



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

March 21, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 019-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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: April 2, 2008

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Cheryl Adams, City of Medford

<paa> ya

DEPT OF

MAR 14 2008

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **City of Medford**

Local file number: **DCA-04-230**

Date of Adoption: **3/6/2008** and 1/3/2008

Date Mailed: **3/11/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/31/2007

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 new sections 10.722 to 10.725 of the Medford Land Development Code establishing design standards for large retail structures and new section 5.509 Maintenance of Vacant Buildings of the Medford Land Development Code that requires the owner to maintain facilities and grounds in the event of vacancy of non-residential buildings.

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

Plan Map Changed from:

to:

Zone Map Changed from: **na**

to:

Location: **na**

Acres Involved: **0**

Specify Density: Previous: **na**

New: **na**

Applicable statewide planning goals:

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

45-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 # 019-07(16516)

DLCD file No. _____

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

RVTD

Local Contact: **Cheryl Adams**

Phone: (541) 774-2398 Extension:

Address: 200 S. Ivy Street

Fax Number: 541-618-1708

City: **Medford**

Zip:

E-mail Address: cheryl.adams@cityofmedford.org

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**

per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

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

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO 2008 06

AN ORDINANCE amending Chapter 10 of the Medford Code by adding Sections 10 722 10 723 10 724 and 10 725 pertaining to development standards for large retail structures

THE CITY OF MEDFORD ORDAINS AS FOLLOWS

Section 1 Section 10 722 is added to the Medford Code as follows

10 722 Large Retail Structures, Purpose

(1) The purpose of Sections 10 722 through 10 725 is to establish development standards for large retail structures that result in

- (a) greater visual design interest and
- (b) pedestrian oriented site design

(2) The approving authority has the discretion to allow modifications to the standards set forth in Section 10 725 if the approving authority adopts findings to support that any proposed modifications satisfy subsections (1)(a) and (1)(b) above

Section 2 Section 10 723 is added to the Medford Code as follows

10 723 Large Retail Structures, Definitions

When used in this Chapter in reference to large retail structures the following terms shall have the meanings as herein ascribed

Architectural projections Portions of a building wall that are extended so as to create articulation of the exterior building wall

Architectural recesses Portions of a building wall that are set back so as to create articulation of the exterior building wall

Building façade Any exposed exterior wall of a building

Business Commercial establishment

Large retail structure A retail structure whose footprint is at least 50 000 square feet

Large retail structure complex A site containing at least one (1) large retail structure and one or more businesses or services in separate buildings

Retail structure A structure in which sixty percent (60%) or more of the gross floor area is devoted to the sale or rental of goods including stocking or to services incidental to the sale or rental of such goods A retail structure may contain one (1) or more retail businesses

Service drive A secondary means of vehicular access for purposes of shipping receiving and employee access

Storefront The building façade that contains the public entrance In buildings with multiple businesses the storefront shall mean the length of the façade containing the public entrance for a particular business

Transparent windows Clear or lightly tinted windows that allow views into the structure or into display windows from the outside

Section 3 Section 10 724 is added to the Medford Code as follows

10 724 Large Retail Structures Applicability

A The requirements of Sections 10 722 through 10 725 shall apply to

- (1) New construction of a retail structure as defined herein the footprint of which is at least 50 000 square feet and
- (2) A large retail structure created by construction which represents a fifty percent (50%) or greater increase in building footprint and results in a footprint of at least 50 000 square feet
- (3) A large retail structure comprised of two (2) or more abutting buildings which have a common wall roof or foundation and whose combined footprint is at least 50 000 square feet
- (4) A large retail structure comprised of two (2) or more abutting and structurally independent buildings which appear to be a single building and whose combined footprint is at least 50 000 square feet

B When overlay zoning district provisions differ from the standards of Section 10 722 through 10 725 the overlay zoning district provisions shall take precedence

Section 4 Section 10 725 is added to the Medford Code as follows

10 725 Large Retail Structures, Special Development Standards

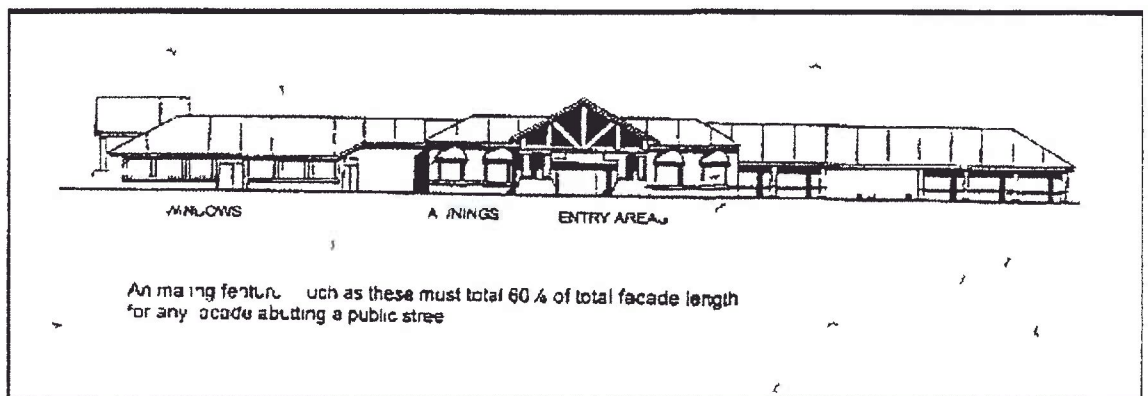
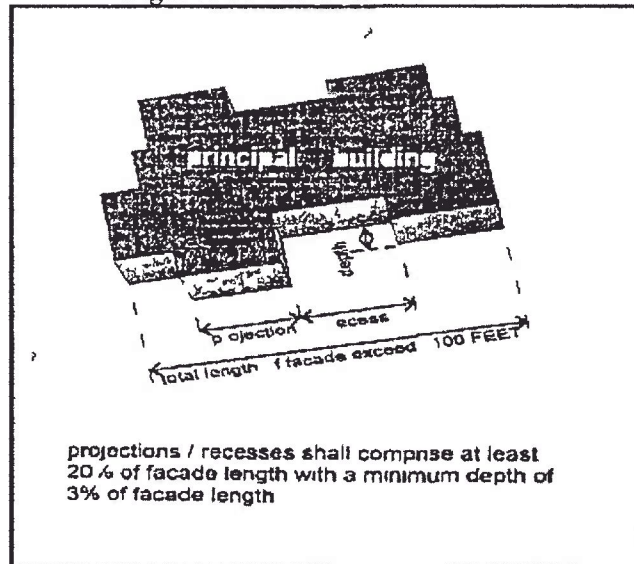
A Building Facades

(1) **Architectural Projections or Recesses** With the exception of building facades with off street truck loading facilities and abutting building facades separated by a service drive building facades greater than one hundred (100) feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending for at least twenty percent (20%) of the length of the facade Such architectural features shall be incorporated into building facade design at least every one hundred (100) horizontal feet (See Figure 10 725 1)

(2) **Animating Features** With the exception of building facades with off street truck loading facilities and abutting building facades separated by a service drive building facades visible from planned or existing streets plazas or parking shall have covered walkways transparent windows entrances awnings or other such features along at least sixty percent (60%) of their horizontal length (See Figure 10 725 2) The design of building facades visible from planned or existing streets plazas or parking and those with public entrances shall contain at least one (1) feature from a minimum of three (3) of the following groups

- | | | |
|---------|---|--|
| Group 1 | a | Canopies awnings or porticos |
| | b | Overhangs |
| Group 2 | a | Recesses projections |
| | b | Architectural details such as tile and moldings that are integrated into the building structure and design |
| | c | Transparent windows display windows |
| Group 3 | a | Covered walkways |
| | b | Arches |
| Group 4 | a | Raised corniced parapets over public entrances |
| | b | Peaked roofs |

Figures 10 725 1 and 10 725 2



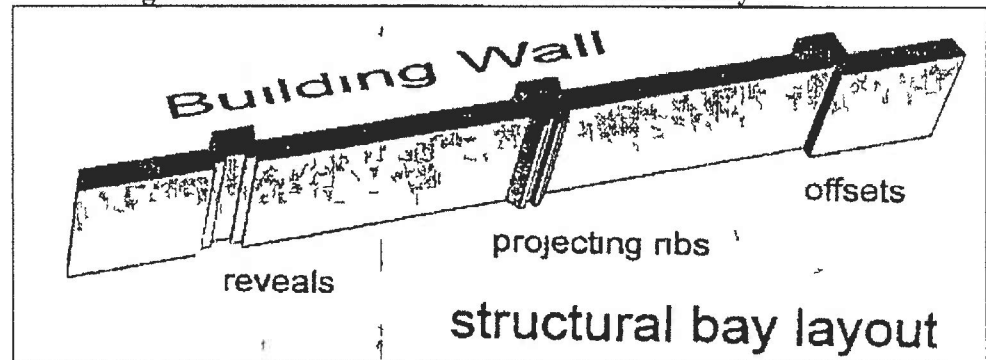
(3) **Windows** When large retail structures contain one (1) or more businesses of less than 50 000 square feet of gross ground floor area with separate exterior public entrances each such business shall have transparent windows along at least fifty percent (50%) of the horizontal length of its storefront. The bottom of the windows shall be no more than four (4) feet above the adjacent exterior grade.

(4) **Repeating Elements** All building facades shall include a repeating element that includes at least three (3) of the following elements one of which shall repeat horizontally:

- (a) Color change,
- (b) Texture change,
- (c) Material change,
- (d) Architectural or structural bays provided through a change in plane of at least twelve

(12) inches in width such as an offset, reveal or projecting rib. (See Figure 10 725 3.)

