



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2540

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: December 29, 2015

Jurisdiction: City of Medford

Local file no.: 15-103

DLCD file no.: 013-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/23/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 013-15 {23923}
Received: 12/23/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Medford

Local file no.: **DCA-15-103**

Date of adoption: 12/17/2015

Date sent: 12/23/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 7/24/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Amendments to Chapter 10 related to housing types, parking standards, criteria, and definitions.

Local contact (name and title): Carla Angeli Paladino

Phone: 541-774-2395

E-mail: carla.paladino@cityofmedford.org

Street address: 200 S. Ivy Street

City: Medford

Zip: 97501-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

| | |
|---|--|
| Exclusive Farm Use – Acres: | Non-resource – Acres: |
| Forest – Acres: | Marginal Lands – Acres: |
| Rural Residential – Acres: | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres: |

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

| | |
|---|--|
| Exclusive Farm Use – Acres: | Non-resource – Acres: |
| Forest – Acres: | Marginal Lands – Acres: |
| Rural Residential – Acres: | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres: |

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Section 10.713 Duplex Dwellings, Section 10.743 Off-Street Parking Standards, Section 10.746 General Design Requirement for Parking, Section 10.184 Class A Amendment Criteria, Section 10.012 Definitions

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

| | | |
|-------------|----|--------|
| Change from | to | Acres: |
| Change from | to | Acres: |
| Change from | to | Acres: |
| Change from | to | Acres: |

Identify additions to or removal from an overlay zone designation and the area affected:

| | | |
|---------------------------|--------------|----------------|
| Overlay zone designation: | Acres added: | Acres removed: |
|---------------------------|--------------|----------------|

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 2015-123

AN ORDINANCE amending sections 10.012, 10.184, 10.713, 10.743, and 10.746, of the Medford Code pertaining to housing types, parking standards, criteria, and definitions effective January 1, 2016.

Section 1. Section 10.012 of the Medford Code is amended to read as follows:

10.012 Definitions.

Garage. A building, or portion thereof, used or intended to be used for the parking and storage of motor vehicles.

~~Garage, private. A building or a portion of a building, not more than 1000 square feet in area, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.~~

~~Garage, public. Any garage other than a private garage.~~

Section 2. Section 10.184 of the Medford Code is amended to read as follows:

10.184 Class "A" Amendment Criteria.

(2) Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

(a) Explanation of the public benefit of the amendment.

(b) The justification for the amendment with respect to the following factors:

~~(1) Conformity with applicable Statewide Planning Goals and Guidelines.~~

(21) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

(32) Comments from applicable referral agencies regarding applicable statutes or regulations.

(43) Public comments.

(54) Applicable governmental agreements.

Section 3. Section 10.713 of the Medford Code is amended to read as follows:

10.713 Duplex Dwellings.

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| DUPLEX DWELLINGS | | | | | | |
|--|---|--|--|---|--|--|
| Two attached dwelling units on an individual lot or divided by a lot-line. | | | | | | |
| DEVELOPMENT STANDARDS | SFR-4 | SFR-6 | SFR-10 | MFR-15 | MFR-20 | MFR-30 |
| SPECIAL STANDARDS | A duplex SHALL be divided by a lot-line AND be on a corner lot. | A duplex SHALL be divided by a lot-line. | A duplex is permitted on a lot of 6,000 sq-ft. or less ONLY if the duplex was legally existing or the application for development had been accepted prior to May 15, 2003. A duplex need not be divided by a lot-line. A duplex is permitted on a lot if it meets the density calculation. | A duplex is permitted on lots between 5,000 and 12,500 square feet in size. | | |
| MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708) | 2.5 to 4.0 dwelling units per gross acre | 4.0 to 6.0 dwelling units per gross acre | 6.0 to 10.0 dwelling units per gross acre | 10.0 to 15.0 dwelling units per gross acre | 15.0 to 20.0 dwelling units per gross acre | 20.0 to 30.0 dwelling units per gross acre |
| LOT AREA RANGE (SQUARE FEET) | 8,500 to 18,750 each half | 6,000 to 12,500 each half | 6,000* to 12,500* | 5,000* to 12,500* | | |
| *** | | | | | | |

