian friendly" design through the use of:

- (1) Building facades set nearer the sidewalk.
- (2) De-emphasis of automobile access and storage; avoiding an uninterrupted expanse of asphalt; and provision of large shade trees on the interior and perimeter of parking lots.
- (3) Interesting and varied landscape designs including hardscapes.
- (4) Common streetlights that are architecturally appropriate.
- (5) Street furniture, such as benches, lights, raised flowerpots, drinking fountains, and public art.
- (6) Weather protection for pedestrians.
- (7) Design that discourages use of fencing.

(8) At least three (3) operating building entrances per block and at least one (1) per building on streets where on-street parking is permitted.

(9) All buildings along Stanford Avenue shall be two-story buildings, or have the appearance of a two-story building.

g. ~~h.~~ Lighting plan that avoids lighting adjacent properties and the night sky. The master plan shall require that applicants for development within Area 7A include a photometric data and illumination plan consistent with Section 10.764 at the time development permit applications are submitted to the City for review and approval.

h. ~~i.~~ Master signage plan that encourages monument signs, discourages retail signage that lists tenants, and discourages rooftop lights.

i. ~~j.~~ Covered bicycle parking areas.

j. ~~k.~~ Public restrooms.

k. ~~l.~~ Usable exterior spaces and outdoor gathering and eating areas open to the public.

l. ~~m.~~ Shopping cart storage incorporated into building design to screen stored carts.

m. ~~n.~~ Separated truck delivery and circulation from customer circulation.

5. The S-E Commercial Center Core Area (7A) Master Plan shall be incorporated by reference as part of the Medford Land Development Code for the S-E Overlay District, and shall be as much a part of this Ordinance as if all were fully described herein. Development within the Commercial Center Core Area (7A) shall be approved by the Site Plan and Architectural Commission only if it can be found to be consistent with the adopted Master Plan. Development within the Master Plan area (7A) that is not consistent with the adopted Master Plan, regardless of size, shall be approved only when a PUD has been approved by the Planning Commission.

A development shall be found to be consistent only if:

a. The proposed development is consistent with all Code standards unless superseded by Master Plan Sector Design and Development standards, in which case the development shall comply with applicable Sector Design and Development Standards.

b. Revisions are limited to the following:

i. The building envelope is not increased or decreased by more than ten percent (10%) of the envelope shown on the Master Plan.

ii. Plazas are not smaller than ninety percent (90%) of proposed size on Master Plan;

iii. If the location of a building is altered, it does not impair the safety of on-site pedestrian and vehicular circulation.

SECTION 4. Section 10.377 of the Medford Code is amended to read as follows:

10.377 Special Design Standards For Southeast Village Center.

The following design standards apply to the Southeast Village Center, ~~except that design standards for the Commercial Center Core Area (7A) shall be established through the adopted Master Plan, as provided by Section 10.374(4).~~

\* \* \*

SECTION 5. Section 10.378 of the Medford Code is amended to read as follows:

10.378 Special Standards For Commercial Center (7A and 7B), S-E.

The S-E Overlay District modifies the provisions of the underlying zones in the Commercial Center (7A and 7B) as follows:

1. Outdoor Uses.

Except as provided in (a) through (c), all uses, activities, sales, merchandise, and the stockpiling and storage of equipment and materials shall be entirely within an enclosed building. The following uses may be outside an enclosed building:

a. Outdoor eating areas pursuant to Section 10.833 **and sidewalk cafes in the public right-of-way pursuant to Section 10.358(c);**

b. Temporary outdoor sales of merchandise pursuant to Section 10.831;

c. Temporary uses pursuant to Sections 10.841 through 10.858;

d. Parks, playgrounds, greenways, outdoor performing arts facilities, outdoor sports facilities, plazas, pedestrian malls, and news racks in conformance with Chapter 6 of the Code.

2. ~~Fueling Stations:~~ **Drive-Through Retail and Service Windows.**

~~Fueling stations, including attached convenience stores, fuel pumps, motor vehicle services, and accessory uses, are limited to the Commercial Center Core Area (7A) and require Conditional Use Permit (CUP) approval. These uses shall conform to the CUP criteria, the following standards, and other appropriate conditions imposed by the approving authority:~~

~~—— a. Fueling stations shall not contain more than four (4) fueling pumps on two (2) islands, serving up to eight (8) motor vehicles at a time; and~~

~~—— b. Fueling pumps shall provide and utilize at least Stage II Vapor Recovery for air quality.~~

**Drive-through retail and service windows are limited to the Commercial Center Core Area (7A) for three sites, designated as one for a pharmacy, one for a bank, and one for a credit union. These three uses shall conform to the following standards and other appropriate conditions imposed by the approving authority.**

a. Drive-throughs and service windows shall be architecturally integrated (attached) to all buildings.

b. Drive-throughs and service windows shall not be located on the street side of an internal street; they can be off an internal street.

3. Residential Uses in Commercial Center Core Area (7A).

Residential uses and group quarters are subject to the provisions of the Commercial Center Core Area (7A) Master Plan, and not more than twenty percent (20%) of the gross floor area on a project site may consist of ground floor residential or group quarter uses. Residential and group quarter uses may be located above a ground-floor commercial or institutional use, subject to the building height standards provided in Section 10.375(3).

4. Prohibited Uses. Notwithstanding Section 10.337, the following uses are not permitted in the Commercial Center (7A and 7B) and cannot be permitted through a PUD approval:

///

///

| SIC No. *                                       | Commercial Center Prohibited Uses                                                                                                                                                                                                                               |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NA                                              | Drive-through retail and service windows <del>(including, but not limited to, restaurants, banks, and pharmacies)</del> <b>except as designated on the approved Commercial Center Core Area (7A) Master Plan for three buildings and per Section 10.378(2).</b> |
| SIC 551, 552, 555, 556, 557, 559, 751, 753, 754 | Motor vehicle sales and repair (including, but not limited to, autos, trucks, boats, RVs, and airplanes)                                                                                                                                                        |
| SIC 271                                         | Newspaper Printing Facilities                                                                                                                                                                                                                                   |
| <b>SIC 5541</b>                                 | <b>Gasoline Service Stations, Fueling Stations, and Charging Stations</b>                                                                                                                                                                                       |
| SIC 6553                                        | Cemeteries and Mausoleums                                                                                                                                                                                                                                       |
| SIC 7218                                        | Industrial Laundries                                                                                                                                                                                                                                            |
| SIC 7692                                        | Welding Shops                                                                                                                                                                                                                                                   |
| SIC 7699                                        | Agricultural Equipment Repair, Engine Repair, Industrial Truck Repair, and Septic Tank Services                                                                                                                                                                 |
| SIC 7948                                        | Outdoor Race Tracks                                                                                                                                                                                                                                             |
| SIC 9223                                        | Correctional Institutions                                                                                                                                                                                                                                       |

\* The SIC numbers correspond to the Standard Industrial Classification (SIC) Code numbers found in Section 10.337.

5. Business Size Limitations in Commercial Center Core Area (7A).

a. The maximum gross floor area of any one (1) business use shall be 50,000 square feet in accordance with Section ~~10.238~~ **10.328**.

~~b. The total gross floor area of all commercial businesses is limited to 100,000 square feet plus 50,000 square feet for a grocery store.~~

6. Off-Street Motor Vehicle Parking.

a. Except for residential and group quarters uses, there shall be no requirement to supply a minimum number of off-street motor vehicle parking spaces in the Commercial Center.

b. Except for residential and group quarters uses, the number of off-street motor vehicle parking spaces provided for each use **in the Commercial Center Core Area (7A)** shall not exceed ~~120%~~ **one hundred percent (100%)** of the minimum standard for the subject use.

~~c. Shared motor vehicle parking spaces, even where there is overlap in time of use, and reciprocal access and use are permitted as determined through the PUD approval process.~~

7. Pedestrian Amenities.

For every ten (10) square feet of site area developed with commercial, institutional, residential, and/or mixed-use development, at least one (1) square foot of area shall be devoted to pedestrian amenities. These may include amenities provided by the developer on public property or right-of-way with City authorization. Pedestrian amenities may include, but are not limited to, public and/or private plazas, outdoor seating, pocket parks, transit waiting areas and facilities, extra-wide

sidewalks (wider than minimum City standard) with street furnishings (e.g., seating, fountain, public art, information kiosk, sidewalk vending where permitted, and similar furnishings). This ratio may be reduced or waived for projects that provide parking structures for multiple users, subject to City approval of a PUD and recorded shared parking agreement.

#### **8. Bicycle Parking.**

**The amount of bicycle parking provided within the Commercial Center Core Area (7A) shall be two-times the amount required by Section 10.478 "Bicycle Parking Standards."**

SECTION 6. Section 10.384 of the Medford Code is amended to read as follows:

#### **10.384 Greenways - Special Design and Development Standards, S-E.**

Within the S-E Overlay District, development within or adjacent to the areas designated as Greenways shall be consistent with the following regulations, and such regulations shall be required through the PUD and/or Site Plan and Architectural Review processes:

##### **A. Location and Extent of Greenway Designation.**

~~Within the S-E Overlay District, the general location of Greenways shall be as depicted on Southeast Circulation Plan Map (Figure 1, Southeast Medford Plan Area Neighborhood Circulation Plan and Transportation Policies and Guidelines) both the GLUP Map and Southeast Plan Map;~~ provided that, a more precise location shall be established as follows:

1. The Greenway designation shall extend not less than fifty (50) feet from the top of the bank on each side of the channel along the **Major Greenway designated on the Southeast Circulation Plan May for the North, Middle, and South Forks of Larson Creek**. The top of the bank shall be as defined in Section 10.012.

2. For **Minor Greenways designated on the Southeast Circulation Plan Map along natural surface drainageways**, ~~that are not located along the North, Middle, or South Forks of Larson Creek~~, the Greenway designation shall extend not less than twenty (20) feet from the centerline of the drainageways. **For Minor Greenways not located along natural surface drainage features, the designation shall be 40 feet in width consistent with Figure 5 of the Southeast Medford Plan Area Neighborhood Circulation Plan.**

\* \* \*

##### **C. Greenway Improvements.**

\* \* \*

#### **2. Responsibility for Greenway Improvements.**

Required improvements in Greenways shall serve two (2) principal purposes as explained in the *Medford Comprehensive Plan*: 1) for storm drainage based on the *Comprehensive Medford Area Drainage Master Plan (1996)*; or, 2) for pedestrian and bicycle circulation. The Southeast Plan Map denotes the principal purpose for the required improvements in each Greenway. The responsibility for installing Greenway improvements to the standards in this Section shall be based on the following:

a. Greenway Improvements for Storm Drainage. **Open space for stormwater quality and detention facilities required by Section 10.486 and Section 10.729 may be provided in Greenways rather than on-site.** The installation of improvements that provide required access to storm drainage facilities in Greenways based on the Southeast Plan Map and the *Comprehensive Medford Area Drainage Master Plan (1996)* shall be by, and at the sole expense of, the owners of

the land adjacent to either side of the Greenway, or segment of, unless otherwise approved by the City. Absent an adopted Greenway design plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide access for storm drainage maintenance, and any other required or proposed improvements. The City may require all or any part of the Greenway to be dedicated for public use and/or ownership following the installation of the required improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.

\* \* \*

c. Extent of Greenway Improvements. Pursuant to this Section, the portion of each Greenway required to be improved by a property owner at the time of development shall be that portion of his/her property contiguous to the property to be developed **unless the adjacent greenway has not yet been secured by the City through acquisition, dedication, or other means.** Where a Greenway passes through a parcel, the owner, pursuant to Section 10.384(C)(2)(a), shall be required to **dedicate and** improve the entire Greenway segment passing through his/her parcel.

d. **Section 10.668 (Limitation of Exactions) shall be considered in relation to the above requirements.**

\* \* \*

D. Commercial Center (7A and 7B).

1. Greenway Improvements. Unless prohibited by state or federal regulations, in the Village Center Greenway encompassed by the Commercial designation, undesirable shrubs, trees, and noxious vegetation may be removed, and ornamental vegetation installed to supplement the remaining native vegetation. ~~Proposed Greenway improvements shall be incorporated into the Master Plan for the Village Center Commercial designation. Such improvements shall be made at the time of development, unless phased with the phased construction of buildings. When buildings representing greater than fifty percent (50%) of the approved square footage on either side of the North Fork of Larson Creek within the Commercial designation have been developed, then all required Greenway improvements on that side of the creek shall be installed at the sole expense of the property owner(s). If needed, the City shall facilitate a reimbursement agreement providing for future reimbursement to an owner required to install Greenway improvements greater than his/her proportional share. Prior to commencing alteration of vegetation within the Greenway area, a landscape restoration plan shall be prepared for review and approval by the City in conjunction with an application for associated Development Permit, if any, or by the Medford Parks Department if not associated with a Development Permit application. The landscape plan shall demonstrate that an equivalent or better amount of stream corridor shading will result upon maturity of the replacement vegetation elements and that the selected plant varieties will survive given the site conditions.~~

\* \* \*

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PASSED by the Council and signed by me in authentication of its passage this 7 day of March, 2013.

ATTEST: Blenda Wilson  
City Recorder

APPROVED March 7, 2013.

[Signature]  
Mayor  
[Signature]  
Mayor

NOTE: Matter in **bold** in an amended section is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (\*\*\* ) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.



**CITY OF MEDFORD**  
**AGENDA ITEM COMMENTARY**  
www.cityofmedford.org

Item No:

**DEPARTMENT:** Planning

**AGENDA SECTION:** [City Recorder]

**STAFF CONTACT:** James E. Huber, AICP, Planning Director

**MEETING DATE:** March 7, 2013

**STAFF PHONE:** 541-774-2380

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**COUNCIL BILL 2013-**

Land Use, Legislative – Ordinance amending Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 of the Medford Land Development Code pertaining to the Commercial Center Core Area (7A) of the Southeast Plan overlay zone.

[City Recorder will enter Ordinance or Resolution header written by Legal]

**ISSUE STATEMENT & SUMMARY:**

The objective of this code amendment is to revise the requirements for the Master Plan of the Commercial Center Core Area (7A) of the Southeast Plan.

**BACKGROUND:**

In September 2010, various property owners within the Commercial Center Core Area (7A) of the Southeast Plan submitted a Master Plan and associated Comprehensive Plan and Code Amendments. The City Council initiated review of the proposal, asking first for a recommendation from the Southeast Plan Implementation Advisory Committee (SEPIAC). SEPIAC provided their recommendation in a study session to City Council in September 2012.

The Comprehensive Plan amendment was discussed at the following meetings: SEPIAC, September 2010 through September 2012; Planning Commission study session on November 12, 2012; Citizens Planning Advisory Committee meeting on November 13, 2012; and Site Plan and Architectural Commission study session on December 7, 2012. The proposal was forwarded for agency and public comment on November 7, 2012. The Planning Commission conducted a noticed public hearing on February 14, 2013, and voted to forward a favorable recommendation to the City Council for approval.

**A. Council Action History**

The City Council initiated the code amendment at their June 7, 2012 meeting.

**B. Analysis**

The proposal revises the Southeast overlay zone requirements for a Master Plan for the Commercial Center Core Area (7A) of the Southeast Plan. The changes address features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations, and stormwater facilities. The changes will assist in the review and approval of the required Master Plan for the Commercial Center Core Area (7A) of the Southeast Plan.

**C. Financial and/or Resource Considerations**

The proposed change to the alignment of Barnett Road may eliminate the need for the City to purchase additional right-of-way.

**D. Timing Issues**

There are no deadlines to meet for this code amendment; it was initiated by the City Council at the property owner's request.



**STRATEGIC PLAN:**

Goal 6: Maintain and enhance community livability.

Objective 6.1: Promote the aesthetic quality of the urban environment.

Action 6.1a: Develop project review objectives and design standards.

Goal 9: Provide a safe, multi-modal, efficient and well planned transportation system.

Objective 9.1: Ensure that neighborhoods are designed with pedestrian and bicycle access ways that are connected to recreational facilities in the City.

Objective 9.2: Maximize the efficiency of the transportation system through effective land use planning.

Action 9.2a: Undertake efforts to increase the percentage of new dwelling units and employment located in Transit Oriented Districts (TODs) and mixed use areas.

Objective 9.3: Encourage pedestrian friendly design near activity centers.

Objective 10.2: Use incentives to encourage innovative means of detaining and conveying stormwater associated with the development of private property.

**COUNCIL OPTIONS:**

1. Adopt the ordinance.
2. Amend the ordinance.
3. Remand the proposal to the Planning Commission for further consideration.
4. Do not adopt the ordinance.

**STAFF RECOMMENDATIONS:**

Staff recommends adoption of the ordinance as proposed, based on the finding that the land development code amendment approval criteria are met.

**SUGGESTED MOTION:**

Finding that the code amendment approval criteria are met, I move to adopt the ordinance amending the Medford Code pertaining to the Commercial Center Core Area (7A) of the Southeast Plan overlay zone.

**EXHIBITS:**

Staff Report for file DCA-12-090 dated February 20, 2013, with exhibits attached.