Figure 10 725 3 Architectural or Structural Bay



(5) Materials and Colors

(a) At least seventy five percent (75%) of exterior building materials shall include brick cedar shakes or shingles beveled or shiplap siding or other narrow course horizontal boards or siding vertical board and batten siding durable stucco rock stone or tinted and textured concrete masonry units Other materials may be permitted if authorized by the approving authority

(b) Exterior building materials shall not include smooth faced concrete masonry units (except for limited accent purposes) smooth faced tilt up concrete panels or unarticulated board siding (e.g. T1 11 siding plain plywood sheet pressboard)

(6) Entrances

Each large retail structure shall have at least one (1) clearly visible and architecturally prominent public entrance

B Roof Features

Roofs shall have no less than two (2) of the following features

- (1) Parapets
- (2) Overhanging eaves or cornices extending at least three (3) feet past the supporting walls
- (3) Sloping roofs with a roof plane of between 1 3 and 1 1 slope

C Site Design

(1) **Buffering** Where a lot(s) containing a large retail structure or a large retail structure complex abuts land zoned for residential uses and no public street separates the residential zoned land from the lot(s) a Type B bufferyard as described in Section 10 795 shall be installed between the lot(s) and residential zoned land

(2) **Pedestrian Walkways** In addition to the standards of Sections 10 773 Pedestrian Walkway Connections and Routing and 10 775 Pedestrian Walkway Design Standards the following shall apply

(a) Continuous pedestrian walkways shall be provided from the public sidewalk or right of way to the principal public entrance(s) of all large retail structures With the exception of walkways located within structures these pedestrian walkways shall feature abutting landscaped areas that

include trees shrubs benches planting beds live ground covers or other such plantings or features for no less than fifty percent (50%) of the length of the walkway

(b) Continuous pedestrian walkways shall be provided along the full length of any building facade featuring a public entrance and along any building facade abutting public parking areas. Such walkways shall be located at least six (6) feet from the building facade with planting beds for foundation landscaping included between the building facade and the walkway except where features such as covered entrances are part of the building facade

(c) Pedestrian walkways provided in conformance with (b) above shall include weather protection features such as awnings within thirty (30) feet of all customer entrances

(d) Pedestrian walkways crossing driving surfaces shall be distinguished from driving surfaces through the use of durable low maintenance surface materials such as pavers bricks or stamped concrete

(3) **Parking** Parking spaces shall be provided at no more than 120% of the minimum required by Section 10 743 Off Street Parking Standards

(4) Public Plaza

(a) Each large retail structure shall provide a public plaza as defined in Section 10 012 Definitions Specific. The public plaza is intended to attract tenants and to provide the community with a pleasant comfortable place to rest and interact

(b) In addition to the requirements for public plazas in Section 10 012 Definitions Specific public plazas provided by large retail structures shall comply with the following provisions

i Seating areas shall be provided in the public plaza and shall be shaded with trees cloth canopies or structures over fifty percent (50%) of their area

ii A minimum of twenty percent (20%) of the public plaza shall be landscaped with live plantings subject to the landscape and irrigation requirements in Section 10 780 General Landscape and Irrigation Requirements

iii Abutting large retail structures may connect their public plaza areas

(c) Each public plaza shall have focal points and/or other amenities. The focal points and other amenities shall be constructed of materials that are equal or superior to the principal materials of the building and landscaping. Focal points and/or amenities may include the following

i An outdoor playground with safe play structures for children

ii A water feature clock tower or similar focal feature

iii A covered community bulletin board (kiosk)

iv Art works

v Space for small or temporary food vendors

PASSED by the Council and signed by me in authentication of its passage this 3 day of

January 2008

ATTEST Stenda Owens
City Recorder

APPROVED January 3 2008

[Signature]
Mayor

[Signature]
Mayor

ORDINANCE NO 2008 05

AN ORDINANCE amending the Medford Code by adding Section 5 509 pertaining to maintenance of non residential buildings

THE CITY OF MEDFORD ORDAINS AS FOLLOWS

Section 1 Section 5 509 of the Medford Code is added to read as follows

5 509 Maintenance of Vacant Buildings

In the event of the vacancy of non residential buildings the owner shall maintain the facilities and grounds including structures landscaping parking lots and stormwater facilities to ensure the development does not become a public nuisance

PASSED by the Council and signed by me in authentication of its passage this 3 day of

January 2008
ATTEST Stevada Owens
City Recorder

Dee White
Mayor
Dee White
Mayor

APPROVED January 3 2008

ORDINANCE NO. 2008-46

AN ORDINANCE amending Chapter 10 of the Medford Code by amending section 10.725 pertaining to architectural projections or recesses on the facades of large retail structures.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.725 of the Medford Code is amended to read as follows:

10.725 Large Retail Structures, Special Development Standards.

A. Building Facades.

(1) Architectural Projections or Recesses. With the exception of building facades **less than 175 feet long** with off-street truck loading facilities, ~~and~~ abutting building facades separated by a service drive, **and facades abutting service drives and not visible from any public or private street**, building facades greater than one-hundred (100) feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending for at least twenty percent (20%) of the length of the facade. Such architectural features shall be incorporated into building facade design at least every one-hundred (100) horizontal feet. (See Figure 10.725-1)

* * *

PASSED by the Council and signed by me in authentication of its passage this 6 day of March, 2008.

ATTEST: Glenda Owens
City Recorder

[Signature]
Mayor

APPROVED March 6, 2008.

[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.

REVISED STAFF REPORT

File No.: DCA-04-230 - Land Development Code Amendment (Major Class 'A' Legislative) creating a new section on Large Retail Structures

Applicant: City of Medford

Request: Consideration of adding new sections 10.722, 10.723, 10.724 and 10.725 to the *Medford Land Development Code* establishing design standards for large retail structures.

BACKGROUND

This proposed amendment (Exhibit A) establishes design standards for: new construction of retail structures with a footprint of at least 50,000 square feet; large retail structures created by construction which represents a 50 percent or greater increase in building footprint and that results in a footprint of at least 50,000 square feet; large retail structures comprised of two or more structures which have a common wall, roof or foundation and whose combined footprint is at least 50,000 square feet; and large retail structures comprised of two or more abutting and structurally independent buildings which appear to be a single building and whose combined footprint is at least 50,000 square feet.

The design standards aim to create visual design interest and a pedestrian-oriented site design. Notwithstanding these standards, the proposed amendment gives the approving authority the flexibility to approve modifications if they meet or exceed the purpose of the section.

In June, 2004, the City Council directed staff to establish a team to develop standards for large retail ("big box") developments. The need for specific design standards was identified during review of a large retail application. A team made up of two representatives each from City Council, the Planning Commission and Site Plan Architectural Commission (SPAC) began meeting with staff. The team selected a Fort Collins, CO, ordinance as a model to be tailored to the City's needs.

Based on the work of that team, staff continued efforts on the ordinance. The current draft ordinance has been significantly modified from the original during study sessions with the Site Plan Architectural Commission, Planning Commission and City Council, review by the Citizens Planning Advisory Committee (CPAC), dialogue with the Chamber of Commerce and a comment period for agencies and citizens. Details of the entire consultation process are in the attached Findings.

A small number of comments were received during the comment period; these are in Exhibit B. Some people wanted traffic studies to be conducted for each large retail application. This issue was not treated since issues related to the timing of facility adequacy and traffic impact analyses are city-wide issues, rather than ones related only to large retail structures. One major concern of the Citizens Planning Advisory Committee (CPAC) members and other members of the public was the energy efficiency of the retail structure. Since that is also a concern of city-wide importance, "Green Building" provisions are not proposed in this ordinance. The most detailed comments were from people in the business community; they objected to the requirement to articulate large retail structure facades with projections and recesses (Section 10.725.A (1)), and to the requirement to have public entrances on at least two sides of the building or at a corner (Section 10.725(6)). Their reason was that a business' floor plan is tied to the business model that has been developed at much cost. Additionally, large retail businesses assume a floor plan with one main entrance to decrease shoplifting. The requirement for two entrances has been eliminated; the requirement for projections and recesses remains in the current proposal.

Over time, the ordinance has become simpler and clearer. City Council directed: that the threshold for ordinance applicability be 50,000 square feet; that the size requirement for the public plaza be eliminated; and that one public entrance was adequate. The current proposal provides more choices in design and many fewer specific requirements. As a result, this proposed ordinance provides more flexibility and choice for the applicant.

Based on communications with the private sector, the applicability section was revised to reflect typical construction practices for large retail structures. Subsections 10.724 (3) and (4) were written to encompass these building formats according to the intent of the section.

The Planning Commission considered the draft ordinance at their November 8, 2007 meeting. Two recent suggestions from the Chamber of Commerce for changes to the draft ordinance were presented at that time. The first was to add the word "exposed" to the definition of building façade, the idea being that standards should only apply to exposed (visible) facades. The Planning Commission supported this proposal. That change has been incorporated into the proposed ordinance language (Exhibit A).

The second proposal from the Chamber was to eliminate the requirement for architectural recesses and projections on facades with off-street truck loading facilities and on abutting building facades separated by a service drive. The Planning Commission did not support this second change; it was noted by a Commissioner that the appearance of rear facades of large retail structures had been an issue in the past. That proposed change is shown in Exhibit E; it has not been incorporated into the proposed ordinance language (Exhibit A).

AMENDED LAND DEVELOPMENT CODE LANGUAGE

Exhibit A provides the proposed code language.

RELEVANT SUBSTANTIVE CRITERIA

For Class 'A' Major Legislative Amendments, *Medford Land Development Code* Section 10.182 Application Form, requires findings that address the following:

- (1) Identification of all applicable Statewide Planning Goals.
- (2) Identification and explanation of the goals and policies of the Comprehensive Plan considered relevant to the decision.
- (3) Statement of the facts relied upon in rendering the decision, if any.
- (4) Explanation of the justification of the decision based on the criteria, standards, and facts.

FINDINGS

The proposed Findings of Fact and Conclusions of Law (Exhibit C) are, by this reference, incorporated as a part of this report. A discussion of the proposal relative to the approval criteria listed above is included in the Findings.

RECOMMENDED ACTION

At their November 8, 2007, meeting, the Planning Commission forwarded a favorable recommendation to City Council with the modification that the threshold for applicability be changed to 25,000 square feet from 50,000 square feet (Exhibit D). The rationale for that proposed modification is that the ordinance will apply to many more structures; very few structures 50,000 square feet or greater are built in Medford. Attached is a recommendation (Exhibit F) from CPAC, the Citizens Planning Advisory Committee, supporting that Planning Commission recommendation.

In light of those recommendations, City Council is presented with a two-part decision. The first part concerns setting the threshold for applicability at either 50,000 or 25,000 square feet. The second part is whether or not to incorporate a change (Exhibit E) which eliminates the requirement for architectural recessions or projections along building facades with off-street truck loading facilities and abutting building facades separated by a service drive.

Alternative One:

- 1) Adopt the development code amendment DCA-04-230 as per the language in Exhibit A and the Staff Report dated December 12.
- 2) Incorporate or rule out the change in Exhibit E.

Alternative Two:

- 1) Adopt the development code amendment DCA-04-230 as per the language in Exhibit A and the Staff Report dated December 12 with the modification that the threshold for applicability be changed to 25,000 square feet, as per the Planning Commission's recommendation.
- 2) Incorporate or rule out the change in Exhibit E.