Section 4. Section 10.743 of the Medford Code is amended to read as follows:

10.743 Off Street Parking Standards.

| Table 10.743-1 – City of Medford Minimum and Maximum Parking Standards | | | |
|---|--|----------------------------|----------------------------------|
| Land Use Category | Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted) | | |
| | Minimum Number of Required Parking Spaces | | Maximum Permitted Parking Spaces |
| | Central Business District C-B Overlay (outside of Downtown Parking District)** | All Other Zones | All Zones |
| Residential, Duplex | 1 space per dwelling unit | 2 spaces per dwelling unit | n/a |
| Residential, Townhouse | 1 space per dwelling unit | 2 spaces per dwelling unit | n/a |

| | | | |
|---------------------------------|---|------------------------------|-----|
| Residential, Multiple Family | 1.5 spaces per dwelling unit 1 space per dwelling unit | 1.5 spaces per dwelling unit | n/a |
|---------------------------------|---|------------------------------|-----|

Section 5. Section 10.746 of the Medford Code is amended to read as follows:

10.746 General Design Requirements for Parking.

- (10) Parking, Required Yard. Parking and loading spaces and their maneuvering area shall not be located in a required yard, except as follows:
- (a) In a SFR or MFR zone, parking lots with more than three (3) spaces that do not back directly into the street may encroach to within ten (1) feet of a street right-of-way.
 - (b) When creating a common driveway with an adjacent parcel.
 - (c) At a single-family residence in a SFR zone, paving may be located within a required side or rear yard.
 - (d) Paved driveways located in a required front yard, street side yard, or rear yard off of an alley may be counted toward the off-street parking requirement for the lot or parcel. The paved area shall meet the dimensional requirements for a parking space and shall not be located within a public right-of-way.**

PASSED by the Council and signed by me in authentication of its passage this 17 day of December, 2015.

ATTEST: Karen M. Sporcetti
City Recorder

[Signature]
Mayor
[Signature]
Mayor

APPROVED December 17, 2015.

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

CITY RECORDERS OFFICE
CITY OF MEDFORD

DEC 1 0 2015

RECEIVED



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

COMMISSION REPORT

to City Council for a Class-A legislative decision: **Code Amendment**

Project Housekeeping Amendments 2015
File no. DCA-15-103
To Mayor and City Council *for 12/17/2015 hearing*
From Planning Commission *via* Carla Angeli Paladino, Planner IV
Reviewer John Adam, Principal Planner
Date December 10, 2015

BACKGROUND

Proposal

This proposal will amend the Medford Land Development Code, Chapter 10 of the Municipal Code, to specifically: (see Exhibit B).

1. Clarify when duplexes are allowed in the SFR-10 zoning district. (Section 10.713)
2. Amend the off-street parking table and include the number of parking spaces required for duplex and townhouse structures. (Section 10.743)
3. Allow for driveways to count toward the off-street parking requirement. (Section 10.746)
4. Amend the criteria related to development code amendments. (Section 10.184)
5. Delete the definition of private and public garages. (Section 10.012)

History

Five years ago the Planning Department annually began bringing text amendments forward regarding topics identified as needing clarification or revisions in the Municipal Code. This was started in order to make corrections to the code in order to better explain and implement the code requirements. This is the sixth in the series of these amendments.

The Planning Commission held a study session on Monday, September 14, 2015, to discuss these amendments. A public hearing was held on October 8, 2015, by the Planning Commission who voted 7–0 to recommend adoption to the Council. The findings in support of this amendment are contained in Exhibit A of this report.

Authority

This proposed plan authorization is a Class-A legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.102–122, 10.164, and 10.184.

ANALYSIS

The amendments cover a range of topics looking at residential parking standards, changes to definitions and criteria, and duplexes in the SFR-10 zoning district. These topics were identified as needing clarification or changes based on questions and projects reviewed by staff. These code amendments serve to revise and strengthen the code in order to make the provisions clearer and more understandable for both staff and the community. The modifications are seen as positive changes to the code.

