



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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www.oregon.gov/LCD



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

Date: May 25, 2016
Jurisdiction: City of Medford
Local file no.: DCA-16-19
DLCD file no.: 004-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/25/2016. 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 44 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.: 004-16 {24304}

Received: 5/25/2016

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-16-019**

Date of adoption: 5/19/2016

Date sent: 5/25/2016

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): 3/1/2016

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:

Local contact (name and title): Carla Angeli Paladino

Phone: 541-774-2395

E-mail: carla.paladino@cityofmedford.org

Street address: 200 S. Ivy St

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

Municipal Code Sections 10.705 (Building Height & Side-Yard Determination), 10.707 (Exceptions to Yard Requirements), 10.710 (Detached Single-Family Dwellings), & 10.713(Duplex Dwellings)

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:
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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. 2016-61

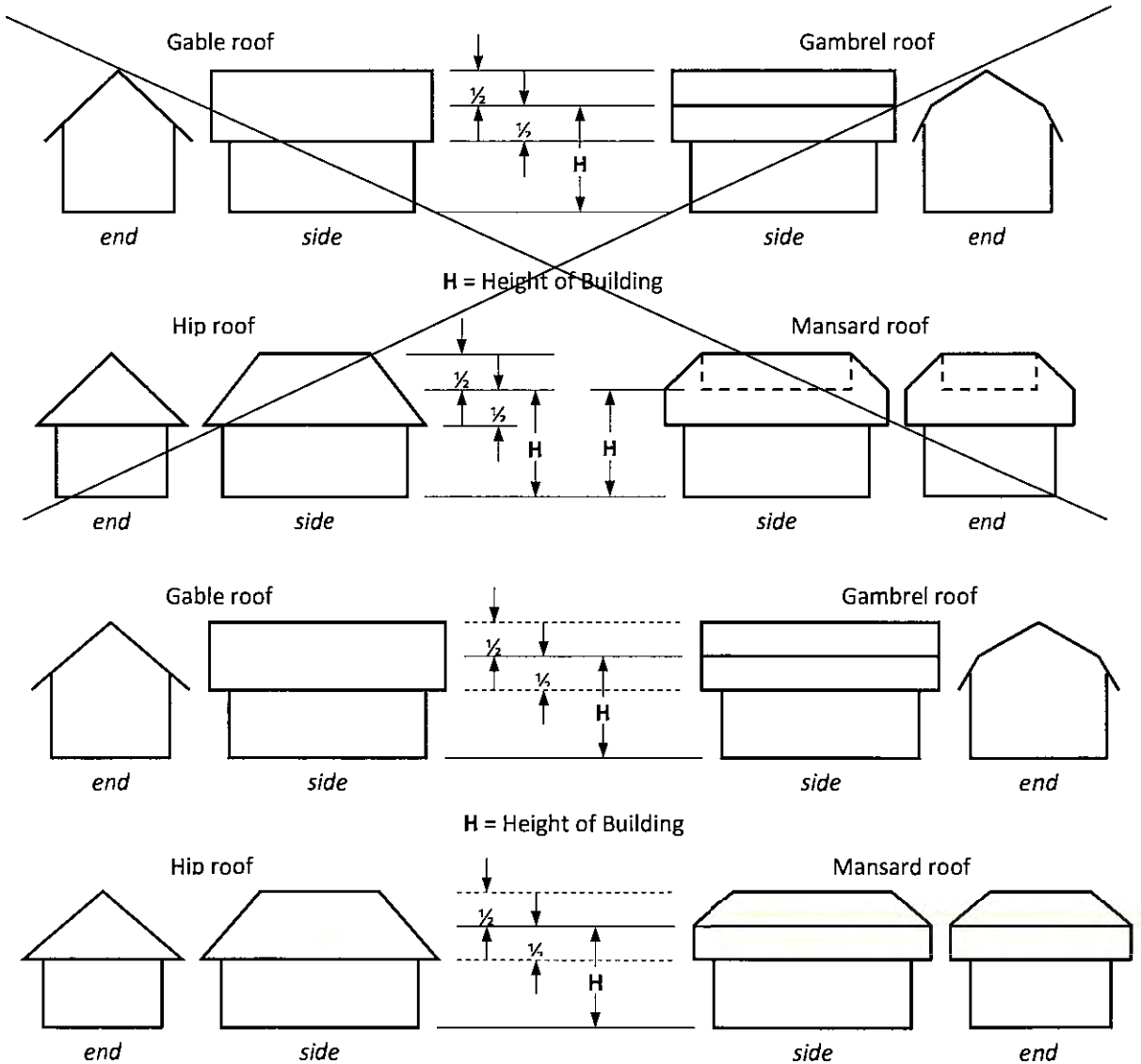
AN ORDINANCE amending sections 10.705, 10.707, 10.710, and 10.713 pertaining to residential setback standards.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 10.705 of the Medford Code is amended to read as follows:

10.705 Building Height and Side-Yard Determination.

A. Calculation. Building height shall be determined by measuring the vertical distance from the average contact ground level at the front wall of the building to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, mansard, and gambrel roofs.



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

1) Side-yards are calculated using the building height measured at the adjacent contact ground level at the outside edges of the front wall of the building. The side-yard is measured from property line to the nearest vertical structural element (i.e. wall or post) of any area under roof cover.

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

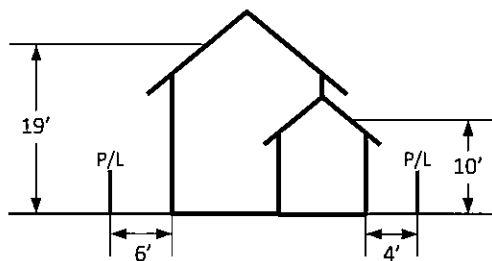
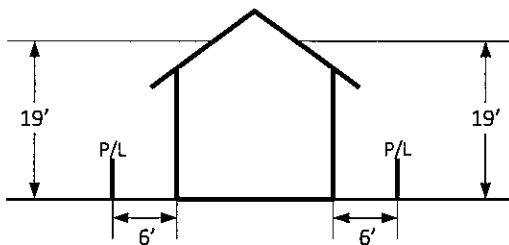
Table 10.705-1

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

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

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

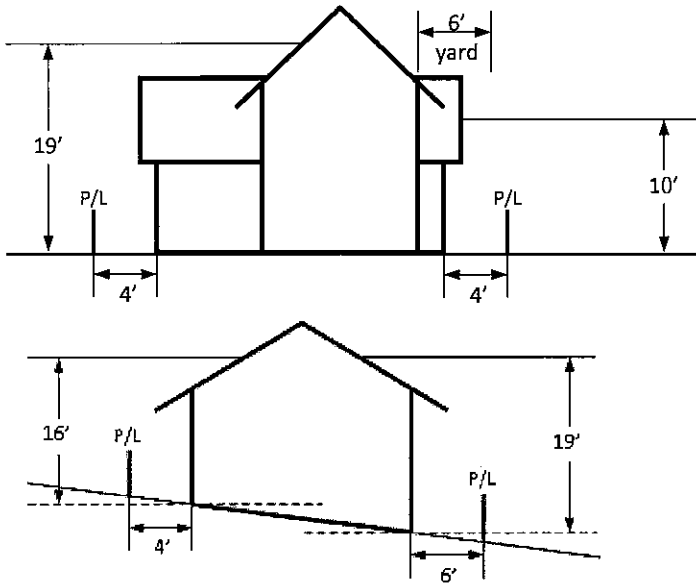
Side-Yard Examples



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SECTION 2. Section 10.707 of the Medford Code is amended to read as follows:

10.707 Exceptions to Yard Requirements.

A. General Exceptions. The following projections shall be permitted within the required yard area:

(1) Cornices, eaves, fireplaces, canopies, mechanical (heating and cooling equipment – **not located in a residential zone**), or other similar architectural features may extend a maximum of one foot into a required yard. **In residential zones, mechanical (heating and cooling equipment) is exempt from the yard requirements but shall meet Building Code standards.**

(2) Open uncovered accessory structures such as fire escapes, patios, porches, balconies, or outside stairways may extend a maximum of one foot into the required side and rear yard and a maximum of ~~six~~ five feet into a required front yard. Porches, decks or stoops which are open and uncovered and not exceeding 18 inches in height may be located within 18 inches of any lot line.