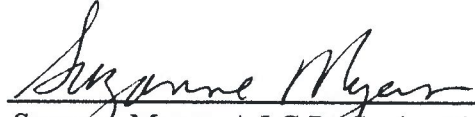
EXHIBITS

- Exhibit A Proposed Large Retail Structures Amendment, dated December 10, 2007
 Exhibit B Comments received

- Exhibit C Findings of Fact and Conclusions of Law, dated November 8, 2007
- Exhibit D Excerpt, Minutes of the Planning Commission, November 8, 2007
- Exhibit E Excerpt, Draft Ordinance with second change underlined
- Exhibit F Action Minutes of December 11, 2007, meeting of the Citizens Planning Advisory Committee



Kathy Helmer, Planner IV

Reviewed By: 

Suzanne Myers, A.I.C.P., Senior Planner

CITY COUNCIL AGENDA: January 3, 2008

EXHIBIT A
Proposed Medford Land Development Code Amendments:

Large Retail Structures

December 10, 2007

10.722 Large Retail Structures, Purpose.

1. The purpose of Sections 10.722 through 10.725 is to establish development standards for large retail structures that result in
 - a. greater visual design interest; and
 - b. pedestrian-oriented site design.
2. The approving authority has the discretion to allow modifications to the standards set forth in Section 10.725 if the approving authority adopts findings to support that any proposed modifications satisfy subsections 1.a and 1.b. above.

10.723 Large Retail Structures, Definitions.

When used in this Chapter in reference to large retail structures, the following terms shall have the meanings as herein ascribed:

Architectural projections shall mean portions of a building wall that are extended so as to create articulation of the exterior building wall.

Architectural recesses shall mean portions of a building wall that are set back so as to create articulation of the exterior building wall.

Building façade shall mean any exposed exterior wall of a building.

Business shall mean commercial establishment.

Retail structure shall mean a structure in which 60 percent or more of the gross floor area is devoted to the sale or rental of goods, including stocking, or to services incidental to the sale or rental of such goods. A retail structure may contain one or more retail businesses.

Large retail structure shall mean a retail structure whose footprint is at least 50,000 square feet.

Large retail structure complex shall mean a site containing at least one large retail structure and one or more businesses or services in separate buildings.

Service drive shall mean a secondary means of vehicular access for purposes of shipping, receiving and employee access.

Storefront shall mean the building façade that contains the public entrance. In buildings with multiple businesses, the storefront shall mean the length of the façade containing the public entrance for a particular business.

Transparent windows shall mean clear or lightly tinted windows that allow views into the structure or into display windows from the outside.

10.724 Large Retail Structures, Applicability.

- A. The requirements of Sections 10.722 through 10.725 shall apply to:
 - 1. New construction of a retail structure as defined herein, the footprint of which is at least 50,000 square feet; and,
 - 2. A large retail structure created by construction which represents a 50 percent or greater increase in building footprint and results in a footprint of at least 50,000 square feet.
 - 3. A large retail structure comprised of two or more abutting buildings which have a common wall, roof or foundation, and whose combined footprint is at least 50,000 square feet.
 - 4. A large retail structure comprised of two or more abutting and structurally independent buildings which appear to be a single building and whose combined footprint is at least 50,000 square feet.
- B. When overlay zoning district provisions differ from the standards of Section 10.722 through 10.725, the overlay zoning district provisions shall take precedence.

10.725 Large Retail Structures, Special Development Standards.

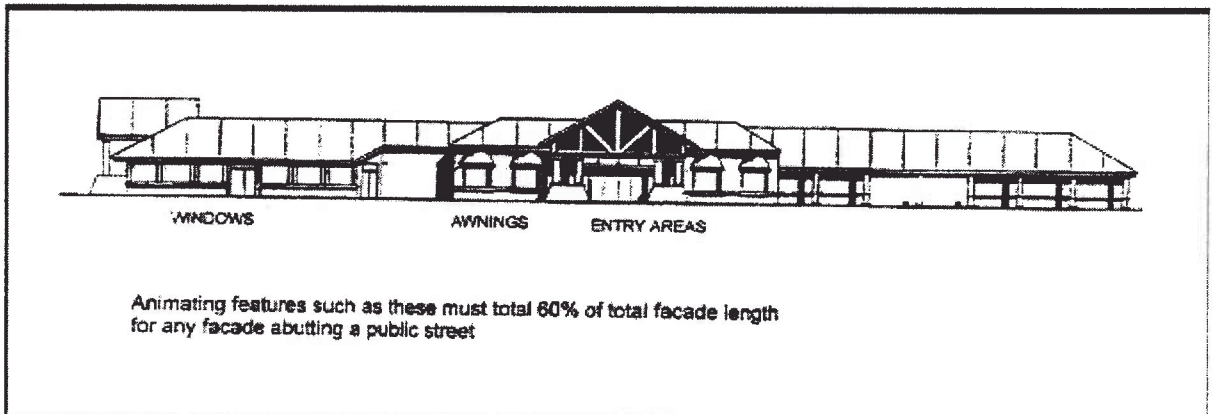
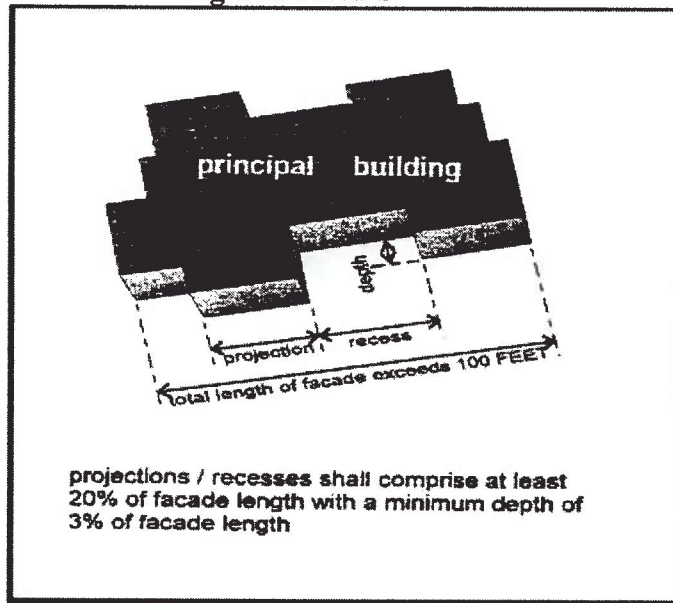
A. Building Facades.

1. Architectural Projections or Recesses. Building facades greater than 100 feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent of the length of the facade and extending for at least 20 percent of the length of the facade. Such architectural features shall be incorporated into building facade design at least every 100 horizontal feet. (See Figure 1.)

2. Animating Features. With the exception of building facades with off-street truck loading facilities and abutting building facades separated by a service drive, building facades visible from planned or existing streets, plazas or parking shall have covered walkways, transparent windows, entrances, awnings, or other such features along at least 60 percent of their horizontal length. (See Figure 2.) The design of building facades visible from planned or existing streets, plazas or parking, and those with public entrances, shall contain at least one feature from a minimum of three of the following groups:

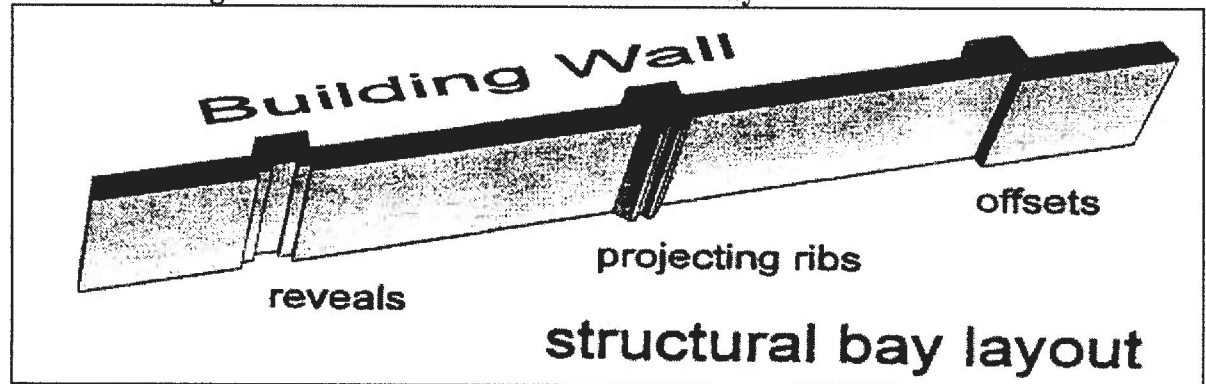
- Group 1.
 - a. Canopies, awnings, or porticos
 - b. Overhangs
- Group 2.
 - a. Recesses, projections
 - b. Architectural details, such as tile and moldings that are integrated into the building structure and design
 - c. Transparent windows, display windows
- Group 3.
 - a. Covered walkways
 - b. Arches
- Group 4.
 - a. Raised corniced parapets over public entrances
 - b. Peaked roofs

Figures 1 and 2



3. **Windows.** When large retail structures contain one or more businesses of less than 50,000 square feet of gross ground floor area with separate exterior public entrances, each such business shall have transparent windows along at least 50 percent of the horizontal length of its storefront. The bottom of the windows shall be no more than four feet above the adjacent exterior grade.
4. **Repeating Elements.** All building facades shall include a repeating element that includes at least three of the following elements, one of which shall repeat horizontally:
 - a. Color change
 - b. Texture change
 - c. Material change
 - d. Architectural or structural bays provided through a change in plane of at least 12 inches in width, such as an offset, reveal or projecting rib. (See Figure 3.)

Figure 3: Architectural or Structural Bay



5. Materials and Colors.

- a. At least 75% of exterior building materials shall include brick, cedar shakes or shingles, beveled or shiplap siding, or other narrow-course horizontal boards or siding, vertical board and batten siding, durable stucco, rock, stone, or tinted and textured concrete masonry units. Other materials may be permitted if authorized by the approving authority.
- b. Exterior building materials shall not include: smooth-faced concrete masonry units (except for limited accent purposes); smooth-faced tilt-up concrete panels; or unarticulated board siding (e.g., T1-11 siding, plain plywood, sheet pressboard).

6. Entrances.

Each large retail structure shall have at least one clearly visible and architecturally prominent public entrance.

B. Roof Features.

Roofs shall have no less than two of the following features:

1. Parapets;
2. Overhanging eaves or cornices, extending at least three feet past the supporting walls;
3. Sloping roofs with a roof plane of between 1:3 and 1:1 slope.

C. Site Design.

1. **Buffering.** Where a lot(s) containing a large retail structure or a large retail structure complex abuts land zoned for residential uses and no public street separates the residential zoned land from the lot(s), a Type B bufferyard, as described in *MLCD* Section 10.795, shall be installed between the lot(s) and residential zoned land.
2. **Pedestrian Walkways.** In addition to the standards of *MLDC* Sections 10.773 Pedestrian Walkway Connections and Routing and 10.775 Pedestrian Walkway Design Standards, the following shall apply:
 - a. Continuous pedestrian walkways shall be provided from the public sidewalk or right-of-way to the principal public entrance(s) of all large retail structures. With the exception of walkways located within structures, these pedestrian walkways shall feature abutting landscaped areas that include trees, shrubs, benches, planting beds, live ground covers, or other such plantings or features for no less than 50 percent of the length of the walkway.