## CITY OF MEDFORD

# PLANNING DEPARTMENT

### STAFF REPORT – LAND DEVELOPMENT CODE AMENDMENT

Date: February 20, 2013

To: City Council for March 7, 2013 Hearing

From: Carly Guillory, Planner II

Reviewer: Bianca Petrou, AICP, Assistant Planning Director

Subject: Southeast Plan, Commercial Center Core Area Amendments DCA-12-090

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### BACKGROUND

**Proposal:** Consideration of a Class A (major) legislative amendment of the Medford *Land Development Code* to revise the Southeast Plan overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 pertaining to the Master Plan and features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations, and stormwater facilities in the Commercial Center Core Area (7A), approximately 18 acres located at the northeast corner of East Barnett Road and North Phoenix Road (City of Medford, applicant). (See Exhibit A.)

**History:** In 1993, following the inclusion of the Southeast (S-E) Area within the Medford urban growth boundary (UGB), the City undertook the first special planning study (*S-E Medford Land Use and Transportation Study*, 1993) to compare the future traffic impacts that would result from development of the area in a manner based on the neo-traditional rather than contemporary development schemes. Based on the study, the City chose to pursue a neo-traditional development pattern facilitated by mixed-use zoning and an interconnected street system to distribute peak period traffic to all streets; not just to collectors and arterials.

1995-1998 A subsequent study (*S-E Medford Circulation & Development Project Report*, August 1995) guided the preparation of amendments to the Medford *Comprehensive Plan* and Medford *Land Development Code (MLDC)* for the S-E Area. The S-E Plan was originally incorporated into the *Comprehensive Plan* as part of the General Land Use Plan Element in 1998.

2004 The S-E Plan was further refined by Ordinance No. 2004-258 on December 16, 2004, following the adoption of the *Medford Transportation System Plan (TSP)* in November 2003. The TSP designated the S-E Village Center as a Transportation Oriented District (TOD) and directed the City to complete and adopt plans and standards for the designated TOD areas. The 2004 revisions to the S-E Plan incorporated additional TOD design guidelines and standards, refined the sub-area boundaries and designations, and incorporated the S-E Plan within the Neighborhood Element of the *Comprehensive Plan*. The refinements also established a Commercial Center and a Commercial Center Core Area (7A) within the Village Center to establish a town center with a "main street" along Barnett Road that would not be subject to the City's level of service (LOS) mobility standard for automobile traffic. This was enabled by incorporation of the *S-E Medford Plan Area Neighborhood Circulation Plan and Transportation Policies and Guidelines* into the S-E Plan. Part of this proposal moves the "main street" focus from Barnett Road to Stanford Avenue.

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2007 On December 20, 2007, the S-E Plan Implementation Advisory Committee (SEPIAC) reported to the Medford City Council on the subject of discrepancies and incompatible interpretations between the *Comprehensive Plan* and the *MLDC* in the implementation of the S-E Plan. The Medford City Council, by motion and vote, directed the SEPIAC to bring recommendations for legislative amendments to the City Council in a study session.

2008 In 2008, after report and recommendations from SEPIAC, the City Council adopted amendments to the *Comprehensive Plan* and *MLDC* regarding: map corrections, height regulations, and garages for attached housing.

2010 In September 2010, various property owners within the Commercial Center Core Area (7A) submitted a master plan, accompanied by design guidelines, and amendments to the *Comprehensive Plan* and *MLDC*. The City Council directed the SEPIAC to review said proposal and give a recommendation to City Council.

2012 On June 7, 2012, the property owners who submitted the master plan requested initiation from legislative City Council. Council voted to initiate the process with the stipulation that work not begin until after the SEPIAC made a recommendation.

The SEPIAC recommendations were reviewed by the City Council during a study session on November 1, 2012. City Council then directed staff to proceed with the proposed *Comprehensive Plan* and *MLDC* amendments as recommended by the property owners and SEPIAC. The SEPIAC found the proposed master plan to be technically approvable and consistent with the *Comprehensive Plan* and *MLDC*. However, SEPIAC did not endorse the master plan, and felt it could be more pedestrian-friendly, greenway-oriented, and architectural specific. The *MLDC* amendments proposed in this application are recommended by the SEPIAC, as they are a result of collaboration among the property owners and the Committee.

**Authority:** A *MLDC* Amendment is a Class 'A' legislative decision. The Planning Commission is authorized to recommend and the City Council to approve amendments to Medford *MLDC*, Chapter 10 of the Municipal Code, under Sections 10.102, 10.110, 10.111, 10.122, 10.180, 10.181, and 10.183.

**Review Criteria:** Medford *MLDC* 10.184(2)

#### GLUP Map Designation, Zoning, and Uses on Subject Property

The subject properties affected by this amendment are located within the S-E Commercial Center Core Area (7A), and are zoned SFR-00 (Single Family Residential – one dwelling unit per parcel) and MFR-20 (Multiple Family Residential – 20 units per acre), with a GLUP map designation of CM (Commercial). A zoning map and GLUP map are attached as Exhibits I and J respectively. The surrounding GLUP Map designation, zoning district, and use are described in the following Table I.

TABLE I: ADJACENT LAND DESIGNATIONS AND USES

|       | GLUP           | ZONE                   | USE                          |
|-------|----------------|------------------------|------------------------------|
| North | SC             | SFR-00                 | Single Family Residential    |
| South | UH and UM      | MFR-20, SFR-00, MFR-15 | City of Medford Fire Station |
| East  | SC and UM      | SFR-00 and MFR-20      | City of Medford Fire Station |
| West  | CM, SC, and UR | SFR-4, C-S/P, C-C      | Larson Creek Shopping Center |

GLUP MAP DESIGNATIONS

CM = Commercial  
SC = Service Commercial  
UH = Urban High Density Residential  
UM = Urban Medium Density Residential  
UR = Urban Residential

ZONING DISTRICTS

C-C = Community Commercial  
C-S/P = Commercial Service/Professional  
MFR-15 = Multiple Family Residential – 15 units per acre  
MFR-20 = Multiple Family Residential – 20 units per acre  
SFR-00 = Single Family Residential – one dwelling unit per parcel  
SFR-4 = Single Family Residential – 4 units per acre

## ANALYSIS OF PROPOSED AMENDMENT

The S-E Plan, Implementation 1-B(3) requires master planning of the entire Commercial Center Core Area (7A) of the Village Center prior to development approval. Property owners of the S-E Plan Commercial Center Core Area (7A) are prepared to submit a Master Plan, and have asked first that various amendments be made to the *Comprehensive Plan* and Medford MLDC.

The following narrative describes the primary changes proposed to the Medford MLDC, followed by Table II which discusses more specifically the proposed changes to the Code. The Code text is attached as Exhibit A.

### Barnett Road Realignment

Barnett Road is currently aligned in a way that curves within the Commercial Center Core Area (7A). The proposed amendment moves this curve approximately 400 feet to the east. This shift results in an intersection with Stanford Avenue at the southerly boundary of the Commercial Center Core Area (7A). Barnett Road is proposed to be realigned because the City of Medford currently possesses the linear right-of-way for Barnett Road at this location. Curving Barnett Road within the Commercial Center Core Area (7A) would require city funds to acquire the right-of-way. Also, Barnett Road in this location is no longer intended to carry a high level of slow moving traffic; the main street emphasis is proposed to be moved to Stanford Avenue. The proposed amendments continue to support the goals and policies of the S-E Plan to create and assure mixed-use, pedestrian-friendly development that protects natural features and reduces vehicle miles traveled.

### Main Street

The *Comprehensive Plan* and MLDC currently designate Barnett Road as the “main street” of the Commercial Center Core Area (7A) and the Village Center. The “main street” emphasis includes elements such as wide sidewalks, street furniture, slow moving traffic, and sidewalk cafes. This amendment proposes changing this designation from Barnett Road to Stanford Avenue. Stanford Avenue will be constructed as a commercial street with retail shops and on-street parking on both sides.

### Square Footage Cap

The current *Comprehensive Plan* contains a 150,000 square footage cap within the Commercial Center Core Area (7A). This proposal removes this square footage cap, thereby facilitating neo-traditional development patterns consistent with the goals and policies of the *Comprehensive Plan*. Without a square footage cap, an increase in density of employment, residential, and retail is permitted.

### Removal of the Planned Unit Development (PUD) Requirement

Currently, the S-E Plan of the Neighborhood Element of the *Comprehensive Plan* requires that a Master Plan for the Commercial Center Core Area (7A) be approved via a Planned Unit Development (PUD) process. The proposed text revision allows the Master Plan to be approved inde-

pendent from a PUD application. Said Master Plan will be approved by the City Council. And, as described in herein, any future changes to the adopted Master Plan will require a PUD application under certain circumstances, such as when a building envelope is increased or decreased by more than ten percent (10%).

TABLE II: PROPOSED REVISIONS

| MLDC SECTION               | MODIFICATION                                                                                                                                                                                                                                                               | PURPOSE                                                                                                                                                                                          |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.373(3) and 10.374(4)(a) | Remove requirement that Zone Change applications be accompanied by a PUD application                                                                                                                                                                                       | Master Plan will already have been approved so removal of PUD requirement eliminates redundancy of review.                                                                                       |
| 10.374(4)(a)               | Add requirement that retail commercial be on both sides of Stanford Avenue instead of Barnett Road                                                                                                                                                                         | The main street emphasis moves to Stanford Avenue; therefore, this requirement also moves to Stanford Avenue                                                                                     |
| 10.374(4)(c)               | Add requirement that Barnett Road be constructed to Major Arterial Street Standards for 250 feet from the intersection of North Phoenix Road, and then as a Minor Arterial thereafter                                                                                      | The <i>Neighborhood Element</i> currently designated Barnett Road as such. The language added is intended to clarify this change in designation.                                                 |
| 10.374(d)                  | Add requirement that Stanford Avenue be constructed as the "main street" with on-street parking, 12 foot wide sidewalks, street trees, and no planter strips.                                                                                                              | Main street emphasis moved from Barnett Road to Stanford Avenue meets the intent of the S-E Area to establish special design and development standards for streetscapes, including street trees. |
| 10.374(4)(e)               | Add requirement that neo-traditional design elements be incorporated into the development                                                                                                                                                                                  | Meets intent of S-E Area to require development of neighborhoods with a cohesive design character                                                                                                |
| 10.374(4)(f)(9)            | Add requirement that buildings along Stanford Avenue be constructed as (or appear to be) two-story structures                                                                                                                                                              | Meets the intent of the S-E Area to establish special design and development standards for streetscapes and building orientation with a downtown feel.                                           |
| 10.374(4)(g)               | Add requirement for submittal of a photometric data and illumination plan at time of development permit application                                                                                                                                                        | This requirement was added because the PUD application requirement was removed, and the PUD application requires a lighting plan to be submitted.                                                |
| 10.374(5)                  | Add language clarifying that Master Plan will be incorporated into the MLDC via reference, and any changes to the Master Plan will be reviewed and approved by the Planning Commission via a PUD application. Also clarifies what constitutes a change to the Master Plan. | Language added to clarify the process for future adoption of the Master Plan and process for allowing changes the adopted Master Plan.                                                           |
| 10.378(1)(a)               | Add allowance for sidewalk cafes in the public right-of-way                                                                                                                                                                                                                | Allows sidewalk cafes in the S-E Commercial Center, similar to the allowance in the Central Business District                                                                                    |
| 10.378(2)                  | Add allowance for drive-through retail and service windows                                                                                                                                                                                                                 | The allowance for three drive-through windows is added in exchange for fueling stations.                                                                                                         |
| 10.378(2)                  | Remove allowance for fueling stations                                                                                                                                                                                                                                      | The allowance for fueling stations is removed in exchange for adding drive-through windows.                                                                                                      |

| MLDC SECTION    | MODIFICATION                                                                                                                                                                                                | PURPOSE                                                                                                                                                                                                                             |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.378(6)(b)    | Add language restricting vehicular parking to 100% of the minimum required for similar use. There is no minimum parking requirement in the Commercial Center Core Area (7A).                                | Restricting the amount of parking allowed will encourage the use of alternative modes of transportation.                                                                                                                            |
| 10.378 (6)(c)   | Removal of allowance for shared parking                                                                                                                                                                     | The Code already allows shared parking, so this provision was redundant.                                                                                                                                                            |
| 10.378(8)       | Add requirement for double the required amount of bicycle parking                                                                                                                                           | Additional bicycle parking spaces will encourage the use of bicycle transportation.                                                                                                                                                 |
| 10.384(A)       | Corrects location and extent of Greenway designations                                                                                                                                                       | Correction to text provides consistency with adopted maps.                                                                                                                                                                          |
| 10.384(C)(2)(a) | Add allowance for stormwater quality and detention facilities to be provided in the greenway (non-riparian corridor) rather than on-site                                                                    | This allowance could result in use of the greenway on the northern boundary of the Commercial Center Core Area (7A) for storm drainage, and it may provide an incentive for adjacent property owners to fund greenway improvements. |
| 10.384(C)(2)(c) | Requires greenway to be secured by City before adjacent property owner must provide improvements. Also, requires property owner to dedicate greenway on owner's property.                                   | Addresses situation where greenway is adjacent to property being developed, but not under developer's control.                                                                                                                      |
| 10.384(D)       | Remove requirement for the greenway improvements to be incorporated into the master plan and made at time of development, and require a landscape restoration plan to be submitted for review and approval. | A portion of this section is removed, and reference is made to Section 10.384(C). The deleted section cannot be met as it would impose exactions that exceed current limitations.                                                   |

These textual amendments result in a revision to the maps indicated in Table III below.

TABLE III: CHANGES TO S-E PLAN MAPS

| MLDC Section | Map Title              | Revision                                                                                                                                         |
|--------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.372       | S-E Village Center Map | (1) Realign curve in Barnett Rd 400 feet to east; and<br>(2) Alter the Commercial Center Core Area (7A) boundary to remove the Goddard property. |
| 10.373       | S-E Plan Map Sub Areas | (1) Realign curve in Barnett Rd 400 feet to east; and<br>(2) Alter the Commercial Center Core Area (7A) boundary to remove the Goddard property. |

## APPROVAL CRITERIA COMPLIANCE

### 10.184(2) - Class 'A' Amendment Criteria - MLDC Amendment.

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

**Criterion 10.184(2)(a). Explanation of the public benefit of the amendment.**

**Findings:** S-E Plan, Implementation 1-B(3) requires master planning of the entire Commercial Center Core Area (7A) of the Village Center prior to development approval. Property owners of

the S-E Plan commercial center core area are prepared to submit a master plan, and have asked first that various amendments be made to the *Comprehensive Plan* and *MLDC*. Said proposed amendments will facilitate the approval of their master plan which will make way for the submittal and review of subsequent development applications. Development of the area will provide commercial, retail, and employment opportunities for the community. The proposed amendments are consistent with the purpose of the Village Center of the S-E Plan, and will facilitate: the development of a clear sense of place by establishing a gathering place for social, cultural, political, and recreational interaction of people living and working in the S-E Area; convenient opportunities of shopping accessible by all modes of transportation to reduce traffic congestions and facilitate great convenience and community livability; providing a pedestrian-oriented central core and incorporation with the existing waterway; and providing transit opportunities. All of these elements are a benefit to the public.

**Conclusion:** Criterion 10.184(2)(a) is satisfied.

**Criterion 10.184(2)(b).** The justification for the amendment with respect to the following factors:

**Criterion 10.184(2)(b)(1).** Conformity with applicable Statewide Planning Goals and Guidelines.

**Findings:** The following demonstrates conformity with the applicable Statewide Planning Goals:

**1. Citizen Involvement:**

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which a cross-section of citizens will be involved in the land use planning process, including participation in identifying public goals, developing policy guidelines, and evaluating alternatives in the revision of the *Comprehensive Plan*, and in the inventorying, mapping, and analysis necessary to develop the plan content and implementation strategies. Citizens must also be given the opportunity to participate in the development, adoption, and application of legislation to carry out a comprehensive plan. Goal 1 requires providing an opportunity to review proposed amendments prior to the public hearing, and any recommendations must be retained and receive a response from policy-makers. The rationale used to reach land use policy decisions must be available in the written record.

The City of Medford has an established citizen involvement program consistent with Goal 1 that includes review of proposed legislative *Comprehensive Plan* amendments by CPAC, the Planning Commission, and the City Council in study sessions, regular meetings, and public hearings. Affected agencies and interested persons are also invited to review and comment on such proposals, and meeting and hearing notices are published in the local newspaper, and posted on the city's website. This process has been adhered to in the development of this proposed amendment.

This proposal was prepared by CSA Planning, Inc. (representing various property owners within the Commercial Center Core Area (7A)) and the SEPIAC, and made available for review by the public (via the city's website), affected agencies, departments, and interested persons. SEPIAC held 20 meetings to review these proposals between August 2010 and September 2012, and the minutes from those meetings are available on request. The City Council reviewed the amendments at a study session on November 1, 2012. The Planning Commission reviewed the amendments in a study session on November 12, 2012. The Citizens Planning Advisory Committee reviewed the amendments at a regular meeting on November 13, 2012, and Site Plan and Architectural Commission reviewed the amendments at a study session on December 7, 2012. The minutes from these meetings are provided in attached exhibits.

2. Land Use Planning:

Goal 2 and its implementing *Oregon Administrative Rule* (OAR) and *Oregon Revised Statutes* (ORS) require City land use actions to be consistent with the adopted *Comprehensive Plan*, which must include identification of issues and problems, inventories, and other factual information for each applicable Statewide Planning Goal, and evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy, and environmental needs. Comprehensive plans must state how the Statewide Planning Goals are to be achieved. The plan must contain specific implementation strategies that are consistent with and adequate to carry out the plan, and which are coordinated with the plans of other affected governmental units. Implementation strategies can be management strategies such as ordinances, regulations, and project plans, and/or site or area-specific strategies such as development permits, construction permits, public facility construction, or provision of services. Comprehensive plans and implementation ordinances must be reviewed and revised on a periodic cycle to take into account changing public policies and circumstances. "Major" (legislative) revisions occur when changes are proposed that affect a large area or many different property owners or the entire city.