RECOMMENDED ACTION

The Planning Commission recommends adopting the proposed amendments based on the analyses, findings, and conclusions in the Commission Report dated December 10, 2015, including Exhibits A through E.

EXHIBITS

- A Findings and Conclusions
- B Proposed amendment
- C Minutes, Planning Commission Study Session, 9/14/2015
- D Minutes, Planning Commission Hearing, 10/8/2015
- E Public Comment, Dennis Beatty, received 10/7/2015

CITY COUNCIL AGENDA: December 17, 2015

Exhibit A

Findings and Conclusions

Applicable Criteria

Code amendment criteria are in Medford Municipal Code §10.184(2).

Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

a. Explanation of the public benefit of the amendment.

Findings

Overall the proposed changes help to clarify, amend, and improve the existing Development Code. Specifically, the duplex standards in the SFR-10 zoning district are explained and clearly identify when such a structure is permitted.

The residential parking standards are amended to include the number of spaces for both duplex and townhouse structures, two types of uses that currently do not have parking standards identified in the parking table.

One of the proposed amendments will allow for paved parking spaces within the required yard (setbacks) to count toward the off-street parking requirement for the use. This change will allow for existing paved areas to meet the parking need without having to pave an additional area on the parcel outside of the required yard (setback) area. The ability to use existing paved area has the potential to reduce the amount of impervious surface created on the parcel which is better for storm water runoff and aesthetic purposes. It also will allow, in some cases, the conversion of garages to livable spaces.

Code amendments such as this application are subject to approval criteria. One of the criteria "Conformity with applicable Statewide Planning Goals and Guidelines" is viewed as redundant as the City's Comprehensive Plan has been acknowledged as meeting statewide goals. Code amendments that accord with the Comprehensive Plan by default conform with the Statewide Goals.

Definitions for private and public garages are proposed to be deleted as they unnecessarily restrict the size of garages. Other standards such as lot coverage and setbacks will help to regulate the square footage of garages located on a parcel.

Conclusions

The proposed changes serve to help clarify the code provisions. These types of changes help make administering and understanding the code easier and clearer for both staff and the general public. Criterion 10.184 (2)(a) is found to be satisfied and serves the public interest.

b. The justification for the amendment with respect to the following [five] factors:

1. Conformity with applicable Statewide Planning Goals and Guidelines.

Findings

The proposal complies with the applicable Statewide Planning Goals and Guidelines through acknowledgement of the City's Comprehensive Plan. Specific Goals such as Citizen Involvement and Land Use Planning are covered with the amendment providing a public process for the amendments to be reviewed and commented on by citizens. Specific goals addressed by the Comprehensive Plan are provided in the following criterion.

Conclusions

Based on conformity with the Comprehensive Plan, the amendment conforms with the Statewide Planning Goals and Guidelines.

2. Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The goals outlined below identify some of the topics covered with the proposed Development Code amendments.

Environmental Element, Goal 1: To improve and maintain the quality of life in Medford by using land use planning strategies that have positive effects on the natural environment.

Housing Element Goal: To provide for the housing needs of citizens of Medford.

The amendments provide opportunities to provide for duplex development, a different housing type from the allowed single family residential use. A change to the parking standards help to clarify needed parking for attached housing types. The proposed change to allow for the existing paved driveway to count toward required off-street parking spaces will help reduce the amount of impervious surface created on a parcel.

Conclusions

The proposed amendments broadly address some of the goals of the Comprehensive Plan and assist in carrying out the vision of the Plan through implementation of the Code regulations. Criterion 10.184 (2)(b)(2) is satisfied.

3. Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

The proposal was provided to applicable referral agencies and departments identified in Section 10.146 of the Code. Also, the amendments were e-mailed to the Department of Land Conservation and Development as required by state law. The amendments under review were discussed with Planning staff and during a Planning Commission study session. No written comments were received on the proposed changes.