- b. Continuous pedestrian walkways shall be provided along the full length of any building facade featuring a public entrance, and along any building facade abutting public parking areas. Such walkways shall be located at least six feet from the building façade, with planting beds for foundation landscaping included between the building façade and the walkway, except where features such as covered entrances are part of the building facade.
 - c. Pedestrian walkways provided in conformance with b. above shall include weather protection features such as awnings within 30 feet of all customer entrances.
 - d. Pedestrian walkways crossing driving surfaces shall be distinguished from driving surfaces through use of durable, low maintenance surface materials such as pavers, bricks or scored concrete.
- 3. Parking.** Parking spaces shall be provided at no more than 120% of the minimum required by *MLDC* Section 10.743, Off-Street Parking Standards.
- 4. Public Plaza.**
- a. Each large retail structure shall provide a public plaza, as defined in *MLDC* Section 10.012 Definitions, Specific. The public plaza is intended to attract tenants and to provide the community with a pleasant, comfortable place to rest and interact.
 - b. In addition to the requirements for public plazas in *MLDC* Section 10.012 Definitions, Specific, public plazas provided by large retail structures shall comply with the following provisions:
 - i. Seating areas shall be provided in the public plaza and shall be shaded with trees, cloth canopies, or structures over 50 percent of their area.
 - ii. A minimum of 20% of the public plaza shall be landscaped with live plantings subject to the landscape and irrigation requirements in Section 10.780, General Landscape and Irrigation Requirements.
 - iii. Abutting large retail structures may connect their public plaza areas.
 - c. Each public plaza shall have focal points and/or other amenities. The focal points and other amenities shall be constructed of materials that are equal or superior to the principal materials of the building and landscaping. Focal points and/or amenities may include the following:
 - i. An outdoor playground with safe play structures for children;
 - ii. A water feature, clock tower, or similar focal feature;
 - iii. A covered community bulletin board (kiosk);
 - iv. Art works;
 - v. Space for small or temporary food vendors.

EXHIBIT B

CRAIG A. STONE & ASSOCIATES, LTD.
Consultants in Urban Planning, Economic Analysis and Development

712 Cardley Avenue • Medford, Oregon 97504-6124
Telephone: (541) 779-0569 • Fax: (541) 779-0114 • E-mail: alec@cstoneassociates.com

June 11, 2007

MS. KATHY HELMER
c/o Medford Planning Department
Lausmann Annex, Room 240
200 South Ivy
Medford, OR 97501

RE: RESPONSE TO PROPOSED 'BIG BOX ORDINANCE'

Dear Ms. Helmer:

After carefully reviewing the draft version of the City's proposed 'Big Box Ordinance' we have the following suggestions.

Issue 1

10.723 Large Retail Structures, Definitions.

When used in this Chapter in reference to large retail structures, the following terms shall have the meanings as herein ascribed:

Architectural projections shall mean protrusions of a building wall that are extended so as to create articulation of the exterior building wall.

Architectural recesses shall mean portions of a building wall that are set back so as to create articulation of the exterior building wall.

Building façade shall mean any exterior wall of a building.

Enterprises shall mean

Front building facade shall mean

Retail structure shall mean a structure in which 60 percent or more of the gross floor area is devoted to the sale or rental of goods, including stocking, to the public, or to services incidental to the sale or rental of such goods. A retail structure may contain one or more retail businesses.

Storefront shall mean

Large retail structure shall mean a retail structure whose footprint exceeds 25,000 square feet of gross floor area.

Comment 1

The terms 'Enterprises', 'Front Building Façade' and 'Storefront' require definition.

The term 'Gross Floor Area' should be more precisely defined to distinguish which types of area(s) should be included in the calculation of gross floor area with respect to parking requirements. Various uses, including seasonal sales, outdoor sales and semi-permanent concessions have not typically been included in the calculation of parking requirements. See for example the South Medford Wal-Mart which did not include its garden center or outdoor sales in its parking calculations. This new ordinance should be consistent with Medford's past practice of not including such areas in a computation of off-street parking requirements. Depending upon the amounts of seasonal and outdoor sales, parking requirements might increase by as much as 50 percent at a time that Medford's off-street parking requirements are excessive and the reason Medford's Transportation System Plan was not fully acknowledged by LCDC.

Issue 2

10.724 Large Retail Structures, Applicability.

A. The requirements of Sections 10.722 through 10.726 shall apply to:

1. New construction of a large retail structure as defined herein, the footprint of which exceeds 25,000 square feet of gross floor area; and,

Comment 2

Under Issue 1 and again here, the ordinance is written to apply to buildings over 25,000 square feet. Under this standard small grocery stores such as Ray's Food Place, would be considered 'Big Boxes'. A more appropriate threshold would be 90,000 square feet — actual Big Box development. This would include large format retail stores without needlessly regulating smaller stores and shopping centers.

Issue 3

10.726 Large Retail Structures, Special Development Standards.

A. **Building Facades.**

1. **Architectural Projections or Recesses.** Building facades greater than 100 feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent of the length of the facade and extending for at least 20 percent of the length of the facade. Such architectural features shall be incorporated into exterior wall design at least every 100 horizontal feet. (See Figure 1.)

Comment 3

A standard which defines a 'big box' as a building with more than 100 feet of frontage includes a wide variety of buildings other than large format retail stores. For example, the Lausmann Annex where the planning department is located has about 100 feet of

frontage on Ivy Street. Pursuant to comments above related to section 10.734, a square box containing 90,000 square feet would be 300 feet in length per side.

Because a façade is a general term, the ordinance must specifically identify *which* façade is being regulated. To require projections and recesses on all facades longer than 100 feet, as proposed in this section, would require buildings in the downtown area to build projections and recesses along sidewalks and alleys where buildings are 100 feet or more deep, a common dimension.

Having already required articulation and animation of facades with awnings, materials, walkways, landscaping and plazas, the MLDC does not require further regulation to achieve the goal of animated facades. In addition, this proposed section will negatively affect the way retailers organize the interior of their stores because it affects building shape. The proposed section therefore will add unnecessary expense to doing business. This section should be removed from the proposed ordinance.

Issue 4

4. **Enterprises.** When large retail structures contain enterprises of less than 25,000 square feet of gross ground floor area with separate exterior entrances, those enterprises shall have transparent windows along the front building façade for at least 50 percent of the horizontal length of the enterprise's storefront. The bottom of the windows shall be no more than four feet above the adjacent exterior grade.

Comment 4

A retail establishment may have a wide variety of contractual relationships with service providers helping to pursue what to the public appears to be a single business. For example, a Starbucks within a grocery store. These relationships range from direct employee-employer relationships, commissioned sales people, contract sales administrators or perhaps completely independent lease-holding business people operating within the walls of the same building. None of these relationships need necessarily be structured in the same way in every circumstance and it makes little sense for the City to require that large format retailers organize their internal legal relationships so as to avoid undue regulation by the City. This section should be removed from the proposed ordinance.

Issue 5

6. Materials and Colors.

- a. At least 75% of exterior building materials shall include brick, cedar shakes and shingles, beveled or shiplap siding, or other narrow-course horizontal boards or siding, vertical board and batten siding, durable stucco, rock, stone, or tinted and textured concrete masonry units. Other materials may be permitted if authorized by the approving authority.

- b. Exterior building materials shall not include smooth-faced concrete masonry units, smooth-faced tilt-up concrete panels, or unarticulated board siding (e.g., T1-11 siding, plain plywood, sheet pressboard).
- c. If authorized by the approving authority, building trim and accent areas may feature primary or other bright colors.

Comment 5

This standard conflicts with the requirement that 50 percent of a façade be window or other transparent surface under 'Enterprises' above. In all cases the standard should be clarified so that it may be more practically accomplished given the proposed requirements of MLDC 10.726(A)(2) (Animating Features) where a variety of awnings, windows, porticos and canopies are required; 75% is an impractical number. However, 35 percent of a façade covered with the types of siding specified in MLDC 10.725(A)(6)(a) is adequate to accomplish the intent, which is to present an animated, textured building façade. A standard of 35% would at least make it possible to provide the necessary windows, entrances and other features that can't be constructed from the list of materials given in the proposed section.

Issue 6

7. Entrances.

- a. At least two facades of a large retail structure shall feature a customer entrance. The two facades shall be those planned to have the highest level of pedestrian activity. A corner entrance shall also satisfy this requirement. One of the entrances shall be on a façade that faces a public street. The other entrance may face a main parking area.
- b. Each large retail structure shall have clearly visible and architecturally prominent customer entrances.
- c. When additional enterprises are located within a large retail structure and along its perimeter, each such enterprise shall have at least one exterior customer entrance conforming to the requirements of this Section.

Comment 6

Inventory control is one of the most important aspects of the retailing business. Entrances and exits are carefully planned and monitored to prevent theft of merchandise by the general public, employees, suppliers or contractors. Additional entrances and exits, or entrances and exits which are not compatible with the need to control inventory will be a prohibitive barrier to entry for large format retailers. As with the proposed 'Enterprise' section, this section seeks to regulate the way that large format retailers organize their businesses rather than their architecture and site planning. This section should be removed from the proposed ordinance.

Issue 7

B. Roof Features.

Roofs shall have no less than two of the following features:

1. Parapets, the average height of which shall not exceed 15 percent of the height of the supporting wall unless greater heights are necessary to screen HVAC equipment. The maximum height of a parapet shall not exceed one-third of the height of the supporting wall. Parapets shall feature three-dimensional cornice treatment and shall not be of a constant height for a distance greater than 150 feet. (See Figure 4.)

Comment 7

10.726(B)(1) Parapets. This section refers to a drawing for a description of a cornice but the drawing does not clearly show a cornice or describe what one might be.

Issue 8

3. Sloping roofs with three or more roof slope planes.

Sloping roofs shall:

- a. Not exceed the average height of the supporting walls; and,
- b. Have an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run; and,
- c. Have a vertical rise less than or equal to one foot for every one foot of horizontal run.

Comment 8

If the height of the roof can't be higher than the walls then it will not be possible for the roof to be sloped. The proposed standard could perhaps be more carefully written but it is not clear what the regulatory objective is in this case. Without some obvious public benefit, it would be prudent to remove this section from the proposed ordinance.

Issue 9

C. Site Design.

1. **Buffering.** Where a large retail structure's lot(s) abuts land zoned for residential uses, in lieu of the requirements of Sections 10.793 through 10.795 regarding Bufferyards, an earthen berm at least six feet in height shall be provided on . The berm shall be planted, at a minimum, with conifer trees at intervals of 20 feet on center and 20 shrubs per 100 linear feet.

Comment 9

To begin, there seems to be a hole in the first sentence (see line 3). Moreover, large format retailers may be located within larger shopping centers and at times they may not.