The proposed amendments affect the Commercial Center Core Area (7A) of the Village Center of the S-E Plan: a special area plan designated within the Neighborhood Element of the *Comprehensive Plan*, and the implementing regulations of the S-E Overlay District included in the *MLDC*. The amendment proposes altering the alignment of Barnett Road by shifting its curve approximately 400 feet to the east. This change necessitates a revision to the S-E Village Center Map and the S-E Plan Map Sub Areas. The proposal is consistent with the existing conclusions, goals, and policies of the *Comprehensive Plan*. The amendment also proposes changes in the requirements for development of the master plan for the Commercial Center Core Area (7A), such as number of bicycle and vehicular parking, street standards, and development of and along Stanford Avenue.

3. Agricultural lands: Does not apply.

4. Forest Lands: Does not apply.

5. Natural Resources, Scenic and Historic Areas, and Open Spaces:

Goal 5 requires an inventory of significant natural, scenic, and historic resources and the development of protection programs to conserve the resources through an evaluation of conflicting use impacts. The S-E Plan area as described in the Neighborhood Element of the *Comprehensive Plan* is characterized by south and west facing slopes which produce view sheds and ideal orientation for solar energy utilization. The Commercial Center Core Area (7A) contains Medford's primary undisturbed natural areas, including stream corridors and oak woodlands. Medford's *Comprehensive Plan* includes an Environmental Element that identifies Goal 5 resources and establishes appropriate policies and protection measures.

The stream drainage which runs through the Commercial Center Core Area (7A) has been identified in the S-E Plan and on the City's General Land Use Plan Map as a Greenway corridor and, although it is not a riparian corridor, the *MLDC* protects this resource by providing setbacks 50 feet from top of bank. This amendment does not change the intent to protect this greenway as open space and for it to be used as a resource for bicycle and pedestrian access.

6. Air, Water, and Land Resources Quality:

Goal 6 applies because the S-E Plan establishes a development pattern that promotes a central core design that encourages residents to walk or cycle between neighborhoods and to the commercial core, and thereby reduce automobile emissions. The land use plan also seeks to maximize access to, and encourage the use of, solar energy. This is also a benefit to air and water resources. Part of this proposal is the removal of the commercial square footage cap. The intention of this removal is to allow future development consistent with neo-traditional patterns by building

up, thereby increasing density and shortening distances between destinations. This development pattern style allows more frequent and convenient transit service, and helps shorten car trips. All of this is a benefit to air, water, and land resources, and is also consistent with the goals and policies of the *Comprehensive Plan* and Statewide Planning Goal 6.

7. Areas Subject to Natural Hazards:

Goal 7 requires local governments to adopt comprehensive plan inventories, policies, and implementing strategies that reduce the risk to people and property from natural hazards, including floods. Development in hazard areas where the risk to people and property cannot be mitigated must be avoided. In adopting plan policies and implementing strategies to protect people and property from natural hazards, local governments must consider the benefit of maintaining natural hazard areas for open space, recreation, or similar uses, and identify mitigation strategies related to the management of natural resources. Local governments must manage stormwater runoff to address flood and landslide hazards. Waterways, especially those in a natural condition, provide hydrological control benefits, and are a necessary component of an adequate stormwater management program. The Commercial Center Core Area (7A) contains a natural drainage which is designated as a greenway. The proposed amendments do not propose changes to the protection of said natural resource, and are consistent with the goal and policies of the Neighborhood Element of the *Comprehensive Plan* to preserve such natural features.

8. Recreation Needs:

The Commercial Center Core Area (7A) contains a portion of a Greenway, designated a *Major Greenway* (Figure 3 of the S-E Plan). This greenway design contains a 20 foot wide asphalt path and 50 foot setback from top-of-bank. The proposed *Comprehensive Plan* amendment does not propose changes to the major greenway section or design standards. It is the intention of the S-E Plan to create an interconnected network of pedestrian and bicycle paths throughout the 1,000 acre S-E Plan. The S-E Plan states that one of the purposes of the S-E Village Center is, "To provide a design that incorporates and promotes the existing waterway and wetland areas into the Commercial Center." The amendment continues to promote this purpose.

9. Economic Development:

Goal 9 requires comprehensive plan policies to contribute to a stable and healthy economy. Such policies must be based on an inventory of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses and must not exceed the carrying capacity of air, land, and water resources of the planning area.

The S-E Plan included a market study for the commercial center area. The amount and type of commercial businesses that would serve the area and which would be economically feasible was assessed. The S-E Plan is based on neo-traditional development patterns with detail design standards to be established. Altering the alignment of Barnett Road, and moving the "main street" from Barnett Road to Stanford Avenue, is in keeping with the neo-traditional development patterns.

The proposed amendments do not affect the amount of designated employment land. Part of the amendment proposes removing the square footage cap on commercial uses. This cap removal could provide for an increase in commercial square footage, leading to an increase in employment opportunities.

10. Housing:

Goal 10 specifies that each city must plan and accommodate needed housing types. Needed housing types include attached and detached single-family, multiple-family, and manufactured homes. Plan provisions to meet housing needs must not exceed the carrying capacity of the air, land, and water resources of the planning area. Goal 10 requires an increase in population densities in urban areas while taking into consideration the ESEE (Environmental, Social, Economic, and Energy) consequences of the proposed densities.

Removal of the commercial square footage cap could encourage an increase in residential square footage, thereby increasing residential housing units in the commercial core.

11. Public Facilities and Services: Does not apply.

12. Transportation:

Goal 12 requires that the City's transportation plan be based upon an inventory of local, regional, and state transportation needs, and minimizes adverse social, economic, and environmental impacts and costs. Plans providing for the transportation system must not exceed the carrying capacity of the air, land, and water resources of the planning area, and must identify the positive and negative impacts on environmental quality.

The existing neighborhood circulation plan of the S-E Plan is located in the Transportation System Plan (TSP), and calls for providing a planned layout of local streets. The S-E Village Center Transportation Oriented District (TOD) qualifies as a "mixed-use, pedestrian-friendly center" for the purpose of the Transportation Planning Rule (TPR) because it is designated in the acknowledged TSP as a TOD and will include a concentration of housing and commercial uses. The S-E Village Center qualifies as a TOD because, when built out, it will make a major transit stop more viable in the area.

According to Oregon Department of Transportation (ODOT), the proposal does not significantly affect a transportation facility according to the TPR. It does not change the functional classification of transportation facilities identified in the TSP (major streets). It does not allow new land uses that would result in levels of travel that are inconsistent with the functional classification of a transportation facility. The provisions of the S-E Overlay zone, in addition to the existing Code requirements, will require the development of a mixed-use, pedestrian-friendly center and provide for pedestrian and bicycle connectivity and access to transit.

This proposal amends the adopted neighborhood circulation plan by shifting the curve in Barnett Road approximately 400 feet to the east. This alteration in the alignment maintains a circulation pattern that promotes multi-modal transportation viability in the S-E Plan area and is consistent with the intent of a transit oriented development.

13. Energy Conservation: See findings under 6 and 12.

14. Urbanization: Does not apply.

Note: Goals 15–19 apply only to other regions of the State.

**Conclusion:** Criterion 10.184(2)(b)(1) is satisfied.

**Criterion 10.184(2)(b)(2). Conformity with goals and policies of the *Comprehensive Plan* considered relevant to the decision.**

**Findings:** The findings below demonstrate conformity with the goals and policies. The relevant selection from the *Comprehensive Plan* appears in italic print followed by the finding.

*Environmental Element, Policy 3-B: The City of Medford shall continue to require a well-connected circulation system and promote other techniques that foster alternative modes of transportation such as pedestrian oriented mixed-use development and a linked bicycle transportation system.*

The proposed code amendment adds language requiring the following: Barnett Road to be developed to Major and Minor Arterial Street standards with bicycle lanes and sidewalks; and Stanford Avenue to be constructed with 12 foot wide sidewalks. These requirements will

provide opportunities for pedestrian and bicycle circulation from and through the S-E Plan Commercial Center Core Area (7A) and surrounding neighborhoods.

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

The amendment proposes adding language specifying that open space for stormwater quality and detention facilities may be provided in greenways rather than onsite. The greenway within the Commercial Center Core Area (7A) is designated a G2 Greenway, or a Major Greenway Not Riparian Corridor. As such, the *Comprehensive Plan* requires the greenway be constructed with a 50-foot setback from top-of-bank and a 20-foot wide asphalt bicycle and pedestrian path. Allowing stormwater quality and detention facilities into this non-riparian corridor do not require a Conditional Use Permit. This new language encourages the incorporation of greenways into the site design and operation of the S-E Plan.

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

Clustered development is encouraged by this code amendment through the removal of the retail square footage cap of 150,000 square feet. Removal of this cap will facilitate the increase in density of commercial uses within the Commercial Center Core Area (7A), thereby resulting in clustered development which could then be aesthetic in design and sensitive in location to avoid alteration of topographical and natural features. The potential outcome of this square footage cap removal could be a concentration of a variety of land uses such as: medium to high density residential, offices or office buildings, retail stores and services, restaurants, and public open space such as plazas.

*Economic Opportunities, Implementation 1-8(b): Require integrated commercial centers, rather than individual linear developments, whenever possible.*

The Commercial Center Core Area (7A) is required to be an integrated commercial center, rather than an individual linear development, with a variety of land uses including medium or high density residential, offices, retail, restaurants, and open spaces. The 7A area is intended to be a mixed-use, pedestrian-friendly center. The proposed amendment does not alter this intention, and increases the opportunities for increased density and circulation to and within the area.

*Housing Element, Policy 3: In planning for needed housing, the City of Medford shall strive to provide a compact urban form that allows efficient use of public facilities and protects adjacent resource lands.*

*Housing Element, Implementation 3-A: Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 3. Consider actions such as: (a) upzoning buildable land to medium and high density residential; (b) allowing neighborhood commercial activities within residential designations; (c) developing special area plans that support high-density and mixed-use projects; (d) requiring redevelopment to be at the same or higher density as the previous development; (e) assuring zone change locational criteria encourage a compact urban form; and (f) assuring land division design standards and approval criteria encourage efficient use of public facilities.*

*Housing Element, Policy 5: The City of Medford shall provide opportunities for alternative housing types and patterns, such as planned unit developments, mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and respon-*

*sive to the site and surroundings, including the conservation and enhancement of areas having special scenic, historic, architectural, or cultural value.*

The above Housing Element policy and implementation strategies are supported by the proposal to remove the commercial square footage cap from the Commercial Center Core Area (7A). Removal of the square footage cap on commercial square footage supports these policy and implementation strategies because removing the cap provides an opportunity for an increase the amount of residential units as well. The Commercial Center Core Area (7A) may be built out in "mixed-use buildings" (Table 1: S-E Plan Map Subareas, Targeted Land use, Zoning, and Density and Estimated Dwelling Unit Range), and Section 10.708 of the MLDC allows for no maximum density for residential units in mixed-use buildings. Removing this cap allows an opportunity to build at increased densities for both commercial and residential uses in mixed-use buildings. The proposed amendment continues to support the S-E Plan of high-density and mixed-use development.

*Housing Element, Policy 6: The City of Medford shall plan for multi-family residential development encouraging that which is innovative in design and aesthetically appealing to both the residents and the community.*

This policy is supported by the proposed amendment to add language to the MLDC requiring structures on Stanford Avenue to be two-story structures, or to have the appearance of being a two-story structure. It is the intention of this language to encourage the development of a "main street" along Stanford Avenue, one in which retail and residential uses are combined in mixed-use buildings.

*Public Facilities Element, Stormwater Management, Implementation 1-A(4): Through the development review process, require development and stormwater system improvements to comply with the standards in the current stormwater management plan.*

*Public Facilities Element, Stormwater Management, Policy 1-C: The City of Medford shall assure that stormwater is management (infiltrated, detained and treated) on or as close as practicable to development sites in order to reduce the impact of new development on the stormwater management system and natural streams.*

*Public Facilities Element, Stormwater Management, Implementation 1-C(1): Require stormwater to be infiltrated onsite to the greatest extent possible through a combination of provisions, such as site design standards, that reduce impervious surfaces and protect natural areas.*

The above policies and implementation strategies of the Stormwater Management Element are supported by the proposed amendment in that language is proposed to be added to the MLDC allowing for stormwater quality and detention facilities to be located in the greenway rather than on-site.

*Public Facilities Element, Stormwater Management, Implementation 2-A(5): Focus street and parking standards to protect and enhance water quality, such as minimizing street pavement widths, limiting the amount of parking, allowing pervious paving surfaces where practical, etc.*

This implementation strategy is supported by this amendment in that language is proposed to be added to the MLDC to restrict the total amount of parking to 100% of the minimum required by code. This cap on vehicular parking spaces may serve to protect and enhance water quality.

*Parks, Recreation, and Leisure Services, Policy 5: To maintain and enhance community livability in Medford by promoting the aesthetic quality of the urban environment.*

*Parks, Recreation, and Leisure Services, Policy 5-A: The City of Medford shall recognize trees as valuable amenities that contribute to the livability of our city through the proper selection, placement, preservation and maintenance of trees along our streets, in open spaces, and in parks.*

Community livability and the aesthetic quality of the urban environment is being supporting by this proposed amendment through the added requirement for street trees along Stanford Avenue. Street trees are valuable amenities that contribute to the livability of the city. Street trees create safer walking environments by forming and framing visual walls and providing district edges to sidewalks so motorists better distinguish between their environment and the one shared with people.

*S-E Plan, Goal 1: To assure that development in the S-E Area occurs in a manner that reduces reliance on automobile travel within the area and promotes multi-modal travel, including pedestrian, bicycle, and transit.*

*S-E Plan, Policy 1-A: The City of Medford shall assure that circulation and development design in the S-E Area emphasizes connectivity and promotes multi-modal transportation viability.*

*S-E Plan, Policy 1-B: The City of Medford shall assure that the Village Center is developed as a pedestrian-oriented, mixed use, higher density central core (TOD) for the S-E Area.*

The Commercial Center Core Area (7A) lies within the Village Center of the S-E Plan. The Village Center TOD qualifies as a "mixed-use, pedestrian friendly center" for the purposes of the TPR because it is designated in the acknowledged TSP as a transit oriented development and will include a variety of land uses. This proposal amends the existing circulation plan through the realignment Barnett Road, shifting its curve approximately 400 feet to the east.

*S-E Plan, Implementation 1-B(1): Require special design for development within the Village Center, affecting such elements as building location and orientation, lighting, signage, parking, outdoor storage and display, greenway/wetland treatment, etc.*

*S-E Plan, Implementation 1-B(3): Require master planning of the entire Commercial Center Core Area (7A) of the Village Center prior to development approval.*

*S-E Plan, Implementation 2-B(1): Encourage clustered development to avoid alteration of important natural features.*

The amendment proposes the following elements to support the purpose of the S-E Plan: require Stanford Avenue be constructed with 12 foot wide sidewalks, street trees, and no planter strips; require the incorporation of neo-traditional design elements into the development; require all buildings on Stanford Avenue be constructed as at least two-story, or have the appearance of being two-story; disallow fueling stations; allow a limited number of drive-through windows; and remove the total gross floor area cap of 150,000 square feet for commercial businesses. These elements support the above implementation strategies, and are intended to result in clustered development to avoid alteration of important natural features.