Conclusions

Opportunities for comments were provided to applicable referral agencies and no comments were received regarding the amendments. Criterion 10.184(2)(b)(3) is satisfied.

4. Public comments.

Findings

The amendments are posted on the City's website in order to provide citizens an opportunity to review and comment on the proposed changes. One comment was received prior to the Planning Commission hearing. (Exhibit E)

Conclusions

The amendments have been made available for public review and comments. A study session and public meeting were held with the Planning Commission to discuss the proposal and explain the changes. Criterion 10.184(2)(b)(4) is satisfied.

5. Applicable governmental agreements.

Findings

There are no governmental agreements that apply to the proposed code amendments.

Conclusions

Criterion 10.184 (2)(b)(5) does not apply.

Exhibit B

Proposed amendment

Deleted text is ~~struck through~~; added text is underlined

10.713 Duplex Dwellings.

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

| DUPLEX DWELLINGS | | | | | | |
|--|---|--|---|---|--|--|
| Two attached dwelling units on an individual lot or divided by a lot-line. | | | | | | |
| DEVELOPMENT STANDARDS | SFR-4 | SFR-6 | SFR-10 | MFR-15 | MFR-20 | MFR-30 |
| SPECIAL STANDARDS | A duplex SHALL be divided by a lot-line AND be on a corner lot. | A duplex SHALL be divided by a lot-line. | A duplex is permitted on a lot of 6,000 sq. ft. or less ONLY if the duplex was legally existing or the application for development had been accepted prior to May 15, 2003. <u>A duplex need not be divided by a lot-line.</u> <u>A duplex is permitted on a lot if it meets the density calculation</u> | A duplex is permitted on lots between 5,000 and 12,500 square feet in size. | | |
| MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708) | 2.5 to 4.0 dwelling units per gross acre | 4.0 to 6.0 dwelling units per gross acre | 6.0 to 10.0 dwelling units per gross acre | 10.0 to 15.0 dwelling units per gross acre | 15.0 to 20.0 dwelling units per gross acre | 20.0 to 30.0 dwelling units per gross acre |
| LOT AREA RANGE (SQUARE FEET) | 8,500 to 18,750 each half | 6,000 to 12,500 each half | 6,000* to 12,500* | 5,000* to 12,500* | | |
| MAXIMUM COVER-AGE FACTOR (See 10.706) | 40% | | | | | |
| MINIMUM INTERIOR LOT WIDTH | 75 feet each half | 60 feet each half | 50 feet* | | | |
| MINIMUM CORNER LOT WIDTH | 75 feet each half | 60 feet each half | 60 feet* | | | |
| MINIMUM LOT | | | | | | |

| DUPLEX DWELLINGS | | | | | | |
|--|--|-------|----------|--------|--------|--------|
| Two attached dwelling units on an individual lot or divided by a lot-line. | | | | | | |
| DEVELOPMENT STANDARDS | SFR-4 | SFR-6 | SFR-10 | MFR-15 | MFR-20 | MFR-30 |
| DEPTH | 90 feet | | | | | |
| MINIMUM LOT FRONTAGE | 15 feet each half | | 30 feet* | | | |
| MINIMUM FRONT YARD BUILDING SETBACK | 20 feet EXCEPT 15 feet IF vehicular access to the garage is parallel to the street | | | | | |
| MINIMUM STREET SIDE YARD BUILDING SETBACK | 10 feet EXCEPT 20 feet for vehicular entrances to garages or carports | | | | | |
| MINIMUM SIDE YARD BUILDING SETBACK | 4 feet PLUS ½ foot for each foot in building height over 15 feet | | | | | |
| MINIMUM REAR YARD BUILDING SETBACK | 4 feet PLUS ½ foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street | | | | | |
| MAXIMUM HEIGHT (See 10.705) | 35 feet | | | | | |
| BUFFERYARD SETBACK | 8 feet from bufferyard to any doors on a dwelling unit | | | | | |
| <p>Where the duplex is REQUIRED to be divided by a lot-line (SFR-4 and SFR-6), THEN the standards pertain to each half separately. For the other zoning districts, the * indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot-line, THEN two DETACHED dwelling units are permitted in lieu of the duplex.</p> | | | | | | |
| <p><i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i></p> | | | | | | |