Buildings are sometimes located on the same lot as parking and sometimes they are not. This standard is not carefully worded and does not provide a clear standard which would trigger the requirement for building a berm. Matters such as this are better handled case-by-case and this section should be reworded to provide flexibility for decision makers to impose buffering as a discretionary matter.

Issue 10

2. **Connectivity.** Site design of a large retail structure's lot(s) shall provide direct vehicular connections and pedestrian street crossings to abutting properties.

Comment 10

This matter is already covered elsewhere in the MLDC and should be removed from this section.

Issue 11

Off-Street Parking

Off-street parking needs to be addressed for large format retailers but the proposed ordinance is silent on this issue. As above mentioned, Medford's off-street parking standards are excessive and exist as the reason the city's Transportation System Plan was not fully acknowledged by LCDC. We assert that required parking for large format retailers is particularly excessive. Because Medford has no standard which specifically applies to large format retailers, this ordinance is a good opportunity to create such a standard. However, the standard must account for two different types of large format retailers — different amounts of parking are required where appliance and bulk goods take up large amounts of interior retail space and where such items do not. For example, Home Depot can be thought of as **Bulk Merchandise Retail** whereas Wal-Mart would be considered **General Merchandise Retail**. The following language is what we would propose:

10.726(D) Parking. *The following off-street parking standards shall apply in addition to the standards in Sections 10.741 through 10.766 and shall control where conflicts may arise with Section 10.743 (Off-Street Parking Standards) or where the below described Big Box retail uses are more precisely descriptive than the general uses categories in Section 10.743:*

1. *Parking spaces shall be provided at no greater than 120% of the minimum parking required by this Subsection.*
2. *Big Box Retail shall be divided into two categories for the purpose of determining required off-street parking and the Planning Director shall have authority of to determine under which of the two categories a particular Big Box use or building more precisely fits:*

- a. **General Merchandise Retail.** Retail establishments carrying general merchandise shall provide parking at the rate of one space per two hundred and fifty (250) square feet.

- b. **Bulk Merchandise Retail.** Retail establishments specializing in building and construction materials, appliances, and similar large bulky goods shall provide parking at the rate of one space per three hundred and twenty (320) square feet.

Our understanding is that the City would like to enhance the way large format retail buildings look, enhance pedestrian design, make stores more compatible with neighboring development and make buildings easier to re-use. We believe that the ordinance as originally proposed will serve to prohibit (10.726(A)(4) and 10.726(A)(7)) large format retailers, make life much more difficult for small format retailers (10.724(A)(1) and 10.726(A)(1)) and lacks a crucial parking standard for large format retailers. A parking standard such as the one proposed above will serve to reduce the amount of parking in the City easing stormwater runoff, heat island effects, shortening travel distances and improving the way the city looks. All benefits which serve the stated purpose of the proposed ordinance.

Thank you for permitting our review of the proposed ordinance.

Respectfully submitted,

CRAIG A. STONE & ASSOCIATES, LTD.

Alec Miller
Associate

cc. Charles Martinez
Brian Cannard
Brad Hicks
Steve Gilmore
File

Kathy C. Helmer

From: Lynn Howe [lynnhowe@earthlink.net]
Sent: Monday, June 25, 2007 1:59 PM
To: Kathy C. Helmer
Cc: john Statler
Subject: Large retail building ordinance response

Hello Kathy:

After reading the ordinance proposal which has many positive ideas for attractive and useful design, I have several comments for consideration:

1. Local area traffic issues related to such large retail businesses need to be addressed
2. Building height should be related to adjacent or typical neighborhood structures
3. Use of solar or other alternative energy for heating, lighting etc would be desirable
4. Limits should be set on the amount of light emitted into the atmosphere and neighborhood
5. It sounds like overhangs and other ways to provide shade are included, which is excellent
6. Are the building materials chosen for recyclability and environmental safety?
7. Minimize large expanses of concrete or other hardscapes.

Thank you,
Lynn Howe

Kathy C. Helmer

From: bruce bauer [bbauer1942@yahoo.com]

Sent: Sunday, June 24, 2007 11:18 PM

To: Kathy C. Helmer

Subject: big box ordinance

I think the new ordinance does go far enough in many ways!

#1. You want to do away with parking spaces because without parking spaces, people will use buses. This is insane!

#2. There is no mention of new traffic studies. Are we accomodating the big box stores?

I will send more comments because it is late right now!

Bruce Bauer

16 Geneva

Medford

Fussy? Opinionated? Impossible to please? Perfect. Join Yahoo!'s user panel and lay it on us.

Kathy C. Helmer

From: Mark Nelson [mark@tapetip.com]
Sent: Wednesday, June 27, 2007 10:08 AM
To: Kathy C. Helmer
Subject: late comments on large retail structures

Dear Person

Receiving this 'proposal' just today means my comments are late. Thanks for even taking a look.

RE: 7 B 150 foot maximum 'unbroken' parapet (appearance/same height)- could add 'any parapet over 50 feet in length will have within its appearance reveals/ projections, both height variations and cornices are acceptable and certainly required over 150 feet as proposed.

The 'over' 150 feet in length, height differential issue would benefit with these breaks in appearance as reveals, projections, and relief areas both for current and future uses... At and up to the 150 foot mark a non-obvious repeating theme could be used to break-it-up and in it's full length if over 150' a requirement.

7 C regarding abutting 'green space' six feet in height... adjacent to residential. All the mentioned shrubs and conifers is a great idea. You must mandate FULL ground cover between spaces..i.e., prostrated Cotton Easter Kinnickinnic), Carpet Juniper, Creeping Jenny (has nice yellow flowers and all are green all year long)- this will prevent weeds, enhance water retention, AND runoff to adjacent areas and maintenance, enhancing at minimal costs overall.

3 E common areas with playgrounds, safe for children sounds good but.... sculptures, commissioned or not that are intended to be climbed on are both visually pleasing, ad revenue to local artisans, again both pleasing to adults and children alike, and most likely cheaper insurances. They would be inviting and intended to 'play' or climb on without ANY maintenance.

Slides, clear crawl-through playgrounds, i.e., McDonald's have maintenance issues which concrete or steel 'art' would not require any- and would certainly deliver a different message to all of whom arrive than a 'playground' that looks like a playground.

Thank You,
Mark Nelson, voter
Eagle Point, Oregon

Kathy C. Helmer

From: Chris A. Reising
Sent: Wednesday, May 23, 2007 4:25 PM
To: Kathy C. Helmer
Subject: DCA-04-230

Kathy:

The following are my comments on the proposed code change/addition.

10.726(A)6: Language should be added that the exterior building materials must be in compliance with the Building and Fire Codes. Some combustible materials may not be allowed for certain types of construction and/or occupancy types.

10.726(B)1: Limitation of the parapet height may conflict with the building code under some circumstances, such as proximity to a property line (not R.O.W.) where the building code requires a parapet height of 30 inches above the roof. Also, would limiting the maximum height of a parapet be interpreted to include architectural features like that on the front of Old Navy, or Lowe's, or the new strip mall on McAndrews at Poplar?

To: **Medford CPAC Committee**

From: Gerry Anderson, CPAC member

Re: Response to the **PROPOSED LARGE RETAIL STRUCTURES AMENDMENT**
Draft as of October 11, 2007

Date: October 26, 2007

Herein are my comments regarding the subject as assigned in our October 23 meeting.

Reasons that the Amendment is not fundamentally appropriate:

- Since the main purpose of the Amendment is for visual attractiveness, why have a minimum structure size of 50,000 square feet? Does this mean that a 49,000 square foot building is less important than one of 51,000 square feet? If we are really concerned about having greater visual design interest in our structures, it would then be prudent to establish guidelines for all buildings regardless of their size.
- Using the same rationale for obtaining visual attractiveness for buildings which should improve our community's environment, it then seems appropriate that guidelines should be developed for all types of structures including non-retail commercial and industrial establishments such as warehouses and manufacturing facilities.
- The City Council is responsible for establishing policies and the City Manager is responsible for implementing those policies. It seems practical to have a professional reporting to the City Manager to provide guidance for all developers and potential businesses to ensure that all structure and site planning decisions are consistent with the policies of our elected officials.
(We were told that no one is presently responsible for this function.) A staff architect can utilize the present staff, commissions and other volunteer groups for guidance, but will be personally responsible for attractive buildings that are situated on a site in a proper fashion. This practical concept eliminates the need for the Council and volunteer groups to micro-manage issues best controlled by trained professionals.
- Building restrictions can impose adverse financial ramifications on the expansion efforts of local and small businesses. The large corporations can afford to spend huge amounts of money for cosmetic building enhancements. The companies at most risk are the locals who are not backed by large corporate funding resources. With this in mind, the underlining reason for imposing these guidelines may not be realized, but can actually backfire against our local entrepreneurs.
- The proposed guidelines have questionable purpose and effectiveness because they can be modified by an approving authority that has not been identified.

Specific Amendment Issues

- Building facades with "Animating Features" (?) are indeed useful in providing variations for any size structure. Their utilization, however, depends on the type of building and its proposed use. There is no valid reason why a building should have one feature from at least three of the four listed groups. Why not use one feature from two or four groups? Architects can include any of the listed animations but shouldn't be restricted in their use as long as they design an attractive building.
- Transparent windows may be appropriate for certain retailers who wish to display their goods to passing pedestrians, especially in downtown areas. When outside viewing is not paramount, most retailers use the interior of outside walls for storing goods. Using the wall space in this manner allows a more efficient layout of

aisles and shelving. Mandatory glazing penalizes the retailer and has no "value added" benefits to the structure. From an energy environmental viewpoint, windows are really "anti-green" even if this structure amendment is not supposed to address "green" issues.

- Outside materials should not include cedar shake roofs because of the fire hazard. Other wooden materials which lose their good appearance in a relatively short time unless painted or stained on a regular basis should be avoided. Smooth masonry walls, including tilt-up construction walls should be accepted if they are cosmetically treated for good appearance.

- Roof features should not be included in the Amendment. Roofing configurations depend on the overall building design and should contribute to the architect's objective of providing an attractive structure for the particular building site.

- Pedestrian walks situated close to the building (ie. 6 ft.) and walkways to a property perimeter walkway are practical as long as they do not cross parking lot traffic areas. It is not practical to have long sidewalks from the perimeter to the front entrance. Walkways should not be in the middle of a parking lot because of the safety issue and the lack of pedestrian use. Landscaping is always beneficial to parking lots. Trees are attractive and can enhance the entire development. Our parking lots should utilize more trees in their site plans.

- Awnings can be used if they contribute to the attractiveness of the building, but should not be mandatory. There should not be anything like shelters or food stands that encourage people to mull around the main entrance. The high volume of cars driving by and dropping off customers on many retail sites poses a serious safety concern.