*Transportation System Plan Element, Policy 1-B: The City of Medford shall use the TSP as the legal basis and policy foundation for decisions involving transportation issues.*

*Transportation System Plan Element, Implementation 1-B(6): Require Comprehensive Plan, MLDC, and Zoning Map amendments to contain findings that show how the action is in conformity with the adopted tenets of the Medford TSP.*

*Transportation System Plan Element, Policy 2-A: The City of Medford shall classify streets so as to provide an optimal balance between mobility and accessibility for all transportation modes consistent with street function.*

*Transportation System Plan Element, Policy 2-C: The City of Medford shall design the street system to safely and effectively accommodate multiple travel modes within the public rights-of-way.*

*Transportation System Plan Element, Implementation 2-C(1): Apply the street design standards that most safely and efficiently provides multi-modal capacity respective to the functional classification of the street, mitigating noise, energy consumption, neighborhood disruption, economic losses, and other social, environmental, or institutional disruptions. Use of adopted neighborhood plans should determine the specific look and character of each neighborhood and its street system.*

*Transportation System Plan Element, Policy 2-D: The City of Medford shall balance the needed street function for all modes with adjacent land uses through the use of context-sensitive street and streetscape design techniques.*

*Transportation System Plan Element, Implementation 2-D(1): Identify unique street design treatments, such as boulevards or "main" streets, through the development and use of special area plans, neighborhood plans, or neighborhood circulation plans adopted in the Medford Comprehensive Plan.*

*Transportation System Plan Element, Policy 2-J: The City of Medford shall prohibit on-street parking on Arterial and Major Collector streets in order to maximize the capacity of the transportation system except in the Downtown Parking District, in adopted TODs, or where permitted through the development and use of special plans adopted in the Medford Comprehensive Plan.*

*Transportation System Plan Element, Goal 4: To facilitate the increased use of bicycle transportation in the Medford planning area, as bicycle facilities are a measure of the quality of life in a community.*

*Transportation System Plan Element, Policy 4-C: The City of Medford shall encourage bicycling as an alternative mode of transportation as well as a recreational activity.*

*Transportation System Plan Element, Implementation 5-A(1): require development and street construction/renovation projects to include sidewalks and walkways.*

*Transportation System Plan Element, Implementation 5-C(1): Encourage walking for both travel and recreation, emphasizing the health, economic, and environmental benefits for the individual and community.*

*Transportation System Plan Element, Implementation 5-C(2): Prepare for consideration by the City Council ordinances that require pedestrian-friendly development design that encourages walking.*

*Transportation System Plan Element, Implementation 8-A(1): Through revisions to the Medford Comprehensive Plan and MLDC, provide opportunities for increasing residential and employment density in locations that support increased use of alternative travel modes, such as along transit corridors.*

*Transportation System Plan Element, Implementation 8-A(2): Maintain and continue enforcement of the MLDC provisions which require new development to accommodate multi-modal trips by providing bicycle racks, connecting sidewalks, building entrances near the street, and transit facilities.*

*Transportation System Plan Element, Policy 8-B: The City of Medford shall undertake efforts to increase the percentage of dwelling units and employment located in Medford's adopted TODs, consistent with the targeted benchmarks in the "Alternative Measures" of the 2001-2023 Rogue Valley Regional Transportation Plan (RTP).*

The Commercial Center Core Area (7A) lies within the Village Center of the S-E Plan. The Village Center TOD qualifies as a "mixed-use, pedestrian friendly center" for the purposes of the TPR because it is designated in the acknowledged TSP as a transit oriented development and will include a concentration of a variety of land uses. This proposal amends the existing circulation plan through the realignment Barnett Road, shifting its curve approximately 400 feet to the east. It has been determined that the proposal does not significantly affect a transportation facility according to the TPR. It does not change the functional classification of transportation facilities in the TSP. It does not allow new land uses that would result in levels of travel that are inconsistent with the functional classification of a transportation facility; nor does it reduce the performance standards of a transportation facility below the minimum acceptable level identified in the TSP because it does not generate in excess of 250 new average daily motor vehicle trips over the currently adopted land use plan.

Consistent with the TPR, the City has assumed that the motor vehicle trip generation for the Village Center TOD will be reduced by 10% for the uses located in the mixed-use, pedestrian-friendly center. The proposed amendment will require the development of a mixed-use, pedestrian-friendly center and provide for pedestrian/bicycle connectivity and access to transit. Additionally, the Street Functional Classification Map is proposed to be revised, as a matter of correction. Currently the S-E Plan designates Barnett Road a Major Arterial from North Phoenix Road 250 feet east, and a Minor Arterial thereafter; however, the current Street Functional Classification map does not illustrate this distinction. Therefore, this amendment will fix the map such that it illustrates this difference in designation.

The S-E Plan aids the City in meeting the requirements of the TPR. The TPR requires cities to implement measures that reduce reliance on automobile travel. It requires the planned land use patterns and transportation system to promote an increase in the number of trips accomplished through walking, bicycling, and transit use. The following other measures are proposed to facilitate the development of a mixed-use, pedestrian-friendly center: requiring Stanford Avenue to be built with 12 foot wide sidewalks with street trees and no planter strips, and have on-street parking; increasing the minimum amount of bicycle parking; and eliminating the square footage cap for retail uses. This cap elimination will provide increased opportunity for construction of mixed-use buildings, thereby encouraging an increase in employment, commercial, and residential density.

**Conclusion:** Criterion 10.184(2)(b)(2) is satisfied.

**Criterion 10.184(2)(b)(3).** Comments from applicable referral agencies regarding applicable statutes or regulations.

The findings below respond to comments from applicable referral agencies regarding applicable Statutes or regulations:

**Comment:** The Public Works Department submitted a report containing recommended revisions to the proposed code language as it relates to stormwater quality and detention, and tree removal. It is being requested that conditions be included for instances in which a developer would like to use a greenway, not riparian corridor, for stormwater quality and detention, rather than placing it onsite. Also, the Public Works Department recommends only non-native trees be removed, as leaving and maintaining native trees help the City comply with Total Maximum Daily Load (TMDL) requirements because stream temperature is considered a pollutant, and trees fa-

cilitate the reduction of stream temperatures. The Public Works Department report is included as Exhibit B. Modifications were made to the proposal to reflect the comments in the Public Works Department Memorandum, and have been agreed to by the agent representing property owners in the Commercial Center Core Area (7A). The Planning Commission also reviewed and recommended approval of this language (Exhibit A). This revised language to Section 10.384(D) removes the requirement that greenway improvements be incorporated into the Master Plan, and adds language requiring a landscape plan be submitted for review and approval prior to development, and that the plan demonstrate an equivalent or better amount of stream corridor shading.

Jackson County Roads (Exhibit C) responded by saying they have no comment on this application.

Oregon Department of Transportation responded that the proposed amendments will not significantly affect state transportation facilities (Exhibit D).

**Findings:** These recommendations from the Medford Public Works Department are predicated upon the requirements of TMDL standards and existing requirements of the MLDC as they relate to stormwater quality and detention. Appropriate modifications have been made to the proposal to reflect these recommendations, and the Planning Commission voted on February 14, 2013 to recommend these changes (Exhibit K).

**Conclusion:** Criterion 10.184(2)(b)(3) is satisfied.

**Criterion 10.184(2)(b)(4). Public comments.**

The findings below respond to public comments:

**Comment:** No public comments were received on this application.

**Findings:** No public comments were received on this application.

**Conclusion:** Criterion 10.184(2)(b)(4) is satisfied.

**Criterion 10.184(2)(b)(5). Applicable governmental agreements.**

**Findings:** No governmental agreements apply to the proposed code amendment.

**Conclusion:** Criterion 10.184(2)(b)(5) is satisfied.

## **RECOMMENDATIONS**

### Southeast Plan Implementation and Advisory Committee

The proposed Medford MLDC Amendments in this application are recommended by the SEPIAC, as they are a result of collaboration between the property owners and the Committee.

### Planning Commission

The Planning Commission reviewed the proposals at their November 12, 2012 study session. Minutes are included as Exhibit F. The Planning Commission held a public hearing on February 14, 2013 in which they voted to forward a favorable recommendation to the City Council for approval of DCA-12-090.

### Site Plan and Architectural Commission

The Site Plan and Architectural Commission (SPAC) reviewed the proposal at their December 7, 2012 study session. Minutes are included as Exhibit H.

#### Citizens Planning Advisory Committee

The Citizens Planning Advisory Committee (CPAC) reviewed the proposed amendments on November 13, 2012. No recommendation was made (Exhibit G).

### **RECOMMENDED ACTION**

Based on the findings and conclusions that all of the approval criteria are either met or are not applicable, the Planning Commission recommends that the City Council approve DCA-12-090 per the Staff Report dated February 20, 2013 including Exhibits A through J.

### **EXHIBITS**

- A Proposed *MLDC* Amendment
- B Public Works Department Staff Report dated January 10, 2013
- C Jackson County Road memorandum dated November 14, 2012
- D Oregon Department of Transportation Email dated November 21, 2012
- E City Council Study Session Minutes dated November 1, 2012
- F Planning Commission Study Session Minutes dated November 12, 2012
- G Citizens Planning Advisory Committee Meeting Minutes dated November 13, 2012
- H Site Plan and Architectural Commission Study Session Minutes dated December 7, 2012
- I Zoning Map
- J General Land Use Plan Map
- K Planning Commission Hearing Minutes February 14, 2013

PLANNING COMMISSION AGENDA: FEBRUARY 14, 2013  
CITY COUNCIL AGENDA: MARCH 7, 2013

## Exhibit A

SOUTHEAST COMMERCIAL CENTER CORE AREA LAND DEVELOPMENT CODE AMENDMENT  
DCA-12-090

February 20, 2013

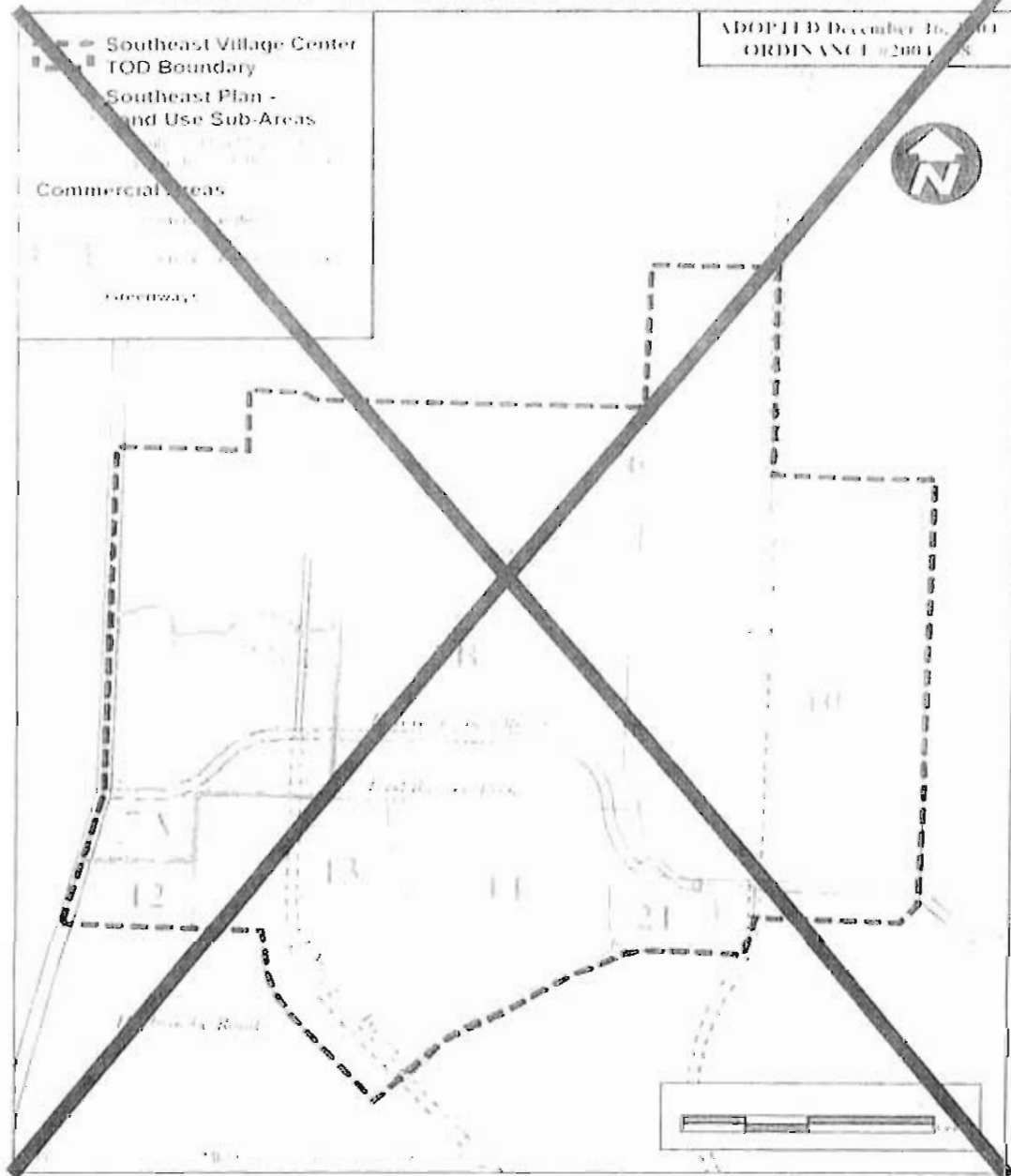
### Land Development Code Amendment Proposal

Underlined copy indicates an addition; ~~Struck through copy~~ indicates a deletion.

#### 10.372 General Land Use Plan Map And Southeast Plan Map Consistency, S-E.

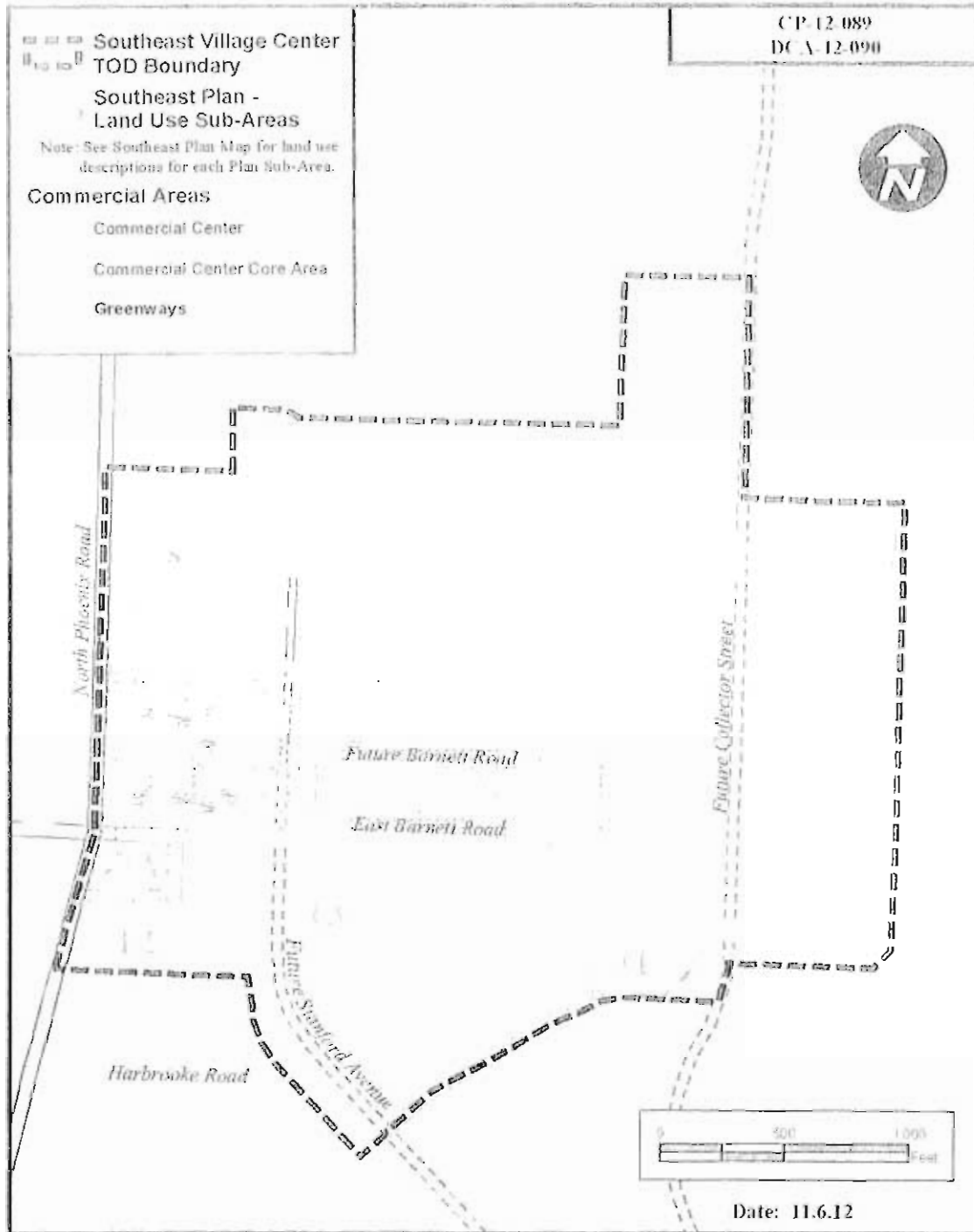
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FIGURE 10.372: SOUTHEAST VILLAGE CENTER MAP, MEDFORD LAND DEVELOPMENT CODE  
FIG. 10.372 - SOUTHEAST VILLAGE CENTER



(Revisions include: Goddard property removed from 7A, and Barnett Road realigned to east)