10.743 Off-Street Parking Standards.

| Table 10.743-1 – City of Medford Minimum and Maximum Parking Standards | | | |
|---|---|---------------------------------------|---|
| Land Use Category | Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted) | | |
| | Minimum Number of Required Parking Spaces | | Maximum Permitted Parking Spaces |
| | Central Business District C-B Overlay (outside of Downtown Parking District)** | All Other Zones | All Zones |
| <u>Residential, Duplex</u> | <u>1 space per dwelling unit</u> | <u>2 spaces per dwelling unit</u> | <u>n/a</u> |
| <u>Residential, Townhouse</u> | <u>1 space per dwelling unit</u> | <u>2 spaces per dwelling unit</u> | <u>n/a</u> |
| Residential, Multiple Family | 1.5 spaces per dwelling unit <u>1 space per dwelling unit</u> | 1.5 spaces per dwelling unit | <u>n/a</u> |

10.746 General Design Requirements for Parking.

- (10) Parking, Required Yard. Parking and loading spaces and their maneuvering area shall not be located in a required yard, except as follows:
- (a) In a SFR or MFR zone, parking lots with more than three (3) spaces that do not back directly into the street may encroach to within ten (1) feet of a street right-of-way.
 - (b) When creating a common driveway with an adjacent parcel.
 - (c) At a single-family residence in a SFR zone, paving may be located within a required side or rear yard.
 - (d) Paved driveways located in a required front yard, street side yard, or rear yard off of an alley may be counted toward the off-street parking requirement for the lot or parcel. The paved area shall meet the dimensional requirements for a parking space and shall not be located within a public right-of-way.

Section 10.184 Class "A" Amendment Criteria.

(2) Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

- (a) Explanation of the public benefit of the amendment.
- (b) The justification for the amendment with respect to the following factors:
 - ~~(1) Conformity with applicable Statewide Planning Goals and Guidelines.~~
 - (2) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.
 - (3) Comments from applicable referral agencies regarding applicable statutes or regulations.
 - (4) Public comments.
 - (5) Applicable governmental agreements.

Section 10.012 Definitions.

Garage. A building, or portion thereof, used or intended to be used for the parking and storage of motor vehicles.

~~**Garage, private.** A building or a portion of a building, not more than 1000 square feet in area, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.~~

~~**Garage, public.** Any garage other than a private garage.~~

Exhibit C

Minutes, Planning Commission Study Session, 9/14/2015

Excerpt

1. DCA-15-103 Housekeeping 2015

Carla Paladino, Planner IV, reported that the Planning Department proposed six text amendments to Chapter 10 of the Land Development code. These are code sections that staff has identified that need clarification or revisions in order to more effectively administer the code provisions.

1. Clarify if duplexes are allowed in SFR-10 zone regardless of density.

Duplexes are permitted in SFR-10 but must meet density. It does not need to be separated by a lot line.

Chair McFadden asked if there would need to be an adjustment for corner lots? Ms. Paladino reported that there is no distinction in SFR-10 for corner lots. Usually corner lots are larger.

2. Clarify attached units and related parking.

Add duplex and townhouse to the parking table. Allow required front yard to count for parking.

Commissioner McKechnie asked if the property line is back to back to the sidewalk? Ms. Paladino replied yes.

3. Amend calculation of required yard.

Building height calculation for required side and rear yard on detached single family dwelling. The current code is the yard is determined by height of front wall of building.

Option #1 – Increase measurement from 15 feet to 18 feet and calculate each side; and
Option #2 – Use stories instead of height

CSA Planning sent in two options: Option #1 is to change the ½ foot rule to a ¼ foot rule; and Option #2 splits it per zone.