- Plazas are situated in pedestrian areas but not in parking lots. Most large buildings are designed and situated to provide parking so customers can enter and leave in an expeditious and safe manner. Parking lots are dangerous and any inclusive or adjacent pedestrian area should be avoided.

Kathy C. Helmer

From: Steve Gilmore [Steve@medfordchamber.com]
Sent: Monday, November 05, 2007 5:05 PM
To: Rob O. Scott; Kathy C. Helmer
Cc: Mike H. Dyal; Bill W. Hoke
Subject: FW: Retail Ordinance- Visually Exposed Facades, Facing Facades

Rob and Kathy,

Thank you so much for getting this document to me in a prompt manner so our folks could take a look at the Big Box or Large Retail draft ordinance. Below is an email that I received from Alec Miller from Craig Stone's shop with some concerns that they have regarding the current ordinance.

Rob, you had mentioned to me that you wanted to have some heads up if The Chamber had some additional concerns, and from this email you can tell that we do have some. I would really appreciate your review of the proposed changes by Alec, and I would hope that we can get past these last few stumbling blocks. I will be communicating these concerns to members of the council as well, just to keep them in the loop. Please let me know if you have any questions.

Steve Gilmore
 VP of Governmental Affairs
 The Chamber of Medford/Jackson County
 Phone: (541) 608-8512
 Cell: (541) 210-6038
 Fax: (541) 776-4808
 steve@medfordchamber.com
 www.medfordchamber.com

"Business must learn the lesson long ago learned by labor and other self-interest groups. This lesson is that political power is necessary; that such power must be assiduously cultivated and that, when necessary, it must be used aggressively and with determination-without embarrassment and without the reluctance which has been so characteristic of American business."- Memo from Justice Lewis F Powell to the US Chamber of Commerce

-----Original Message-----

From: Alec Miller [mailto:alec@csaplanning.net]
Sent: Monday, November 05, 2007 3:39 PM
To: Steve Gilmore
Cc: 'Mike Montero'; 'Craig'; 'Bev'
Subject: FW: Retail Ordinance- Visually Exposed Facades, Facing Facades

Steve,

Regarding revisions to the proposed retail ordinance we continue to have key problems with the ordinance. The proposed ordinance will require projections and recesses, animating features and repeating elements on exterior walls of buildings which are covered by the walls of other buildings. If the definition of the word "façade" were to include that the regulated exterior walls must be "visually exposed", then the problem would be greatly ameliorated. In addition, in section 10.725(A) (2) the word "abutting" is used where the word "facing" should be used. The definition of a *Facing Façade* should be included in the definitions and *Facing Facades* along service drives should not be required to have projections and recesses or covered walkways, windows, awnings and other such features. However, Repeating Elements, 10.725(A)(4), and Materials and Colors, 10.725(A)(5), are appropriate for Facing Facades along service drives.

The definitions of Building Façade and Facing Façade as they should read are as follows:

12/11/2007

Building Façade shall mean any visually exposed exterior wall of a building.

Facing Facades shall mean any two building facades which are parallel or within 30 degrees of being parallel

The first sentence of 10.725(A)(2) should read as follows:

With the exception of building facades with off-street loading facilities and facing facades separated by a service drive, building facades visible from planned or existing streets, plazas or parking shall have covered walkways, transparent windows, entrances, awnings, or other such features along at least 60 percent of their horizontal length.

The revised sentence above should also be included as the first sentence of 10.725(A)(1).

Please give me a call if you have additional questions.

Alec Miller

CSA Planning, Ltd

4497 Brownridge, Ste 101

Medford, OR 97504

541-779-0569

541-779-0114

EXHIBIT C

PROPOSED FINDINGS

BEFORE THE PLANNING COMMISSION
AND CITY COUNCIL
FOR THE CITY OF MEDFORD
JACKSON COUNTY, OREGON

IN THE MATTER OF CREATING NEW)
SECTIONS 10.722, 10.723, 10.724, 10.725)
RELATING TO DESIGN STANDARDS FOR)
LARGE RETAIL STRUCTURES IN THE)
MEDFORD LAND DEVELOPMENT CODE)
)

**FINDINGS OF FACT
CONCLUSIONS OF
LAW**
File No. DCA-04-230
Exhibit C
November 8, 2007

City of Medford, Applicant

PROCEDURAL BACKGROUND

This is a request to amend the *Medford Land Development Code (MLDC)*. It is classified as a Class 'A' legislative action in *MLDC* 10.150 General Procedural Requirements. *MLDC* Sections 10.180 through 10.184 provide the process and standards for such amendments.

RELEVANT SUBSTANTIVE CRITERIA

For Class 'A' Major Amendments, *Medford Land Development Code* Section 10.182 Application Form requires the City to prepare an application with the following information:

- (1) Identification of all applicable Statewide Goals.
- (2) Identification and explanation of the goals and policies of the *Comprehensive Plan* considered relevant to the decision.
- (3) Statement of the facts relied upon in rendering the decision, if any.
- (4) Explanation of the justification for the decision based on the criteria, standards, and facts.

COMPLIANCE WITH STATEWIDE PLANNING GOALS

For this request, the applicable Statewide planning goals are: Goal 1 Citizen Involvement; Goal 2 Land Use Planning; and Goal 12 Transportation.

Upon investigation, it has been determined that Statewide Planning Goals 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14 are not applicable to this action. Goals 15, 16, 17, 18, and 19 are not applicable in Medford as these pertain to the Willamette River Greenway and ocean-related resources.

CITY OF MEDFORD
EXHIBIT # C
File # DCA-04-230

GOAL 1: CITIZEN INVOLVEMENT - To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDINGS OF FACT

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. They 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 *Land Development Code* amendments by the Citizens Planning Advisory Committee, 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. As detailed below, this process has been followed in the development of the proposed amendment.

The Citizen's Planning Advisory Committee (CPAC) reviewed the amendment at regular meetings on February 20, 2007, October 23, 2007 and November 6, 2007. The Medford Planning Commission discussed and formulated aspects of the amendment during study sessions on February 12, 2007 and July 9, 2007. The Site Plan Architectural Review Commission reviewed the draft ordinance during their July 20, 2007, study session. The City Council provided guidance to staff on the draft ordinance during study sessions on February 22, 2007, March 22, 2007, 7, and June 28, 2007, August 9, 2007, as well as during regular meetings on May 3, 2007 and September 20, 2007. The Planning Department solicited comments from affected agencies via a memo mailed on May 23, 2007. On May 22, 2007, the Planning Department sent a press release to media outlets to solicit citizen input on the ordinance; a day later, the Planning Department put the draft document on the City's website for a 30 day period. Planning staff also directly solicited comments from concerned citizens and met with representatives of the Chamber of Commerce. The Planning Commission reviewed the amendment at its regular meeting on November 8, 2007. The amendment does not place new limitations on permitted uses, and is therefore not subject to Measure 56 noticing requirements.

CONCLUSIONS OF LAW

In accordance with Statewide Planning Goal 1, the City of Medford has an established citizen involvement program and followed it to provide opportunities for citizens to be involved in the development of this proposed ordinance. The general public, the Chamber of Commerce, affected agencies, the Citizens Planning Advisory Committee, the Site Plan and Architectural Commission and the Planning Commission, were all involved in the development of this

proposal, as per that program. The City followed the process in Medford's acknowledged *Comprehensive Plan* and *Medford Land Development Code*. That process is consistent with Statewide Planning Goal 1.

GOAL 2: LAND USE PLANNING - To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDINGS OF FACT

Goal 2 and its implementing *Oregon Administrative Rules* (OAR) and *Oregon Revised Statutes* (ORS) require City land use actions to be consistent with the adopted *Comprehensive Plan*. The *Comprehensive Plan* 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 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 ownerships, or the entire City. Goal 2 calls for "*an adequate factual base for such decisions and actions*" made within the context of the land use planning process.

Per *MLDC 10.102 Plan Authorization*, proposals to amend the *Medford Land Development Code* amendments undergo the planning and development review process specified for Class "A" legislative actions. This proposal to amend the code will affect a large area with many different ownerships; thus, the procedural requirements for a Class A action are being followed, consistent with the *Medford Land Development Code* and the *Comprehensive Plan*.

Per *MLDC 10.291 Conditions of Approval*, the Site Plan Architectural Review Commission may impose "...conditions to ensure compliance with the standards of the code and the criteria in Section 10.290, and to otherwise protect the health, safety and general welfare of the surrounding area and the community as a whole." Ten conditions are listed in this section, ranging from limiting the number of signs to modifying architectural design elements. These conditions are broad and provide limited guidance. The proposed amendment, however, contains explicit design standards for use in the review of large retail structure applications. These standards will be used to guide the design and then the approval of applications. By providing a number of objective criteria for use in the decision-making process, the standards will help provide the approving authority an "...adequate factual base for such decisions and review actions."

CONCLUSIONS OF LAW

With this proposed amendment, the City will be better equipped to properly implement the adopted policies of the acknowledged *Medford Comprehensive Plan* and the Statewide Planning Goals with the *Land Development Code*. This amendment establishes a set of design standards to assure that large retail structures are subject to a consistent set of design standards which provide the applicant with a higher level of certainty about designing a project that meets objective approval criteria. The proposed amendment provides a more “adequate factual base” for the land use decision-making process.

GOAL 12: TRANSPORTATION - To provide and encourage a safe, convenient and economic transportation system.

Transportation plans are required to: consider all modes of transportation; be based upon an inventory of transportation needs; consider the differences in social consequences that could result from using different transportation mode combinations; avoid reliance on any one mode; minimize adverse social, economic or environmental impacts/costs; conserve energy; meet the needs of the transportation disadvantaged; facilitate the flow of goods and services; and conform with local and regional comprehensive land use plans.

OAR 660-12-0045 Implementation of the Transportation System Plan elaborates on the land use or subdivision regulations that each local government is required to adopt to implement the Transportation System Plan. One of the purposes of *OAR 660-12-0045(3)* is “to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel ..”. *OAR 660-12-0045(3)(b)* requires that: “Pedestrian circulation through parking lots should generally be provided in the form of accessways.” According to *OAR 660-12-0045(3)(d)*: “...safe and convenient” means bicycle and pedestrian routes, facilities and improvements which: (A) Are reasonably free from hazards..”; (B) Provide a reasonably direct route of travel between destinations..”

The proposed ordinance 10.725(C)(2)(a) – (d) explicitly requires pedestrian walkways “from the public sidewalk or right-of-way to the principal customer entrances..”. These walkways are enhanced and made safer through the use of materials that are easily “...distinguished from driving surfaces..”. Walkways are even safer with the protection afforded by “...abutting landscaped areas that include trees, shrubs, benches, planting beds...for no less than 50 percent of the length of the walkway.” The proposed requirement for a public plaza 10.725(C)(4)(a-c) will provide a place where pedestrians may rest outside, “reasonably free from hazards” in the parking lot.