FIG. 10.372 - SOUTHEAST VILLAGE CENTER



## Exhibit A

SOUTHEAST COMMERCIAL CENTER CORE AREA LAND DEVELOPMENT CODE AMENDMENT  
DCA-12 090

February 20, 2013

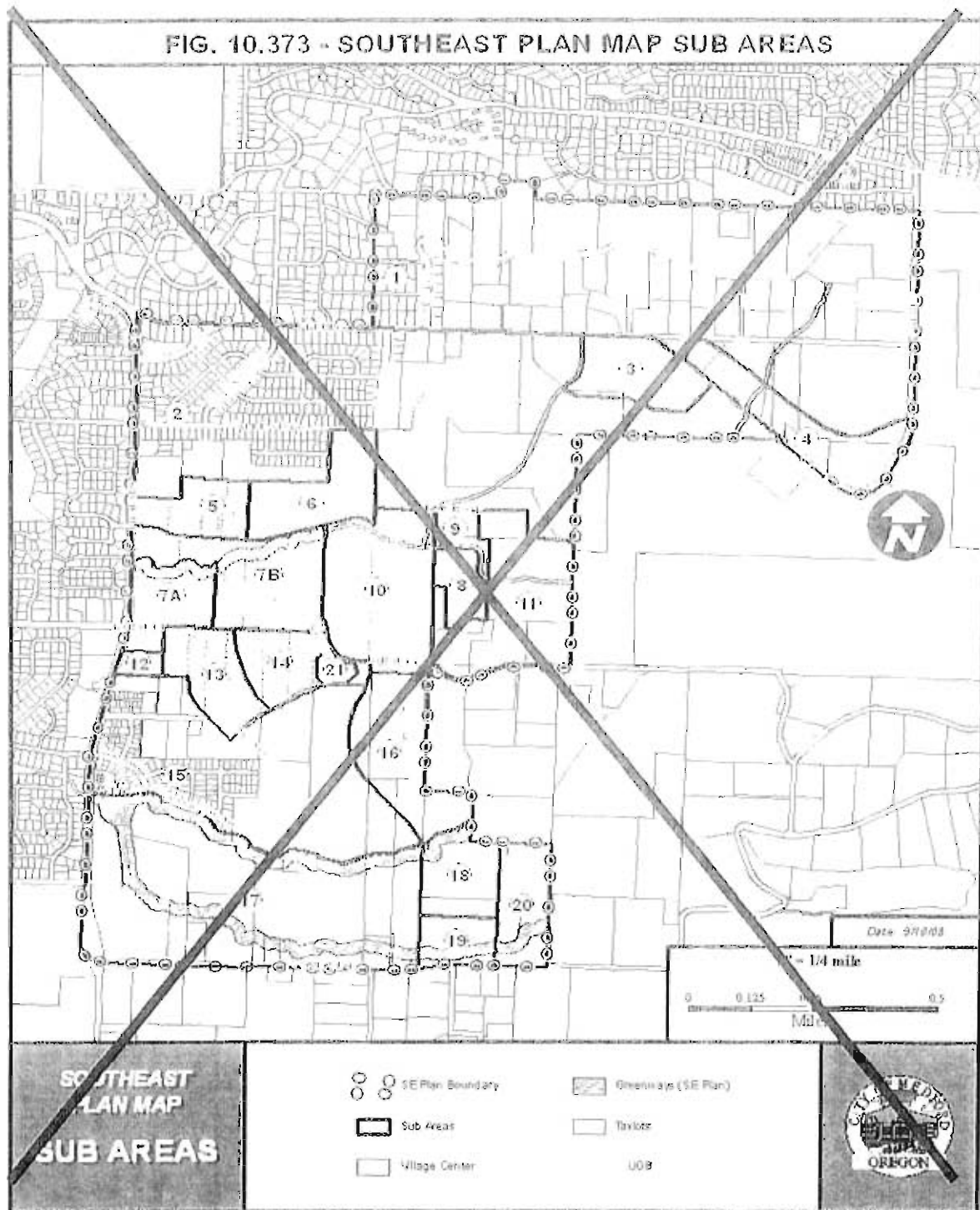
10.373 General Land Use Plan Map, Southeast Plan Map, Zoning, ~~And~~ Residential Density, S-E.

\*\*\*\*\*

3. Zone Changes in Commercial Center Core Area (7A).

The City shall not accept an application for a zone change within the Commercial Center Core Area (7A) until the City has adopted a Commercial Center Core Area (7A) Master Plan, in conformance with Section 10.374 (4). ~~Such zone change applications shall be accompanied by a Preliminary PUD Plan application that conforms to the adopted Master Plan and other applicable S-E Overlay District standards.~~

FIGURE 10.373 SOUTHEAST PLAN MAP SUB AREAS, MEDFORD LAND DEVELOPMENT CODE



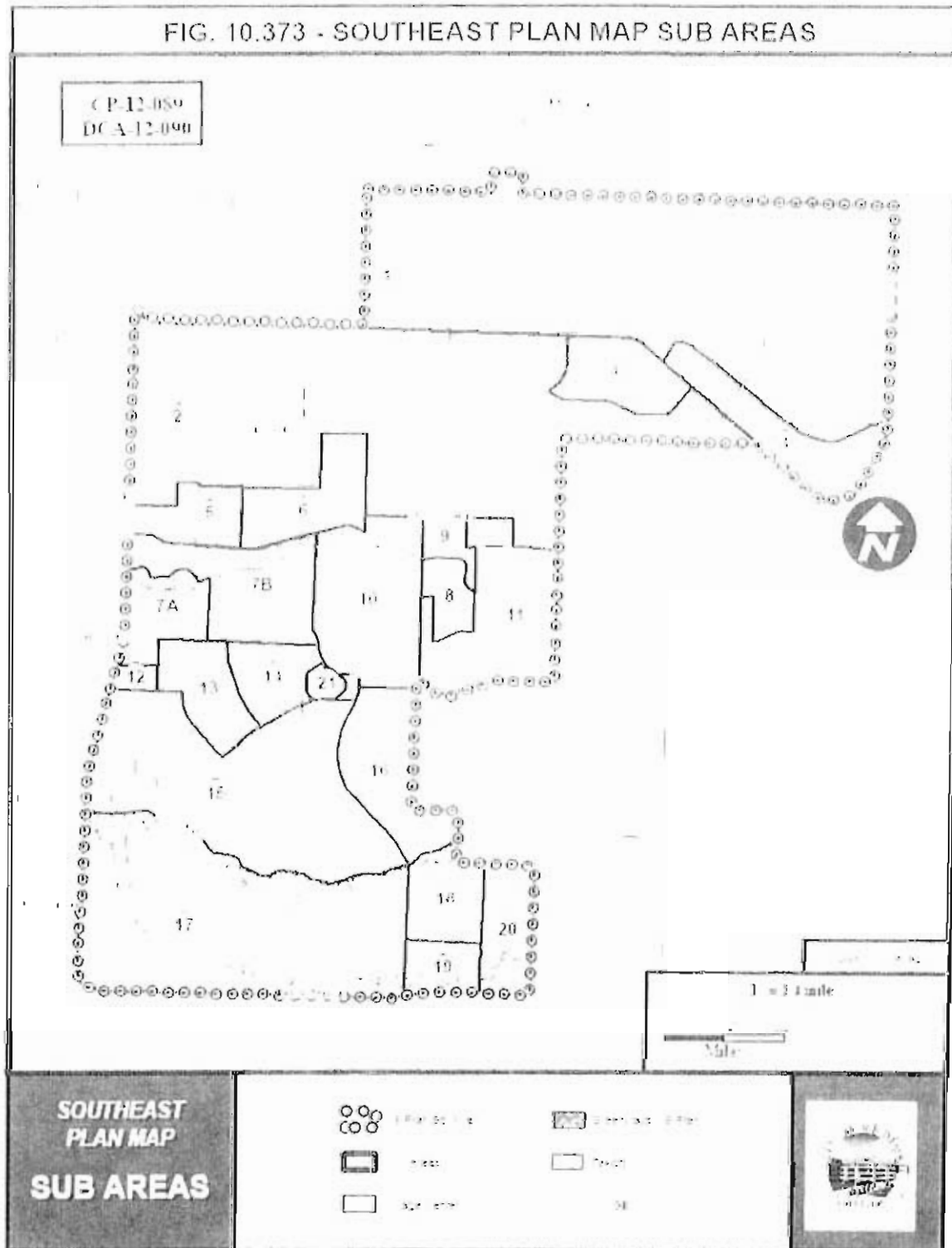
\\Project\_Files\\Planning\\SEME\\Sept\_08\_Updates\\Adopted Landuse 6x11\_B SH\\mxd

# Exhibit A

SOUTHEAST COMMERCIAL CENTER CORE AREA LAND DEVELOPMENT CODE AMENDMENT  
DCA-12-090

February 20, 2013

(Revisions include: Gooddord property removed from 7A, and Barnett Road realigned to east)



\*\*\*\*\*

10.374 Planned Unit Development and Master Plan Requirements, S-E.

1. Planned Unit Development Requirements.

Except for properties within Southeast Plan land use areas 1, 2, 7A, 16, 17, 18, 19, and 20; for proposed institutional uses that require a Conditional Use Permit; or as otherwise exempted by the S-E Overlay District, all new developments consisting of one (1) or more acres shall require approval of a Planned Unit Development pursuant to Sections 10.230 through 10.245 and all applicable provisions of the S-E Overlay District. Proposed PUDs that are not required by this section must be at least one (1) acre in size. Regardless of the size of the property or number of dwellings, all zone change applications for projects in the Commercial Center (7A and 7B) shall be accompanied by a Preliminary PUD Plan application.4. Commercial Center Core Area (7A) Master Plan.

\*\*\*\*

4. A-The Southeast Village Commercial Center Core Area (7A) Master Plan, adopted by the City Council shall govern design and development within the area designated (7A) "Commercial Center Core Area" on the Southeast Plan Map. (See Figure 10.372.) All zone changes, PUDs, other land use actions, and permits within the Commercial Center Core Area (7A) shall conform to the Master Plan. The Master Plan, at a minimum, shall contain the following elements:

- a- ~~Materials required for a Preliminary PUD Plan application.~~
- b-a. Provision for retail commercial uses on both sides of Barnett Road Stanford Avenue.
- e-b. Pedestrian and bicycle circulation plan.
- d.c. ~~Conceptual locations for civic sites such as post office, plaza, and branch library.~~ Barnett Road shall be developed to Major Arterial street standards from North Phoenix Road east 250-feet. From two-hundred fifty (250) feet east of the intersection of North Phoenix Road and Barnett Road, to the easterly boundary of the Commercial Center Core Area (7A), Barnett Road shall be developed to Minor Arterial street standards.
- e.d. Special street design standards for the main street(s), Stanford Avenue, that include on-street parking and a three-lane configuration for Barnett Road, sidewalks of at least twelve (12) feet in width on both sides of Stanford Avenue, street trees, and no planter strips and maximum block lengths.
- f.e. Required architectural design standards and unique architectural themes for each sector of development. All applicants shall incorporate neo-traditional design elements into the development.
- g-f. Required "pedestrian friendly" design through the use of:
  - (1) Building facades set nearer the sidewalk.
  - (2) De-emphasis of automobile access and storage; avoiding an uninterrupted expanse of asphalt; and provision of large shade trees on the interior and perimeter of parking lots.
  - (3) Interesting and varied landscape designs including hardscapes.
  - (4) Common streetlights that are architecturally appropriate.
  - (5) Street furniture, such as benches, lights, raised flowerpots, drinking fountains, and public art.
  - (6) Weather protection for pedestrians.
  - (7) Design that discourages use of fencing.

## Exhibit A

(8) At least three (3) operating building entrances per block and at least one (1) per building on streets where on-street parking is permitted.

(9) All buildings along Stanford Avenue shall be two-story buildings, or have the appearance of a two-story building.

h.g. Lighting plan that avoids lighting adjacent properties and the night sky. The master plan shall require that applicants for development within Area 7A include a photometric data and illumination plan consistent with MLDC Section 10.764 at the time development permit applications are submitted to the City for review and approval.

i.h. Master signage plan that encourages monument signs, discourages retail signage that lists tenants, and discourages rooftop lights.

j.i. Covered bicycle parking areas.

k.j. Public restrooms.

l.k. Usable exterior spaces and outdoor gathering and eating areas open to the public.

m.l. Shopping cart storage incorporated into building design to screen stored carts.

n.m. Separated truck delivery and circulation from customer circulation.

5. The S-E Commercial Center Core Area (7A) Master Plan shall be incorporated by reference as part of the Medford Land Development Code for the S-E Overlay District, and shall be as much a part of this Ordinance as if all were fully described herein. Development within the Commercial Center Core Area (7A) shall be approved by the Site Plan and Architectural Commission only if it can be found to be consistent with the adopted Master Plan. Development within the Master Plan area (7A) that is not consistent with the adopted Master Plan, regardless of size, shall be approved only when a PUD has been approved by the Planning Commission.

A development shall be found to be consistent only if:

a. The proposed development is consistent with all Code standards unless superseded by Master Plan Sector Design and Development standards, in which case the development shall comply with applicable Sector Design and Development Standards.

b. Revisions are limited to the following:

i. The building envelope is not increased or decreased by more than ten percent (10%) of the envelope shown on the Master Plan.

ii. Plazas are not smaller than ninety percent (90%) of proposed size on Master Plan;

iii. If the location of a building is altered, it does not impair the safety of on-site pedestrian and vehicular circulation.

### 10.377 ~~Special Design Standards For~~ Southeast Village Center.

The following design standards apply to the Southeast Village Center, ~~except that design standards for the Commercial Center Core Area (7A) shall be established through the adopted Master Plan, as provided by Section 10.374(4).~~

\*\*\*\*\*

### 10.378 ~~Special Standards For~~ Commercial Center (7A and 7B), S-E.

\*\*\*\*\*

**1. Outdoor Uses.**

Except as provided in (a) through (c), all uses, activities, sales, merchandise, and the stockpiling and storage of equipment and materials shall be entirely within an enclosed building. The following uses may be outside an enclosed building:

- a. Outdoor eating areas pursuant to Section 10.833, and sidewalk cafes in the public right-of-way pursuant to Section 10.358(c).
- b. Temporary outdoor sales of merchandise pursuant to Section 10.831;
- c. Temporary uses pursuant to Sections 10.841 through 10.858;
- d. Parks, playgrounds, greenways, outdoor performing arts facilities, outdoor sports facilities, plazas, pedestrian malls, and news racks in conformance with Chapter 6 of the Code.

**2. ~~Fueling Stations. Drive-Through Retail and Service Windows.~~**

~~Fueling stations, including attached convenience stores, fuel pumps, motor vehicle services, and accessory uses, are limited to the Commercial Center Core Area (7A) and require Conditional Use Permit (CUP) approval. Drive-through retail and service windows are limited to the Commercial Center Core Area (7A) for three sites, designated as one for a pharmacy, one for a bank, and one for a credit union. These three uses shall conform to the following standards and other appropriate conditions imposed by the approving authority. These uses shall conform to the CUP criteria, the following standards, and other appropriate conditions imposed by the approving authority:~~

- ~~a. Fueling stations shall not contain more than four (4) fueling pumps on two (2) islands, serving up to eight (8) motor vehicles at a time; and~~
- ~~b. Fueling pumps shall provide and utilize at least Stage II Vapor Recovery for air quality.~~
  - a. Drive-throughs and service windows shall be architecturally integrated (attached) to all buildings.
  - b. Drive-throughs and service windows shall not be located on the street side of an internal street; they can be off an internal street.

**3. Residential Uses in Commercial Center Core Area (7A).**

Residential uses and group quarters are subject to the provisions of the Commercial Center Core Area (7A) Master Plan, and not more than twenty percent (20%) of the gross floor area on a project site may consist of ground floor residential or group quarter uses. \*\*\*\*

**4. Prohibited Uses.** Notwithstanding Section 10.337, the following uses are not permitted in the Commercial Center (7A and 7B) and cannot be permitted through a PUD approval:

| SIC No. *                                       | Commercial Center Prohibited Uses                                                                                                                                                                                                                |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 | Drive-through retail and service windows (including, but not limited to, restaurants, banks, and pharmacies <u>except as designated on the approved Commercial Center Core Area (7A) Master Plan for three buildings and per MLDC 10.378(2).</u> |
| SIC 551, 552, 555, 556, 557, 559, 751, 753, 754 | Motor vehicle sales and repair (including, but not limited to, autos, trucks, boats, RVs, and airplanes)                                                                                                                                         |
| SIC 271                                         | Newspaper Printing Facilities                                                                                                                                                                                                                    |
| <u>SIC 5541</u>                                 | <u>Gasoline Service Stations, Fueling Stations, and Charging Stations</u>                                                                                                                                                                        |

## Exhibit A

|          |                                                                                                    |
|----------|----------------------------------------------------------------------------------------------------|
| SIC 6553 | Cemeteries and Mausoleums                                                                          |
| SIC 7218 | Industrial Laundries                                                                               |
| SIC 7692 | Welding Shops                                                                                      |
| SIC 7699 | Agricultural Equipment Repair, Engine Repair,<br>Industrial Truck Repair, and Septic Tank Services |
| SIC 7948 | Outdoor Race Tracks                                                                                |
| SIC 9223 | Correctional Institutions                                                                          |

\* The SIC numbers correspond to the Standard Industrial Classification (SIC) Code numbers found in Section 10.337.

### 5. Business Size Limitations in Commercial Center Core Area (7A).

- The maximum gross floor area of any one (1) business use shall be 50,000 square feet in accordance with Section 10.338~~328~~.
- ~~The total gross floor area of all commercial businesses is limited to 100,000 square feet plus 50,000 square feet for a grocery store.~~

### 6. Off-Street Motor Vehicle Parking.

- Except for residential and group quarters uses, there shall be no requirement to supply a minimum number of off-street motor vehicle parking spaces in the Commercial Center.
- Except for residential and group quarters uses, the number of off-street motor vehicle parking spaces provided for each use in the Commercial Center Core Area (7A) shall not exceed ~~120~~one hundred percent (100%) of the minimum standard for the subject use.
- ~~Shared motor vehicle parking spaces, even where there is overlap in time of use, and reciprocal access and use are permitted as determined through the PUD approval process.~~

### 7. Pedestrian Amenities.

For every ten (10) square feet of site area developed with commercial, institutional, residential, and/or mixed-use development, at least one (1) square foot of area shall be devoted to pedestrian amenities. These may include amenities provided by the developer on public property or right-of-way with City authorization. Pedestrian amenities may include, but are not limited to, public and/or private plazas, outdoor seating, pocket parks, transit waiting areas and facilities, extra-wide sidewalks (wider than minimum City standard) with street furnishings (e.g., seating, fountain, public art, information kiosk, sidewalk vending where permitted, and similar furnishings). This ratio may be reduced or waived for projects that provide parking structures for multiple users, subject to City approval of a PUD and recorded shared parking agreement.