Commissioner Mansfield asked what does the industry desire and also the interest of staff administering it? What recommendations do they have to these various options as to which one they prefer? Ms. Paladino reported the simplest one is the story one, unless it gets complicated with slope or walkout basement. The definition of story covers all that. Staff does not get paper plans anymore. It is all electronic and scaling from there. Hopefully, measurements will be given with the plans submitted. This is Option #2 from staff.

Kelly Akin, Principal Planner, stated that they need to be careful that they have had a minimum 4 foot setback for a long time. They do not want to make their minimum 5 or 6 feet because then they have 90% of the City as non-conforming.

Commissioner Foley asked what were the ramifications of non-conformities? Ms. Akin reported that it is something else to manage. They are messy.

Commissioner Pulver stated that a higher density in the higher zones resonated with him. Also, possibly closer lot line on one side allowing the neighbor to have a larger lot. He is thinking possibly a total of 12 feet side yard setback.

Commissioner Culbertson asked why SFR-10 was in this group and not classified with a medium density with 15? The footprint on those is so small. John Adam, Principal Planner, reported that medium density designation and the MFR-15 were late comers to this scheme. They had low density and high density. When the medium was created it may have been envisioned that SFR-10 would someday be moved into that category.

Jim Huber, Planning Director, reported that staff considered moving SFR-10 into the GLUP designation UM. In doing GIS work they found there were over a thousand lots with SFR-10 zoning. It is doable but it would be a huge zone change application. It is not a priority at this time. It is his opinion that it would be very controversial.

Ms. Paladino stated that she has heard a range of items but not one specific option. Is this something that the Planning Commission would like to pull from this and discuss it more or have staff bring back something different or point to and run with? She has heard talking to builders about this, looking at a combination of story plus the height, looking at the total number, buffer between SFR-6 and SFR-10 zones. She is asking the Planning Commission for direction.

Commissioner Mansfield repeated himself that it is time to hear from the industry.

Commissioner Foley requested staff to bring back some scenarios of this impact on existing developed neighborhoods.

Commissioner Culbertson asked if anyone liked the calculation of ½ foot per foot over 18 as opposed to trying to go to some sort of uniform single story so many foot setback?

Vice Chair Miranda reported that he likes the simplification. It is easy to manage, enforce, track and adjust. He leans towards that option.

Ms. Paladino stated that maybe the question is if one goes to a two-story in an existing neighborhood what is a reasonable setback for the neighbor that may not have a two-story.

4. Lot Legality.

Outlines a process to validate an illegal lot; reference statutes; identify actions and dates that created lawful lots and list types of unauthorized lots.

5. Amend development code amendment criteria.

Remove Criterion #1 – Conformity with applicable Statewide Planning Goals and Guidelines.

6. Delete the definition of private garage.

Remove private and public garage from the definition section.

Exhibit D

Minutes, Planning Commission Hearing, 10/8/2015

Excerpt

50.1 DCA-15-103 Consideration of a Class "A" legislative code amendment to revise provisions in Chapter 10 of the Municipal Code. (City of Medford, Applicant)

Carla Paladino, Planner IV, reviewed the proposal, read the approval criteria and gave a staff report.

The public hearing was opened and there being no testimony, the public hearing was closed.

Motion: Based on the findings and conclusions that all of the approval criteria are met or are not applicable, initiate the amendment and forward a favorable recommendation for adoption of DCA-15-103 to the City Council per the staff report dated October 1, 2015, including Exhibits A and B including the email received yesterday as Exhibit C.

Moved by: Commissioner McKechnie

Seconded by: Commissioner D'Alessandro

Roll Call Vote: Motion passed, 7-0.

Exhibit E

Public Comment, 10/7/2015

Good morning,

I apologize for the delay in sending this email. I am writing to follow up on my recent phone call to support the proposed changes to the driveway/parking area setback requirements which are currently preventing me from closing in my garage to make it into a more secure storage area. As we discussed, the current rules seem quite arbitrary , so it will be nice to clean them up.

Thank you,

Dennis Beatty
2228 Ruhl Way
Medford, Oregon 97504