CONCLUSIONS OF LAW

The proposed code amendments 10.722-10.725 are consistent with Goal 12 Statewide Planning Rule and *Oregon Administrative Rule 660-12-0045* in that it provides for safe and convenient pedestrian travel by: requiring pedestrian walkways between the sidewalk or public right-of-way and the entrance; providing landscaped areas for 50% of the length of the walkway; and

requiring a public plaza. The pedestrian travel mode is one of several transportation modes requiring development; several aspects of the proposed amendment focus on creating a pedestrian-friendly site plan and design standards. The public plaza provides a safer environment than the parking lot for resting or waiting for a ride.

COMPLIANCE WITH THE CITY OF MEDFORD *COMPREHENSIVE PLAN*

This ordinance responds to Goals and Policies in the *Medford Comprehensive Plan*, as described below.

The Housing Element

Housing Element Goal 1: To enhance the quality of life of all residents of the City of Medford by promoting a distinctive community character and superior residential environment, emphasizing the unique natural setting of the community.

Policy 1-A: The City of Medford shall promote a community design that emphasizes aesthetics, alternative transportation modes, and pedestrian-scale development.

FINDINGS OF FACT

Goal 1 of the Housing Element establishes the relationship between residents' quality of life and a distinctive community character. That character is comprised of the "built environment" of houses, shops, institutions, open space, streets, etc. This built environment is created by architectural design, physical settings and community planning. The City supports the development of a distinct community character through varied architectural expression, aesthetics, and pedestrian-scale development. This applies to not only residential development, but to all types of development within the community. This goal deals with intangibles that are difficult to quantify, but are valid nonetheless. It suggests that the look and feel of the community enriches residents' lives and their experience of the City. Policy 1-A identifies aesthetics as a significant part of community design. Aesthetics refer to that which is perceived as beautiful or pleasing in appearance. The policy also promotes alternative transportation modes, such as cycling and walking, and development that makes the experience of walking more pleasant, convenient and safe, such as shaded streets, park strips, lighting, etc.

In sections 10.725(A) through 10.725(B), the proposed Large Retail Structure ordinance requires the use of architectural projections or recessions, materials, roof features, windows, repeating elements and a variety of animating features to create greater visual interest and a more pleasing, architecturally aesthetic structure. A pedestrian-scale development is created through the provision of pedestrian walkways and the public plaza in section 10.725(C). The public plaza with its seating areas and landscaping emphasizes the importance of pedestrian-scale development. The requirement for windows also creates a more pedestrian-friendly environment.

CONCLUSIONS OF LAW

Goal 1 and Policy 1-A of the Housing Element of the Comprehensive Plan focus on the need to enhance residents' quality of life by developing a distinctive community character, and to develop community design that emphasizes aesthetics, alternative transportation modes and pedestrian-scale development. The overall purpose of the proposed Large Retail ordinance is to create greater visual interest and distinctiveness in large commercial buildings that typically offer little relief from large blank walls and boxy proportions. This ordinance requires attention to aesthetics, variety in design features and pedestrian amenities. It is thus in compliance with the Housing Element goal and policy.

The Transportation Element

Transportation Element Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-L: The City of Medford shall require an appropriate supply and design of off-street parking facilities to promote economic vitality, neighborhood livability, efficient use of urban space, reduced reliance on single-occupancy motor vehicles, and to make certain areas, such as Transit Oriented Districts (TODs), more pedestrian friendly.

Implementation 2-L(1): Require a minimum and maximum number of off-street parking spaces based on the typical daily needs of the specific land use type. (A parking space maximum standard assures that unnecessary consumption of land area is avoided.) Designate areas of the City where no off-street parking would be required.

Implementation 2-L(3): For off-street parking lots over three (3) acres in size, require street-like features along major driveways and safe pedestrian access facilities between the street, locations within the lot, and buildings.

Policy 2-M: The City of Medford shall undertake efforts to contribute to a reduction in the regional per capita parking supply to promote the use of alternatives to the single-occupancy motor vehicle.

Transportation Element Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

Implementation 5-A(1): Require development and street construction/renovation projects to include sidewalks and walkways.

FINDINGS OF FACT

Goal 2 concerns the need to develop a street system that serves all modes of transportation, automobile, pedestrian and bicyclists, while ensuring that people and goods can move safely and quickly through the city. Policy 2-L focuses on the importance of supplying the correct amount

of parking for the City's economy, its neighborhoods, and its development of alternative modes of transportation. Implementation 2-L(1) requires setting a maximum as well as a minimum number of parking spaces, to avoid situations where inadequate spaces have been provided and those situations where too many parking spaces have been provided, unnecessarily taking up additional land area. Implementation 2-L(3) requires pedestrian access facilities that allow pedestrians to move safely through developments, despite the movement of vehicles. Policy 2-M specifies the need for the City to participate in reducing the regional per capital parking supply as a way of promoting transportation alternatives.

The Large Retail Structure ordinance complies with Policy 2-L, Implementation 2-L(1) and Policy 2-M by limiting the number of parking spaces that may be provided. It sets a cap on the number of parking spaces at 120% of the minimum number required in *MLDC* Section 10.743. The proposed ordinance also complies with Goal 2 by focusing on pedestrian modes and with Implementation 2-L(3) regarding the need for safe and convenient pedestrian access to the retail structure.

Goal 5 focuses specifically on the importance of increasing the pedestrian transportation mode in the city. To facilitate the pedestrian mode, improvements to that system must be made. Implementation 5-A(1) requires the inclusion of sidewalks and interior walkways in developments. The Large Retail Structure ordinance requires walkways between the right-of-way and principal customer entrances of large retail structures, as well as along any structure facades that abut public parking areas.

CONCLUSIONS OF LAW

The Transportation Element of the *Medford Comprehensive Plan* emphasizes the development of a multi-modal transportation system. It recognizes the importance of reducing the regional per capita parking supply, and providing parking adequate to support the economy of the city but limited enough to encourage other modes of transportation. The Large Retail Structure ordinance is in compliance with Policy 2-L and Implementation 2-L(1) and Policy 2-M, as evidenced by the upper limit it places on the number of parking spaces allowed. With respect to Goal 5, a major purpose of the Large Retail Structure ordinance is to provide a pedestrian-oriented site design. It does so with its requirements for walkways, a public plaza, windows and other design features that add interest.

SUMMARY

As demonstrated in these findings, the City's proposed Large Retail Structure ordinance satisfies the requirements of the pertinent Statewide Planning Goals, including that of Citizen Participation, Land Use Planning and Transportation. The provisions of the proposed draft ordinance have also been shown to be consistent with the above-noted *Comprehensive Plan* Goals, Policies, and Implementation Strategies.

The proposed *Land Development Code* amendment implements policies and strategies adopted in the *Comprehensive Plan* that promote distinctive community character and safe and convenient pedestrian routes and site designs. The proposal is intended to assure that review of

large retail structures occurs in the most objective manner possible with the benefit of design standards.

MINUTES - Planning Commission Meeting

November 8, 2007

the City Council Meeting because the Planning Commission only has authority to recommend this, not approve it.

Motion: Approve Consent Calendar item #20.5 as submitted.
Moved by: Commissioner Shean Seconded by: Commissioner Tull
Voice Vote: 7-0

The following item 20.6 was removed from the consent calendar by Robert Scott for further study:

20.6 CP-07-232 Proposal to amend the Medford Comprehensive Plan to include a Buildable Land Inventory. The document contains a land inventory, the methodology and assumptions for determining the amount of buildable land, and the 2007 Buildable Land Inventory for the Medford Urban Growth Boundary.

20.7 DCA-04-230 Consideration of new sections 10.722 to 10.725 of the Medford Land Development Code establishing design standards for large retail structures and new section 5.509 Maintenance of Vacant Buildings of the Medford Land Development Code that requires the owner to maintain facilities and grounds in the event of vacancy of non-residential buildings.

Kathy Helmer presented a staff report on DCA-04-230.

There was discussion about the code amendment pertaining to the size of the building which this amendment would affect. Commissioner Nelson noted that this code would only apply to a very small percentage of buildings. Commissioner Tull also questioned the proposed language on page 2. He noted that "off-street loading facilities" should refer to truck loading, not pedestrian.

Motion: Approve Consent Calendar items #20.7 including Exhibit A,B, & C with modification to section 10.724, which should change "50,000 square feet" to read "25,000 square feet.

Friendly Amendment: Change the definition of "building facade" to mean any exposed exterior wall of the building.

Moved by: Commissioner Shean Seconded by: Commissioner Potter
Voice Vote: Motion passed 6-1 with Commissioner Jackle voting "no"

Kathy Helmer left the meeting.

30. Minutes

30.1 The Minutes for the October 25, 2007, meeting were approved as submitted.

40. Oral and Written Requests and Communications. None

50. Public Hearings

Lori Cooper, Senior Assistant City Attorney, read the Quasi Judicial Statement.

New Business:

CITY OF MEDFORD
EXHIBIT # D
File # DCA-04-230

EXHIBIT E

This excerpt from the draft ordinance shows the proposed language (underlined) to eliminate the requirement for recesses and projections on certain kinds of facades.

10.725 Large Retail Structures, Special Development Standards.

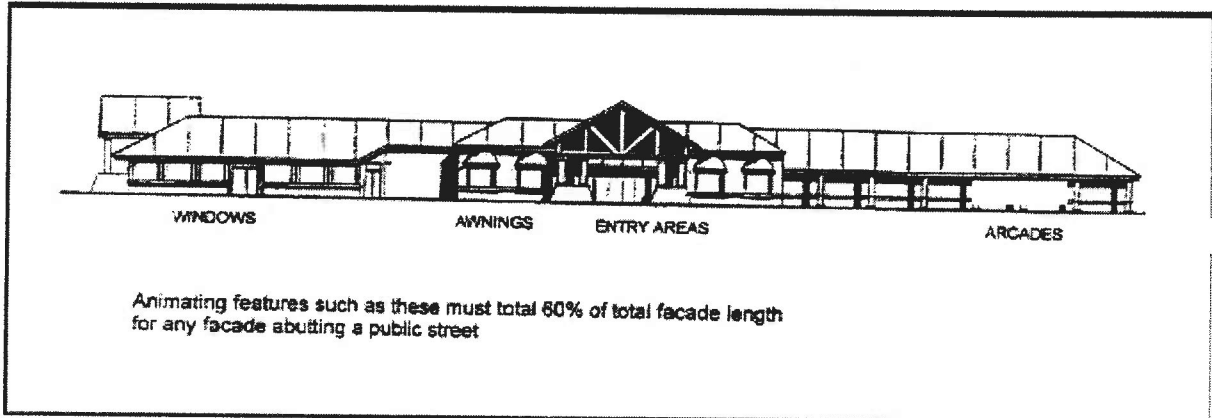
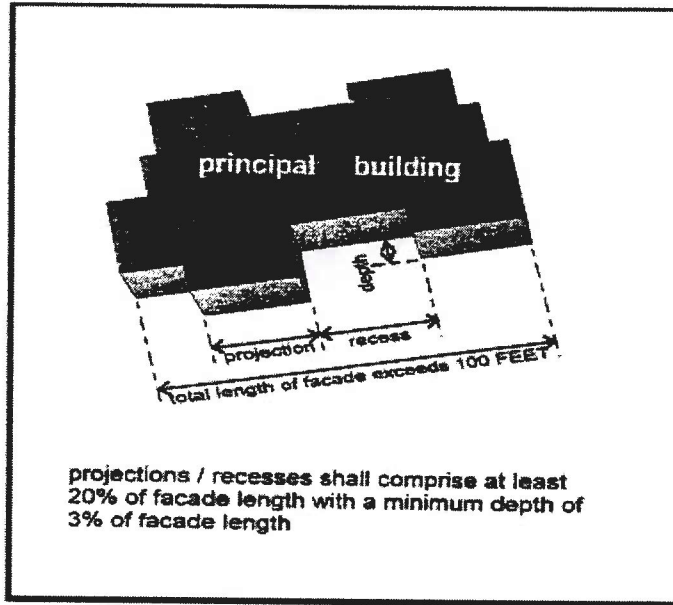
A. Building Facades.