### 8. Bicycle Parking.

The amount of bicycle parking provided within the Commercial Center Core Area (7A) shall be two-times the amount required by Section 10.748 "Bicycle Parking Standards."

### 10.384 Greenways - Special Design and Development Standards, S-E.

Within the S-E Overlay District, development within or adjacent to the areas designated as Greenways shall be consistent with the following regulations, and such regulations shall be required through the PUD and/or Site Plan and Architectural Review processes:

#### A. Location and Extent of Greenway Designation.

~~Within the S-E Overlay District, the general location of Greenways shall be as depicted on~~

Southeast Circulation Plan Map (Figure 1, Southeast Medford Plan Area Neighborhood Circulation Plan and Transportation Policies and Guidelines) both the GLUP Map and Southeast Plan Map, provided that, a more precise location shall be established as follows:

1. The Greenway designation shall extend not less than fifty (50) feet from the top of the bank on each side of the channel along the Major Greenway designated on the Southeast Circulation Plan Map for the North, Middle, and South Forks of Larson Creek. The top of the bank shall be as defined in Section 10.012.
2. For Minor Greenways designated on the Southeast Circulation Plan Map along natural surface drainageways, that are not located along the North, Middle, or South Forks of Larson Creek, the Greenway designation shall extend not less than twenty (20) feet from the centerline of the drainageways. For Minor Greenways not located along natural surface drainage features, the designation shall be 40 feet in width consistent with Figure 5 of the Southeast Medford Plan Area Neighborhood Circulation Plan.
3. The size and location of Greenways may be altered by the City when needed to comply with state and federal regulations.

\*\*\*\*\*

C. Greenway Improvements.

\*\*\*\*\*

2. Responsibility for Greenway Improvements.

Required improvements in Greenways shall serve two (2) principal purposes as explained in the *Medford Comprehensive Plan*: 1) for storm drainage based on the *Comprehensive Medford Area Drainage Master Plan (1996)*; or, 2) for pedestrian and bicycle circulation. The Southeast Plan Map denotes the principal purpose for the required improvements in each Greenway. The responsibility for installing Greenway improvements to the standards in this Section shall be based on the following:

- a. Greenway Improvements for Storm Drainage. Open space for stormwater quality and detention facilities required by MLDC Section 10.486 and MLDC Section 10.729 may be provided in Greenways rather than on-site. The installation of improvements that provide required access to storm drainage facilities in Greenways based on the Southeast Plan Map and the *Comprehensive Medford Area Drainage Master Plan (1996)* shall be by, and at the sole expense of, the owners of the land adjacent to either side of the Greenway, or segment of, unless otherwise approved by the City. Absent an adopted Greenway design plan, the City shall approve, on a case-by-case basis, the location of a surfaced path required to provide access for storm drainage maintenance, and any other required or proposed improvements. The City may require all or any part of the Greenway to be dedicated for public use and/or ownership following the installation of the required improvements. However, the City, in its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.
- b. \*\*\*\*
- c. Extent of Greenway Improvements. Pursuant to this Section, the portion of each Greenway required to be improved by a property owner at the time of development shall be that portion of his/her property contiguous to the property to be developed unless the adjacent greenway has not yet been secured by the City through

## Exhibit A

acquisition, dedication, or other means. Where a Greenway passes through a parcel, the owner, pursuant to Section 10.384(C)(2)(a), shall be required to dedicate and improve the entire Greenway segment passing through his/her parcel.

- d. MLDC Section 10.668 (Limitation of Exactions) shall be considered in relation to the above requirements.

\*\*\*\*\*

### D. Commercial Center (7A and 7B).

1. Greenway Improvements. Unless prohibited by state or federal regulations, in the Village Center Greenway encompassed by the Commercial designation, undesirable shrubs, trees, and noxious vegetation may be removed, and ornamental vegetation installed to supplement the remaining native vegetation. ~~Proposed Greenway improvements shall be incorporated into the Master Plan for the Village Center Commercial designation. Such improvements shall be made at the time of development, unless phased with the phased construction of buildings. When buildings representing greater than fifty percent (50%) of the approved square footage on either side of the North Fork of Larson Creek within the Commercial designation have been developed, then all required Greenway improvements on that side of the creek shall be installed at the sole expense of the property owner(s). If needed, the City shall facilitate a reimbursement agreement providing for future reimbursement to an owner required to install Greenway improvements greater than his/her proportional share.~~ Prior to commencing alteration of vegetation within the Greenway area, a landscape restoration plan shall be prepared for review and approval by the City in conjunction with an application for associated Development Permit, if any, or by the Medford Parks Department if not associated with a Development Permit application. The landscape plan shall demonstrate that an equivalent or better amount of stream corridor shading will result upon maturity of the replacement vegetation elements and that the selected plant varieties will survive given the site conditions.

\*\*\*\*\*

## PUBLIC WORKS DEPARTMENT STAFF REPORT

### Project Description:

Consideration of a Class A (major) legislative amendment of the Medford Land Development Code to revise the Southeast Plan overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 pertaining to the Master Plan and feature such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations and stormwater facilities in the Commercial Center Core Area (7A), approximately 17 acres located at the northeast corner of East Barnett Road and North Phoenix Road.

Applicant: City of Medford

The Public Works Department has reviewed the proposed amendment to the Medford Land Development Code (MLDC), and has the following comments:

### **Section 10.384 (C) – Greenway Improvements, Specifically, Sub-item 2(a)**

The proposed added text to this Section says, “Open space for stormwater quality and detention facilities required by MLDC Section 10.486 may be provided in Greenways rather than on-site.” This sentence should be revised to add, “and 10.729” after “10.486”. In addition, the ability to place required detention and stormwater quality facilities within the Greenways should be conditional, based on the following conditions, as applicable:

1. The Developer owns or has an easement over the property, which is designated as a Greenway where the facility is proposed to go on.
2. If the Developer does not own or have an easement on the property where the proposed detention or stormwater quality facility is planned, it is not the City's responsibility to acquire that interest, or provide that space unless the City elects to do so.
3. If the Greenway is also designated as a Riparian Corridor, the Developer must comply with all the provisions of the MLDC, Sections 10.920 through 10.928
4. The developer would not be able to remove any existing native trees within the Greenway to construct the detention or stormwater quality facility. Maintaining trees along waterways will help the City comply with Total Maximum Daily Load (TMDL) requirements, since temperature is considered a pollutant.

### **Section 10.384 (D) – Commercial Center (7A and 7B)**

Removal of trees within this Section should be limited to non-native trees. Native trees should be protected if possible to help the City comply with Total Maximum Daily Load (TMDL) requirements, since temperature is considered a pollutant.

DATE: 1/10/13  
BY: [Signature]  
DCA-12-090



# JACKSON COUNTY

## Roads

**JC Roads**  
Engineering

**Russell Logue**  
Construction & Development Manager

200 Antelope Road  
White City, OR 97633  
Phone: (541) 774-6255  
Fax: (541) 774-6295  
loguer@jacksoncounty.org

www.jacksoncounty.org

November 14, 2012

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

RE: Class A (Major) legislative amendment of the Medford Land Development Code.  
Planning File: DCA-12-090

Dear Carly:

Thank you for the opportunity to comment on this request for a Class A (Major) legislative amendment of the Medford Land Development Code to revise the Southeast Plan Overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 pertaining to the Master Plan and features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations, and stormwater facilities in the Commercial Center Core Area, approximately 17 acres located at the northeast corner of East Barnett Road and North Phoenix Road. Jackson County Roads has no comments.

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

Sincerely,

Russell Logue  
Construction & Development Manager

## Carly A Guillory

---

**From:** GUEVARA Thomas <Thomas.GUEVARA@odot.state.or.us>  
**Sent:** Wednesday, November 21, 2012 10:01 AM  
**To:** 'Carly.Guillory@cityofmedford.org'  
**Subject:** SE Commercial Center Core Area Code Amendment (DCA-12-090)

Thank you for sending agency notice of a proposed Class A (major) legislative amendment of the Medford Land Development Code to revise the Southeast Plan overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378 and 10.384 pertaining to the Master Plan & features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations & storm-water facilities in the Commercial Center Core Area, approximately 17 acres located at the northeast corner of East Barnett Rd. & North Phoenix Rd.. We reviewed the proposed project and determined it does not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

Thomas Guevara, Jr. ODOT Planning & Finance Section  
Region 3 3500 NW Stewart Parkway Roseburg, OR 97470  
: 541-957-3692 : 541-957-3547 : Thomas.Guevara@odot.state.or.us

CITY of Medford  
EXHIBIT: D  
DCA-12-090

Medford City Council Study Session  
November 1, 2012

The meeting was called to order at 5:45 p.m. in the Medford Room, City Hall, 411 W. 8th Street, Medford with the following members present.

Mayor Gary Wheeler; Councilmembers Eli Matthews, Greg Jones, Bob Strosser, John Michaels, Karen Blair, Dick Gordon, Chris Corcoran.

SE Plan Committee: Bianca Petrou, Assistant Planning Director addressed the Council and provided an overview of the recommendations forwarded by the South East Plan Committee. She noted that staff is seeking Council direction on proceeding with the recommendations. She introduced the members of the Committee - Carl Bartlett, Chair; David McFadden; Randy Jones; Jim Bennett; Mike Mahar (not present); Bob Tull; Greg Jones and Dick Gordon. She noted that the Council must adopt a master plan before any zone changes for the commercial core area properties can be addressed.

Ms. Petrou noted that the direction sought from Council was:

1. Should staff proceed with adoption of the Comprehensive Plan and Code Amendments?
2. Should staff proceed with adoption of the proposed Master Plan?
3. Should a Traffic Impact Analysis be required prior to the consideration of the proposed Master Plan?

Ms. Petrou noted that the SE Plan Committee is recommending that the City Council adopt the Comprehensive Plan and Code Amendments and consider the proposed Master Plan as an illustrative example of what could be developed. She noted that the Public Works Department is recommending that a Traffic Impact Analysis be done prior to adopting the proposed Master Plan. This is due to the review of the proposed round-about on Barnett Road and Main Street in the plan. Larry Beskow, City Engineer noted that when any zone changes are brought forward after the adoption of the master plan, the property owners will be required by Medford Code to do a traffic impact analysis on their development.

Ms. Petrou reviewed the primary changes proposed for the Comprehensive Plan and Code amendments included in the recommendation from the SE Plan Committee:

1. "Main Street" to be changed from Barnett Road to Stanford Avenue.
2. The alignment of Barnett Road to be modified.
3. A round-about be allowed at Stanford Avenue and Barnett Road for a bus turn-around.
4. Buildings with a two-story appearance be required along Stanford Avenue.
5. Three drive-throughs be allowed in exchange for not allowing gas stations in the Commercial Core Area.
6. The maximum square footage limitation for the Commercial Core Area be eliminated.
7. The Goddard property is removed from the Master Plan Area.
8. A Master Plan be adopted as a separate document (not as part of the Code or Comprehensive Plan).
9. A Planned Unit Development be required only for modifications to the Master Plan.

She noted that the SE Plan Committee would prefer that the Master Plan be more pedestrian-friendly, more greenway-oriented and more specific about the architectural design (particularly for Main Street).

EXHIBIT \_\_\_\_\_

CITY OF MEDFORD  
EXHIBIT E  
File # DCA-12-090

Members of the SE Plan Committee remarked on their process and the efforts the committee undertook to review this issue as directed by the Council.

Councilmembers questioned the timing and process for implementation of the recommendations. Ms. Petrou noted that the Council would be initiating the process and that all changes would be vetted through the normal approval process with the appropriate committee (ie. Planning Commission, Site Plan & Architectural Commission).

Council concurred that staff should move this process forward.

Council thanked the member of the SE Plan Committee for their years of work on this project.

Meeting adjourned at 6:50 p.m.

Glenda Wilson  
City Recorder



MINUTES  
PLANNING COMMISSION STUDY SESSION  
November 12, 2012

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

Commissioners: Tim Jackle, Norm Nelson, Daniel Bunn, David McFadden, Robert Tull, and Michael Zarosinski.

Staff: Jim Huber, Bianca Petrou, Larry Beskow, Kelly Akin, Terri Rozzana, Carly Guillory and Lori Cooper.

Subject:

1. Proposed Amendment of the Comprehensive Plan for Southeast Plan Commercial Core area.
2. Proposed Amendment of the Land Development Code Southeast (S-E) Overlay Zone.

Bianca Petrou, Assistant Planning Director presented a PowerPoint Presentation regarding the Southeast Implementation Advisory Committee Recommendations of the Southeast Plan Commercial Center Core.

Ms. Petrou stated that a Master Plan is required prior to allowing zone changes in the Commercial Center Core Area. The primary property owners submitted a Master Plan in September 2010 that included a site plan and forty pages of regulations. The Master Plan was reviewed by the Southeast Committee at eleven official meetings between September 2010 and May 2012. The Committee determined that there were some Comprehensive Plan and Code Amendments required for approval of the Master Plan. On June 7, 2012 the property owners who submitted the Master Plan requested initiation. The direction staff was given by City Council on June 7, 2012 is that the Southeast Committee completes their review of the proposed text amendments and Master Plan by September 30, 2012. Also, Council moved to approve the initiation with the stipulation that the work not begin on this until after the Council has reviewed the Southeast Committee's recommendations. On November 1, 2012 City Council reviewed the recommendations and requested staff to proceed with adoption and they requested a Traffic Impact Analysis before the Master Plan is adopted as recommended by the Southeast Committee and Engineering Department. Staff has prepared a draft of the recommended Comprehensive Plan and Code Amendments which have been sent out for Agency Comment. The Master Plan adoption will follow once the Traffic Impact Analysis is complete.

Ms. Petrou continued with the Southeast Committee's Recommendations. The Southeast Committee recommended approval of the Comprehensive Plan and Development Code Amendments dated September 19, 2012, and found the Master Plan proposal dated March 8, 2012 to be "technically" approvable. The following are the highlights of the recommendations made by the Southeast Committee: 1) Main Street changed from Barnett Road to Stanford Avenue; 2) Modify Barnett Road alignment; 3) Roundabout at Barnett Road and Stanford Avenue for a bus turn-around. This is where the requirement of a Traffic Impact Analysis prior to adoption of the Master Plan was also recommended by the Engineering Department; 4) Two-story or the appearance of two-story buildings on Stanford Avenue. This will give it a feel of a downtown; 5) Allow three drive-through in exchange for not allowing gas stations; 6) Eliminate limitation on building square footage. The Code currently allows 150,000 square feet and it seemed silly to limit it; 7) Goddard property be removed due to its small size. Instead of six property owners it would now be five; 8) Adopt the Master Plan as a separate document instead of being adopted into the Code or Comprehensive Plan; and 9) A Planned Unit Development (PUD) be required only for Master Plan modifications. The Southeast Committee

recommends adoption of Code and Comprehensive Plan Amendments that would allow adoption of the proposed Master Plan. They do not necessarily endorse the proposed Master Plan. They wish that the proposed Master Plan was more pedestrian-friendly, more greenway-oriented and more specific about architectural design particularly for the Main Street, and changes be made to the proposed site plan per Robert Tull's letter to Mark McKechnie dated March 5, 2012.

Ms. Petrou reported that the Planning Commission will hold a public hearing and make recommendation to the Council on the Comprehensive Plan and Code Amendments. The Planning Commission public hearing is tentatively scheduled for February 14, 2013.

Jim Huber, Planning Director commented that the Southeast Committee recommended that the design incorporate neo-traditional elements.

Commissioner Tull reported that the importance of the neo-traditional element is that the overall conceptual standard for the entire Southeast Project is essentially a neo-traditional approach to design and architectural detail. The Committee felt it important to carry that theme approach into the Commercial Center as much as possible.

Ms. Petrou stated that the proposed Code Amendments as recommended by the Southeast Committee states under 10.374 (4) (f) "Required architectural design standards and unique architectural themes for each sector of development. All applicants shall incorporate neo-traditional design elements into the development."

Mr. Huber asked the Commission if they were interested in looking at the Master Plan and the Design and Development Standards? The Commission felt there are enough guidelines present that a developer can come up with what the type of design the Southeast Committee is looking for. If it goes to Site Plan and Architectural Commission for their review they can make their decision based on the proposed packet being reviewed today.

Commissioner Tull commented that based on this study and the Planning Commission's public hearing, framing a recommendation to City Council that these Comprehensive Plan Amendments and Code Amendments be adopted and that the Master Plan for site design should have the considerations of his letter dated March 5, 2012 built into it.

Vice Chair Nelson stated that he hopes that the Planning Commission has the opportunity to review the Master Plan before City Council adopts it.

The meeting was adjourned at 1:05 p.m.



Submitted by:

Terri L. Rozzana, Recording Secretary



**MINUTES**  
**Citizens Planning Advisory Committee Meeting**  
**November 13, 2012**

The regular meeting of the Medford Citizens Planning Advisory Committee was called to order at 5:30 p.m. in the Medford Room of City Hall on the above date with the following members and staff in attendance:

**10. Roll Call**

Members Present

Dan Bell  
Christine Lachner  
Curtis Folsom  
David McFadden

Hugh Hohe  
Karen Blair  
Joel Marks

Members Not Present

Gerald Anderson, EJ Fordyce

Staff Present

Carly Guillory, Planner II

**20. Minutes**

20.1 Minutes of the June 12, 2012, meeting were approved as submitted.

**30. Guest Speaker**

30.1 None.

**40. Staff Report, Upcoming Study Sessions and Public Hearing Topics**

40.1 Staff Report: Staff reported on Planning Booth at the Farmer's Market for National Planning Awareness Month.

40.2 City Council:

40.4 PUD Neighborhood Meetings Subcommittee. No report.

**50. Old Business**

50.1 No discussion.

**60. New Business**

60.1 None.

**70. Applications and Referrals**

70.1 CP-12-089 and DCA-12-090: David McFadden discusses the background of the proposed changes, and the proposed Master Plan submitted by some of the property owners of the Commercial Center Core Area: greenway, property purchased by the City, the realignment of Barnett Road, and the elimination of the square footage cap. SE Plan Commercial Center is only area in city requiring a Master Plan prior to development. Members discuss importance of access to a commercial site, fire safety, and vehicular parking at the Northgate Center. Members discuss likelihood of retirees walking and using motorized wheelchairs. Staff reads section in code regulating when the greenway shall be developed. Topic of drive throughs is discussed: why three? Members suggest limiting drive through windows to only 150-feet within North Phoenix Road. Staff asks Committee their thoughts on the change in bicycle parking: proposal requests two times the amount of bicycle parking. Members find that in the future the bicycle parking spaces will be needed, but not now. No recommendation was made.

**80. General Discussion**

90. **Adjournment** The meeting was adjourned at 7:26 PM. Submitted by: Carly Guillory, Planner

EXHIBIT \_\_\_\_\_

CITY OF MEDFORD  
EXHIBIT 9  
FILED DCA-12-090



**MINUTES**  
**SITE PLAN AND ARCHITECTURAL COMMISSION STUDY SESSION**  
**DECEMBER 7, 2012**

The study session of the Medford Site Plan and Architectural Commission was held at approximately 12:45 p.m. in the Medford Room 330, Third floor, City Hall, on the above date with the following members and staff in attendance:

Commissioners: Scott Sinner, Nan King, Brita Entenmann, Roy Cooper, Bob Neathamer, Bob Seibert, Jeff Bender.

Staff: Jim Huber, Bianca Petrou, Suzanne Myers, Kelly Akin, Lori Cooper, Debbie Strigle

Guests: Raoul Werner, Paige West

**Topic: Southeast Plan Commercial Core Area Proposal – Presented by Bianca Petrou**

Ms. Petrou gave a PowerPoint presentation regarding the Southeast Plan Implementation Advisory Committee (Southeast Committee) recommendations concerning the Master Plan for the Southeast Plan Commercial Core Area (7A). The highlights are as follows:

**Summary of Southeast Committee Comprehensive Plan and Land Development Code Amendment Recommendations:**

The primary changes the Committee recommends for the Southeast Commercial Core Area (7A) are that:

1. "Main Street" be changed from Barnett Road to Stanford Avenue
2. The alignment of Barnett Road be modified
3. A round-about be allowed at Stanford and Barnett for a bus turn-around
4. Buildings with a two-story appearance be required along Stanford Avenue
5. Three drive-throughs be allowed in exchange for not allowing gas stations in the Commercial Core Area.
6. The maximum square footage limitation for the Commercial Core Area be eliminated
7. The Goddard property be removed from the Master Plan Area (7A)
8. A Master Plan be adopted as a separate document (not as part of the Code or Comprehensive Plan)
9. A PUD be required only for modifications to the Master Plan
10. A Traffic Impact Analysis be done prior to adoption of the Master Plan.

**Southeast Committee Recommendations Concerning the Proposed Master Plan:**

Although the adoption of the recommended Comprehensive Plan and Land Development Code Amendments would technically allow the adoption of the proposed Master Plan, the Committee expressed disappointment in the proposed Plan. They indicated that they would prefer that the plan be:

1. More pedestrian-friendly
2. More greenway-oriented
3. More specific about the architectural design (particularly for Main Street)

CITY OF MEDFORD  
EXHIBIT # H  
FILED DCA-12-090

At a minimum, the Committee recommended that the changes reflected in Bob Tull's letter to Mark McKechnie dated March 5, 2012, be made to the plan prior to adoption.

Ms. Petrou noted that the Planning Commission will hold a public hearing where they will make a recommendation to City Council on the Comp Plan and Code amendments. The tentative date for this public hearing is February 14, 2013.

After questions and discussion, some of the comments that were made by the Commissioners were:

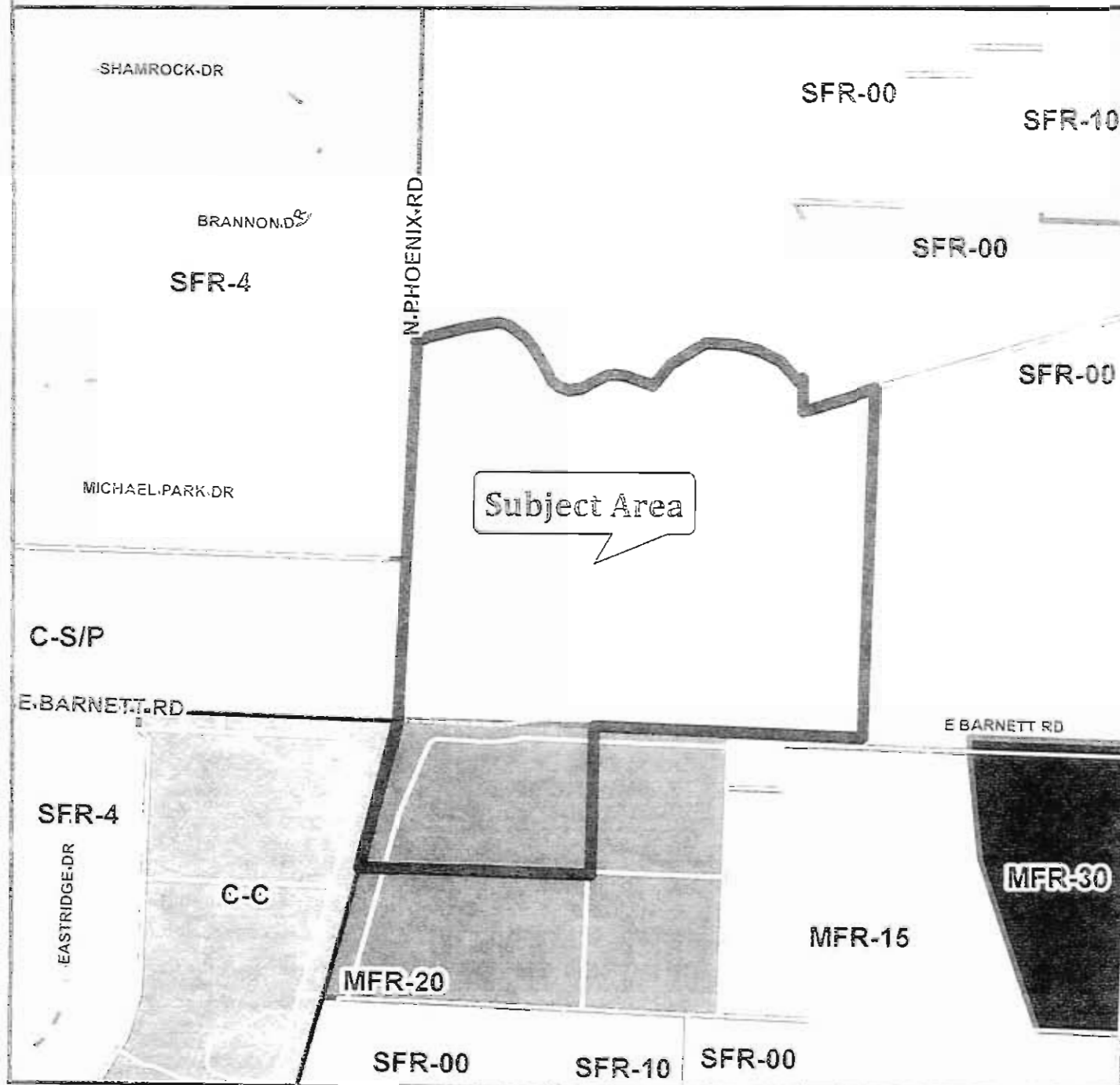
- Could have been more innovative
- Bldgs 2 and 3 are not aesthetically pleasing for a TOD
- The plan totally disregards the Greenway as being a huge asset
- Wasted opportunity to do something very high scale
- There's no heart to it, it's just your average shopping center
- There could have been more to the design/plan

Chair Sinner expressed his appreciation for the opportunity to have this discussion. He added that, as citizens, he really wanted to see that the years of work that went into the Southeast Plan were not a complete waste of time. He said there were many elements that were nice and some elements that he would like to see refined. The majority of the Commission agreed.

Commissioner Bender said he thought it would be nice to see the progression of the plan. It was discussed that this could be accomplished through the agenda item "Report from the Planning Department" at the regularly scheduled Site Plan & Architectural Commission meetings.

Submitted by:

Debbie Strigle  
Recording Secretary



Application Name/Description:

Southeast Plan,  
Commercial Center  
Core Area (7A)  
Comprehensive Plan  
and Land Development  
Code Amendments

Proposal:

Revisions to the  
Commercial Center  
Core Area (7A)  
Regulations

File no.

CP-12-089

DCA-12-090

Tax Lots

CITY OF MEDFORD  
EXHIBIT  
FILE # DCA-12-090



CITY OF MEDFORD PLANNING DEPARTMENT

GLUP Map

Application Name/Description:

**Southeast Plan,  
Commercial Center  
Core Area (7A)  
Comprehensive Plan  
and Land Development  
Code Amendments**

Proposal:

**Revisions to the  
Commercial Center  
Core Area (7A)  
Regulations**

File no.

**CP-12-089**

**DCA-12-090**

Tax Lots

A-AIRPORT

CC-CITY CENTER

CM-COMMERCIAL

SC-SERVICE COMMERCIAL

GI-GENERAL INDUSTRIAL

HI-HEAVY INDUSTRIAL

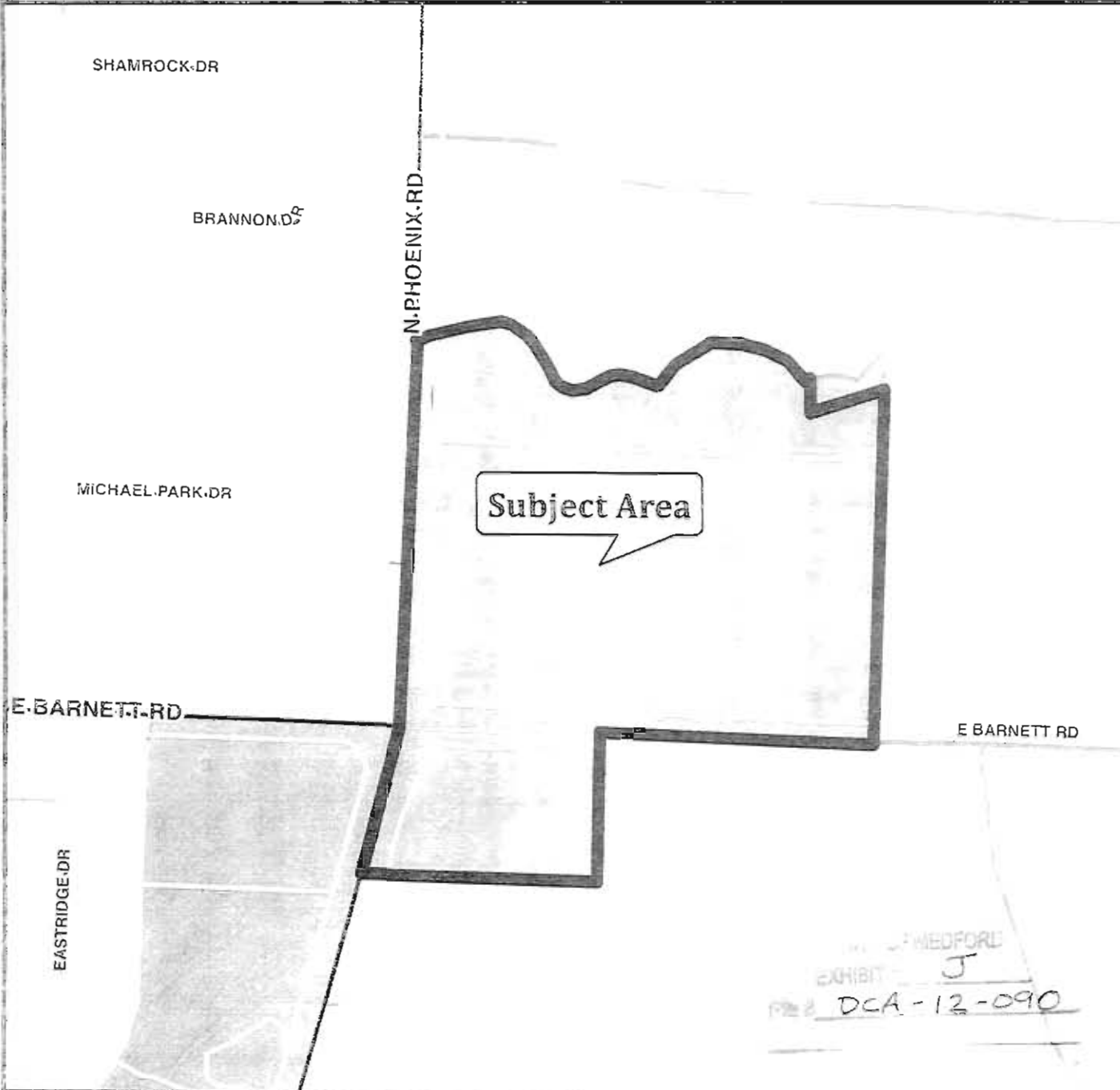
LS-LIMITED SERVICE AREA

PS-PARKS & SCHOOLS

UR-URBAN RESIDENTIAL

UM-URBAN MEDIUM DENSITY RESIDENTIAL

UL-URBAN HIGH DENSITY RESIDENTIAL



01/23/13





**MINUTES**  
**Planning Commission Meeting**  
**February 14, 2013**

The regular meeting of the Medford Planning Commission was called to order at 5:30 p.m. in the Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Tim Jackle, Chair  
Robert Tull, Vice Chair  
Bill Christie  
Norman Fincher  
David McFadden (arrived at 5:34 p.m.)  
Patrick Miranda

Staff

Jim Huber, Planning Director  
Bianca Petrou, Assistant Planning Director  
Kelly Akin, Senior Planner  
Lori Cooper, Deputy City Attorney  
Larry Beskow, City Engineer  
Terri L. Rozzana, Recording Secretary  
Carly Guillory, Planner II

Commissioners Absent

Michael Zarosinski, Excused Absence  
Brita Entenmann, Unexcused Absence

**10. Roll Call**

**10.1 Election of Officers**

Commissioner Tull nominated Commissioner Christie to serve as Chair for 2013. Commissioner Fincher seconded.

Commissioner Christie nominated Commissioner Jackle to serve as Chair for 2013.

Chair Jackle stated there is a motion and second on the table for Commissioner Christie as Chair for 2013. Chair Jackle asked Commissioner Christie if he was indicating he would not want to be Chair? Commissioner Christie responded that he would rather Commissioner Jackle be Chair.

Commissioner Tull withdrew his motion and Commissioner Fincher withdrew his second.

Commissioner Tull seconded Commissioner Christie's motion of nominating Commissioner Jackle as Chair for 2013.

Roll Call Vote: Motion passed, 5-0-1, with Commissioner Jackle abstaining.

Commissioner Christie nominated Commissioner Tull to serve as Vice Chair for 2013. Commissioner Jackle seconded.

Roll Call Vote: Motion Passed, 5-0-1 with Commissioner Tull abstaining.

**20. Consent Calendar/Written Communications. None.**

**30. Minutes.**

30.1 The minutes for January 24, 2013, were approved as submitted.

**40. Oral and Written Requests and Communications. None.**

CITY OF MEDFORD  
EXHIBIT # K  
File # DCA 12-090

Chair Jackle stated that on Agenda Items 50.1 and 50.2 he has a conflict of interest so he would recuse himself at this time and turn the meeting over to Vice Chair Tull to complete the public hearings.

**50. Public Hearing.**

**New Business**

- 50.1 **CP-12-089** Consideration of a Class A (major) legislative amendment of the Medford Comprehensive Plan to revise the Neighborhood Element, Southeast Plan, Commercial Center Core Area (7A) pertaining to the Master Plan and of the Commercial Center Core Area (7A), approximately 18 acres located at the northeast corner of East Barnett Road and North Phoenix Road, and the Street Functional Classification Map of the Transportation Element to designate East Barnett Road as a Major Arterial from North Phoenix Road 250-feet east and adjust its development. (City of Medford, Applicant).

Vice Chair Tull inquired whether any other Commissioners have a conflict of interest or ex parte communication they would like to disclose.