1. Architectural Projections or Recesses. With the exception of building facades with off-street truck loading facilities and abutting building facades separated by a service drive, Building facades greater than 100 feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent of the length of the facade and extending for at least 20 percent of the length of the facade. Such architectural features shall be incorporated into building facade design at least every 100 horizontal feet. (See Figure 1.)

2. Animating Features. With the exception of building facades with off-street truck loading facilities and abutting building facades separated by a service drive, building facades visible from planned or existing streets, plazas or parking shall have covered walkways, transparent windows, entrances, awnings, or other such features along at least 60 percent of their horizontal length. (See Figure 2.) The design of building facades visible from planned or existing streets, plazas or parking, and those with public entrances, shall contain at least one feature from a minimum of three of the following groups:

- Group 1. a. Canopies, awnings, or porticos
- b. Overhangs
- Group 2. a. Recesses, projections
- b. Architectural details, such as tile and moldings that are integrated into the building structure and design
- c. Transparent windows, display windows
- Group 3. a. Covered walkways
- b. Arches
- Group 4. a. Raised corniced parapets over public entrances
- b. Peaked roofs

Figures 1 and 2



December 12, 2007

ACTION MINUTES
CITY OF MEDFORD
CITIZENS PLANNING ADVISORY COMMITTEE

At the regular meeting of the Citizens Planning Advisory Committee, called to order by Chair Scott Alexander at 6:35 p.m. on Tuesday, December 11, 2007, in Room 340, Medford City Hall, the Committee voted on sending a recommendation to the City Council, as per the Recommendation below.

In Attendance

Scott Alexander, Chairperson	Christine Lachner, member
Gerald Anderson, member	Barbara Rooney, member
Bruce Bauer, member	Leanne Russell, member
Karen Blair, member	Jill Stout, guest
Jan Bailey, member	Ben Truwe, member
Curtis Folsom, member	
Elwyn Fordyce, member	
Rick Foster, member	Kathy Helmer, Planning Dept.
Linda Hildebrand, member	Brita Entenmann, Planning Commissioner
Hugh Hohe, member	Norm Nelson, Planning Commissioner

RECOMMENDATION

Motion: CPAC forwards a favorable recommendation to the City Council in support of the Planning Commission's recommendation to approve **DCA-04-230 Large Retail Structures** with the modification that the threshold for applicability be changed to 25,000 square feet.

Motion made by: Barbara Rooney

Seconded by: Leanne Russell

Discussion: Leanne Russell asked what existing buildings were 25,000 square feet and said that that sounded like a small structure. Norm Nelson said that SPAC reviews all commercial site plans and they have a set of design guidelines. This ordinance establishes standards. While architects usually bring in good designs, some people come in with virtually nothing on paper. This will help in those situations. Ben Truwe said that this is really a set of design standards for semi-big buildings.

Vote: Motion passed with ten (10) in favor, three (3) in opposition and one (1) abstaining.

CITY OF MEDFORD
EXHIBIT # E
File # DCA 04-230



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: February 27, 2008

To: City Council, via Mike Dyal, City Manager

From: Kathy Helmer, Planner IV

Subject: DCA – 04 – 230 Large Retail Structures, continued
City of Medford, Applicant

BACKGROUND

As a second phase in the adoption of the Large Retail Structures ordinance, staff requests consideration of an amendment to the *Medford Land Development Code (MLDC)* Section 10.725.A. **(1) Architectural Projections or Recesses.** This proposal is in response to City Council's concerns that a large format retail business might avoid the requirement for recesses/projections on a long façade that contains a loading dock. It is also in response to a suggestion by the Chamber of Commerce. The amendment consists of two substantive changes.

The first change has the effect of limiting the exemption from including architectural recesses/projections on façades with off-street loading facilities. The Section to be amended (Exhibit A) currently exempts all building façades with off-street truck loading facilities from the requirement for recesses/projections. This new proposal limits that exemption to façades less than 175 feet in length. Exhibit B presents the proposed new language, "less than 175 feet long", in context. (Underlined language is an addition to the adopted code language. Language with ~~strike through~~ is deleted language.)

The second change is to exempt an additional type of façade from the requirement for recesses or projections, namely, a façade abutting a service drive and not visible from any public or private street. This proposal is also displayed in Exhibit B.

ANALYSIS

The first change limits the exemption from recesses/projections to façades less than one-hundred seventy-five (175) feet in length. It does not require recessions/projections on shorter facades because the area dedicated to loading/unloading activities and turn-around lanes for trucks may be extensive. Projections can hide oncoming traffic and loading dock(s), thus creating potential safety issues on shorter façades. Longer façades provide

adequate space for loading docks and projections/recesses. It is assumed that one-hundred seventy-five (175) feet is adequate for the space needs of a loading dock area. It is also assumed that a façade longer than one-hundred seventy-five (175) feet can have both a safe loading dock area and space for a recess/projection. Thus, any façade longer than one-hundred seventy-five (175) feet will meet the requirements for recesses/projections as described in Exhibit B.

The second part of the proposed amendment exempts “façades abutting service drives not visible from public or private streets” from the requirement to have recesses/projections every one-hundred (100) feet. The rationale is that if façades are not visible to the public, businesses should not be required to include features intended to create architecturally interesting features.

No issues have been identified by staff.

RECOMMENDED ACTION

Adopt the ordinance approving this amendment per the Staff Report dated February 27, 2008, including Exhibits A and B.

EXHIBITS

- A** Existing language, adopted 1-03-08, *MLDC 10.725 Large Retail Structures, Special Development Standards, Section A. Building Façades (1) Architectural Projections or Recesses.*
- B** Proposed Language

Exhibit A

10.725 Large Retail Structures, Special Development Standards.

A. Building Façades.

(1) Architectural Projections or Recesses. With the exception of building façades facades with off-street truck loading facilities and abutting building facades separated by a service drive, building façades greater than one-hundred (100) feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent (3%) of the length of the façade and extending for at least twenty percent (20%) of the length of the façade. Such architectural features shall be incorporated into building façade design at least every one-hundred (100) horizontal feet. (See Figure 10.725-1)

(2) Animating Features. With the exception of building façades with off-street truck loading facilities and abutting building façades separated by a service drive, building façades visible from planned or existing streets, plazas or parking shall have covered walkways, transparent windows, entrances, awnings, or other such features along at least sixty percent (60%) of their horizontal length. (See Figure 10.725-2.) The design of building façades visible from planned or existing streets, plazas or parking, and those with public entrances, shall contain at least one (1) feature from a minimum of three (3) of the following groups:

- Group 1.
 - a. Canopies, awnings, or porticos
 - b. Overhangs
- Group 2.
 - a. Recesses, projections
 - b. Architectural details, such as tile and moldings that are integrated into the building structure and design
 - c. Transparent windows, display windows
- Group 3.
 - a. Covered walkways
 - b. Arches
- Group 4.
 - a. Raised corniced parapets over public entrances
 - b. Peaked roofs

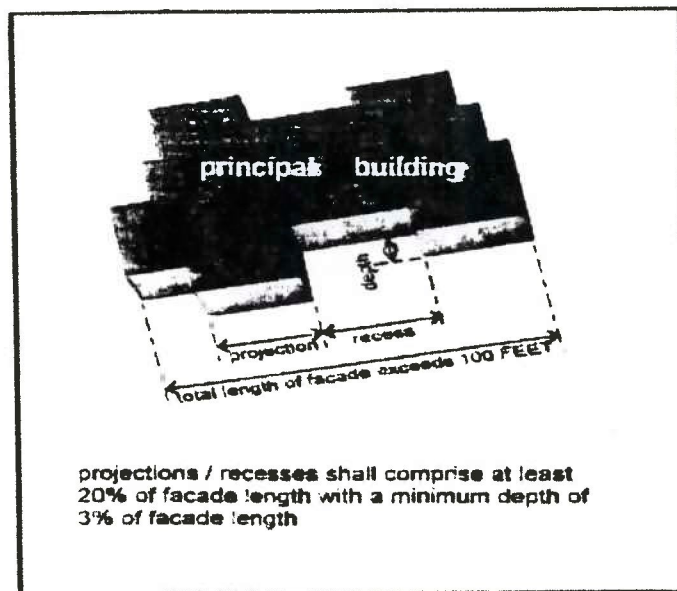
Exhibit B

10.725 Large Retail Structures, Special Development Standards

A. Building Façades

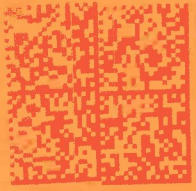
(1) **Architectural Projections or Recesses.** With the exception of building façades less than 175 feet long with off-street truck loading facilities, ~~and~~ abutting building façades separated by a service drive, and façades abutting service drives and not visible from any public or private street, building façades greater than one-hundred (100) feet in length measured horizontally shall include architectural projections or recesses having a depth of at least three percent (3%) of the length of the façade and extending for at least twenty percent (20%) of the length of the façade. Such architectural features shall be incorporated into building façade design at least every one-hundred (100) horizontal feet. (See Figure 10.725-1)

Figure 10.725-1



015425507632
\$09.40
63/12/2008
Mailed From: 97504
US POSTAGE

Hasler



RETURN RECEIPT
REQUESTED

ATTN: Plan Amendment Specialist
Dept. of Land Conser. & Develop.
635 Capitol St. NE, Ste. 150
Salem, Or 97301-2540

CERTIFIED MAIL™
7007 0710 0001 0567 1466



MENT
REET
01