Carly Guillory, Planner II, presented the affected location of the amendment, background, proposed revisions, approval criteria and conclusion. Ms. Guillory stated that on pages 9 and 15 of the staff report she inadvertently referenced Barnett Road as a collector and she will change that to read arterial. Ms. Guillory reported that Policy 3-A initially was proposed to be removed. However, tonight staff would like to propose an alternative. Originally the policy was eliminated because it allowed zone changes to be exempt from the level of service standards for Barnett Road. However, because of moving the main street emphasis away from Barnett to Stanford it has been agreed to leave the policy but modify it such that it reads, zone changes can be exempt from level of service standard on Stanford and Barnett east of Stanford.

Vice Chair Tull asked staff to speak to the change that staff indicated regarding Barnett and Stanford. He is not sure he understood what that change was and why. What he understood of the presentation was that staff was recommending a different approach. Bianca Petrou, Assistant Planning Director stated that originally, zone changes were going to be exempt from meeting the level of service standard on Barnett. Now, zone changes will be exempt from meeting the level of service standard on Stanford and Barnett east of Stanford but not for Barnett west of Stanford and east of North Phoenix Road.

The public hearing was opened and the following testimony was given.

- a. Raul Woerner, CSA Planning, Ltd, 4497 Brownridge, Suite 101, Medford, Oregon, 97504. Mr. Woerner stated that his company represents most of the property owners in the 7A area. Mr. Woerner fully supports the modification of Policy 3-A. In regards to the text amendments, he pointed out that the vertical separation along North Phoenix Road was not required along commercial frontage. It is a residential standard. He suggested on Figures 6 and 7 of the vertical separation, that at the end of each title, stating for residential zones or residential development instead of referencing the Code Section. They support the changes as presented.

Vice Chair Tull acknowledged the leadership that Mr. Woerner provided and the studies that the Southeast Implementation Advisory Committee engaged in. Mr. Woerner was very

patient with the Committee as they labored on the provisions. This evening represents an achievement for all of them.

- b. Carl Bartlett, 2829 Kari Circle, Medford, Oregon, 97504, Chairman of the Southeast Implementation Advisory Committee. Mr. Bartlett read a statement that he wrote as Chairman representing the Southeast Implementation Advisory Committee to the Planning Commission. The Southeast Implementation Advisory Committee has implemented the Southeast Plan with exception of the Master Plan for the commercial core area 7A. The Neighborhood Element of the Medford Comprehensive Plan is the law. The Medford Land Development Code 10.370 through 10.384 is the Southeast Overlay District. The City adopted the Southeast Medford Circulation Plan, GLUP Map designation and different land uses including a greenway. The Southeast Committee has developed recommendations regarding the detailed planning efforts for the Master Plan of 7A, the commercial center core area. The changes we recommended in the Comprehensive Plan and the Medford Land Development Code will affect the goals, policies and the factual data and projection in which the policies were based. We followed the goals and policies of implementation measures of the Comprehensive Plan Neighborhood Element. The Southeast Committee has endeavored to establish a special Commercial Center Core area 7A, part of the Southeast Village Center Transit Oriented District (TOD), with compact pedestrian oriented commercial institutional and residential uses. To preserve natural greenways while providing routes for pedestrians and bicycle travel. To establish special design development standards for streetscapes, building orientation, setbacks, building heights, access, lot coverage and density and use of pedestrian street lighting and street trees. We hope this will aid the City in meeting the requirements of Oregon's Transportation Planning Rule (TPR).

Vice Chair Tull asked Mr. Bartlett if he was speaking in support of the action that is proposed by staff? Mr. Bartlett replied yes, very much so.

- c. Randy Jones, Veranda Park Living, 1641 Veranda Park Drive, Medford, Oregon, 97504 with Mahar Homes. Mr. Jones stated that he is totally in support of staff's proposal. He is very pleased that the wording is back in on 3-A. His company and partners do not have any ownership interest in 7A but they have significant ownership in 7B and almost all of 10. How Barnett, east of the village core shapes up, is very important to them. They could not be more supportive.
- d. Bob Seldon, 758 Fernwood Drive, Medford, Oregon, 97504. Mr. Seldon stated that he was present tonight representing parcels 1602 & 1604. They support the amendment as presented. Mr. Seldon stated that the greenway is not a creek and if the City wants to continue to call it a creek, it needs to make an effort to buy that land and make it whatever they want to make it. The parcel owners were hoping that when the City bought the center parcel and had the ability to a three acre park, they would relieve the other two parcels of this obligation. The Southeast Committee has chosen not to do that. So, they are requesting some relief from the Planning Commission to talk to the City Council. Mr. Seldon and his clients are pursuing forth a regulatory taking issue. One of the tenants is proportional use. On parcel 1602 it takes 51% of their parcel leaving them two tiny islands that are useless. On parcel 1604 it takes 37%. There is no way one can rationalize proportionality taking that much of those people's property. Hopefully, in the next month they can amicably work something out with the City for an acquisition, or he has commitments from both parties. They need to move forward and he asks the Commission for their help.

Vice Chair Tull asked Mr. Seldon whether the action staff is recommending to the Planning

Commission this evening, the step forward that is needed from his perspective? Mr. Seldon replied yes, he has no objection to the 7A people. They need to be free to build. Vice Chair Tull stated that if the Commission takes a positive action on what is recommended by staff regarding the Comprehensive Plan amendment, by sending a favorable recommendation to Council, it seems to him that the Planning Commission has helped set the stage for the sort of resolution Mr. Seldon is looking for. Mr. Seldon stated that the Comprehensive Plan change does not say anything about the creek or greenway. So he does not see how it affects it. He thinks any progress at this point is good progress.

Commissioner McFadden stated that Mr. Seldon began his testimony by saying he was going to ask for something and he is not sure he heard it. He wrote down that Mr. Seldon was asking for relief from the setbacks along the greenway be reduced but as he finished Commissioner McFadden had the feeling he was saying he wants the City to leave it as a greenway but do not call it a creek. Mr. Seldon replied none of those. He only sees three options. His clients are requesting: 1) They get treated the same as the people along Golf View and have the City put in a 21-inch culvert wherever they want and let them grade over it like they have in another section; 2) Buy their property; or 3) They go through a regulatory taking case. They do not want to do that but it has been over a decade and their backs are against the wall. They feel confident in their position. He has spent a lot of time on the telephone with Joe Willis who is willing to take their case. Mr. Willis is the lead council for the famous Dolan versus Tigard and several other takings cases. To answer Commissioner McFadden's question, he is asking that the Planning Commission individually or as a whole body, to please go to the City Council and tell them they see there is something wrong with this and they need to make an effort to resolve it.

Larry Beskow, City Engineer reported that according to their records the pipe that goes underneath North Phoenix Road is 41-inches in diameter not 21-inches. It is a significant drainage. The watershed that feeds this area is approximately one square mile. There are definite features that make it an intermittent stream. It is a natural drainage. There is some drainage that was created by the Irrigation District south of the drainage way that is being discussed tonight. It is not the main feature. As part of the Southeast Plan they were looking to incorporate bike and pedestrian paths. Whether the City would have to purchase the parcels or not remains to be seen down the road. Anyone who wants to develop along the greenway, the regulatory agencies will require a setback from that drainage way.

Vice Chair Tull asked whether Mr. Beskow saw anything in the issue that has been raised regarding this greenway that has barring on the Commission's decision tonight regarding amendments to the Comprehensive Plan?

Mr. Beskow replied that the designation as a greenway has always been in the Comprehensive Plan and they are not changing that. It will still be called a greenway with the amendments proposed tonight.

Mr. Beskow stated that the regulatory agencies will not allow the City to culvert this drainage way. Vice Chair Tull inquired whether it will remain an open water course. Mr. Beskow replied he would anticipate that. Mr. Beskow qualified his earlier statement by saying the regulatory agencies would not allow the City to enclose the drainage way unless they mitigated it someplace else.

The public hearing was closed.

Motion: Based on the findings and conclusions that all of the approval criteria are either

met or are not applicable, forward a favorable recommendation for adoption to the City Council per the Staff Report dated February 5, 2013, including Exhibits A through I, the new letter from Rogue Valley Transit District, additions and typographical errors reported by staff, the new Policy 3-A language and modification on page 32 of the staff report dealing with Exhibit A, figures 6 and 7 indicating those are for areas with residential zoning between the properties and roadways.

Moved by: Commissioner McFadden    Seconded by: Commissioner Christie

Vice Chair Tull stated mostly as a member of the Southeast Implementation Advisory Committee but also as a member of this Commission that adopting these Comprehensive Plan amendments does not constitute adoption of a Master Plan. Deliberations over the last number of months were triggered by a proposal brought to the Southeast Advisory Committee for a particular way of developing this property and proposed that design plan become the Master Plan that the Comprehensive Plan requires before this can be developed. Their study of that proposal resulted in these proposed changes to the Comprehensive Plan and the Medford Land Development Code. Adopting these does not involve adopting or approving of the particular design that they brought to the Committee but rather establishes the planning perimeters and comprehensive plan perimeters within which any proposal for development of this property would be considered. We do in fact have a proposal presented to the City for consideration. That clarifies it in his mind and he hopes it makes a difference the way the Commission sees what they have before them tonight.

Voice Vote: Motion passed, 5-0. Chair Jackle recused himself from this agenda item.

Commissioner McFadden stated that if the Commission was missive or moved on with the agenda without giving Mr. Seldon's issues that he brought forward maybe a little more extra attention; he is not sure what that would take or what the Commissioners can do right now. He made this comment in case another Commissioner would like to say something that might be passed on to the City Council in terms of a recommendation. He asked for other Commissioner's opinions regarding whether they feel there might be something to pass on to the City. Vice Chair Tull asked would the Commission consider they move through the established agenda and then return to this question to see whether or not there is further discussion or action the Commission wants to take? It was agreed by all Commissioners.

- 50.2    **DCA-12-090** Consideration of a Class A (major) legislative amendment of the Medford Land Development Code to revise the Southeast Plan overlay zoning district, Sections 10.372, 10.373, 10.374, 10.377, 10.378, and 10.384 pertaining to the Master Plan and features such as drive through windows, fueling stations, parking limitations, aggregate building square footage limitations, and stormwater facilities in the Commercial Center Core Area, approximately 18 acres located at the northeast corner of East Barnett Road and North Phoenix Road (City of Medford, Applicant).

Vice Chair Tull inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose.

Carly Guillory, Planner II, gave a summary of the proposed revisions, approval criteria and conclusion.

Vice Chair Tull stated that is a lot of territory to be covered and a lot of detail but has been very carefully considered by a lot of folks. A lot of citizens have had input to this process along the way, along with some very competent professional guidance.

The public hearing was opened and the following testimony was given.

- a. Raul Woerner, CSA Planning, Ltd, 4497 Brownridge, Suite 101, Medford, Oregon, 97504. Mr. Woerner stated that he was present tonight representing several property owners in the area. He commended staff on a job well done of codifying what the Southeast Implementation Committee put together for a recommendation. He really appreciated the provision about how much flexibility there is to the adopted Master Plan without having to revise the plan. He does have concerns with the prohibited uses section regarding the fueling stations and adding a charging station. He understands that the charging station was added because it is "vehicle" oriented. There are a lot of charging stations that are a little post in front of an existing parking space. More and more merchants are adding those as an amenity to attract customers and their employees. There is a lot of public initiative support changing to an electric vehicle. He asked the Commissioners to reconsider and whether or not they wanted to completely prohibit all charging stations or just stand alone commercial facilities that take up acreage. If there is an existing parking space, it does not take up any more space to install a charging station. He does not believe it makes it any less pedestrian friendly as a district.
- b. Randy Jones, Veranda Park Living, 1641 Veranda Park Drive, Medford, Oregon, 97504 with Mahar Homes. Mr. Jones stated that he was on the Southeast Implementation Advisory Committee since its inception. He also chaired the Greenway Subcommittee. There are solutions he believes for Mr. Seldon's issues. They are probably to be discussed after these next steps. Staff did an admirable job taking years of meetings and helping the Committee condense it down to what the Planning Commission has before them tonight.

The public hearing was closed.

Motion: Based on the findings and conclusions that all of the approval criteria are either met or are not applicable, forward a favorable recommendation for adoption to the City Council per the Staff Report dated February 6, 2013, including Exhibits A through J. and staff's recommendation of the changes to be made to Section 10.384 as presented at tonight's meeting.

Moved by: Commissioner McFadden    Seconded by: Commissioner Christie

Voice Vote: Motion passed, 5-0. Chair Jackle recused himself from this agenda item.

Vice Chair Tull stated that before he turns the meeting back over to Chair Jackle he proposed as a Commission, they express particular appreciation to Bianca Petrou, who more than any other person on staff, has helped them build this understanding, consensus and recommendation. Ms. Petrou has served them well; very patient and constructive. He proposed that the Commission express formally, an appreciation. Commissioner Christie seconded the proposal. It was a unanimous voice vote.

Vice Chair Tull stated that earlier there was a question whether the Commission wanted to pay further attention to the concern of Mr. Seldon. Does Chair Jackle want to lead the Commission in that?

Chair Jackle replied that he did not want to lead the Commission in that because he recused himself earlier on those agenda items.

Vice Chair Tull asked whether the Commission wished to take that item further this evening?

Commissioner McFadden stated that he is not prepared to take it further and thinks some of the comments made after Mr. Seldon's testimony leads him to believe there may be solutions.

Commissioner Christie reported that he appreciated Mr. Jones' comments and thinks that helped a lot.

Vice Chair Tull turned the meeting back over to Chair Jackle.

**60. Report of Citizens Planning Advisory Committee.**

60.1 Commissioner McFadden reported that the Citizens Planning Advisory Committee met last Tuesday evening, February 12, 2013. It was an interesting meeting. John Huttli, City Attorney, went over the Boards and Commissions issues and ethics. It was very enlightening in some positions. Glenda Wilson, City Recorder, was also present that lead part of the discussion as well as City Council President, Al Densmore. Mr. Densmore offered to be the liaison from City Council for the Citizens Planning Advisory Committee. The Citizens Planning Advisory Committee will meet once a quarter instead of twice a month. The next meeting is scheduled for Tuesday, March 12, 2013 at 5:30 p.m. That would be an interesting meeting for people who are interested in attending. The Citizens Planning Advisory Committee is for people who want to attend and discuss varying issues related to planning.

**70. Report of the Site Plan and Architectural Commission. (Taken out of order).**

70.1 Chair Jackle stated the report of the Site Plan and Architectural Commission will be taken out of order and discussed under the report of the Planning Department.

**80. Report of the Joint Transportation Subcommittee. None.**

80.1 Commissioner Christie reported that the Joint Transportation Subcommittee met this afternoon for their ethics orientation. They elected their new chairperson who is a former Planning Commissioner, Jerry Shean.

**90. Report of the Planning Department.**

90.1 Kelly Akin, Senior Planner, stated the Site Plan and Architectural Commission met on February 1, 2013, approving a hanger at the Jackson County Airport.

Ms. Akin welcomed the Planning Commission's newest members, Commissioner Miranda and Commissioner Fincher. There is one more vacancy on the Planning Commission. Applications are available on the City's website.

City Council, last week had no business from the Planning Department with the exception of an agreement for Cherry Creek. They are negotiating the appraisal amount. At the next Planning Commission meeting the Commissioner's will hear the partition for that project.

On Thursday, February 21, 2013, City Council will hear a couple amendments that the Planning Commission considered and recommended regarding the public communication tower code amendment and the elimination of unnecessary provisions.

The next Planning Commission study session is scheduled for Monday, February 25, 2013 that will consist of discussions on ethics, public records, the City's strategic plan, and the

role of the chair.

There is business scheduled for Thursday, February 28, 2013 and March 28, 2013 Planning Commission meetings. There is no business scheduled for the Thursday, March 14, 2013 meeting.

As Commissioner McFadden noted the Citizens Planning Advisory Committee meetings were officially changed to quarterly. Ms. Akin understands that there are some additional interim meetings set. Besides the interim meetings they will meet May, August and November.

Appointments need to be made for Joint Transportation Subcommittee, Site Plan and Architectural Commission and Citizens Planning Advisory Committee.

Commissioner McFadden commented about the Indian Gaming Center opening in the City of Medford that keeps coming up. He does not hear much being said from the City's standpoint about it. Personally, he is not sure that the City should encourage people to show their vices so-to-speak and what sometimes gambling does to people who are not able to fight its allure. He does not see it as an economic stimulant of the type that Medford wants. It will probably suck more dollars out of the community than it puts in. He encourages the City to take a more active part in defining their role of it. The Planning Commission has worked for years arguing about eighteen acres in the Southeast Plan and the importance that brings to the City of Medford. If he remembers correctly from the last article in the newspaper, that is the size of the development that the Indian Gaming Center has rights to inside the City of Medford. We will have absolutely no say about any of it. He is hoping that our City fathers are looking at that to determine how we should interact with it or not.

**100. Messages and Papers from Chair of Planning Commission. None.**

**110. Remarks from the City Attorney. None.**

**120. Propositions and Remarks from the Commission. None.**

**130. Adjournment.**

130.1 The meeting was adjourned at 6:50 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Rozzana  
Recording Secretary

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Tim Jackle  
Planning Commission Chair

**Approved: February 28, 2013**

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DEPT OF  
APR 01 2013  
LAND CONSERVATION  
AND DEVELOPMENT

ATTN: PLAN AMENDMENT SPECIALIST  
DEPT. OF LAND CONSERVATION AND  
DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OR 97301-2540

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