SECTION 3. Section 10.710 of the Medford Code is amended to read as follows:

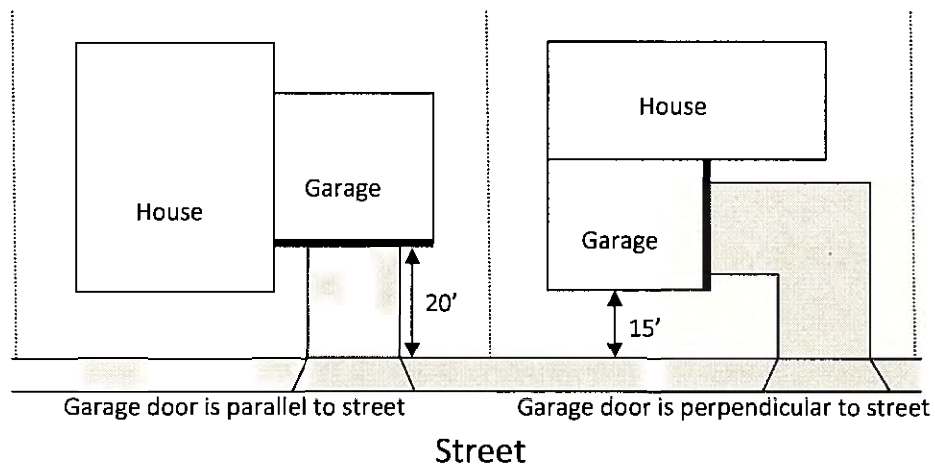
10.710 Detached Single-Family Dwellings.

DETACHED SINGLE-FAMILY DWELLINGS					
One detached dwelling unit per lot.					
DEVELOPMENT STANDARDS	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708)	NA	0.8 to 2.0 dwelling units per gross acre	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
LOT AREA RANGE	Land divisions not	14,000 to 55,000	6,500 to 18,750	4,500 to 12,500	3,600 to 8,125

DETACHED SINGLE-FAMILY DWELLINGS					
One detached dwelling unit per lot.					
DEVELOPMENT STANDARDS	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
(SQUARE FEET)	permitted in this zone				
MAXIMUM COVERAGE FACTOR (See 10.706)	40%	35% of lot area	45 40% of lot area can exceed 45 40% when the building footprint is not more than 2,000 sq. ft.		50%

MINIMUM FRONT YARD BUILDING SETBACK	1520 feet EXCEPT the garage shall be a minimum of 20 feet. 15 feet IF vehicular access to the garage is parallel to the street. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet. (See Garage Setback Diagram).				
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 4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30 feet building height 12 feet for 31 feet or taller building height				
MINIMUM REAR YARD BUILDING SETBACK	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. 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. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet				

Garage Setback Diagram:



SECTION 4. Section 10.713 of the Medford Code is amended to read as follows:

10.713 Duplex Dwellings.

<p style="text-align: center;">DUPLEX DWELLINGS Two attached dwelling units on an individual lot or divided by a lot-line.</p>						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30

MAXIMUM COVERAGE FACTOR (See 10.706)	45%40%		50%			

MINIMUM FRONT YARD BUILDING SETBACK	<p>15 20 feet EXCEPT the garage shall be a minimum of 20 feet, 15 feet IF vehicular access to the garage is parallel to the street If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet (see Garage Setback Diagram in Section 10.710).</p>					
MINIMUM STREET SIDE YARD BUILDING SETBACK	<p>10 feet EXCEPT 20 feet for vehicular entrances to garages or carports</p>					
MINIMUM SIDE YARD BUILDING SETBACK	<p>4-foot PLUS ½ foot for each foot in building height over 15 feet 4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23 –26 feet building height 10 feet for 27 –30 feet building height 12 feet for 31 feet or taller building height</p>					
MINIMUM REAR YARD BUILDING SETBACK	<p>The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 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 EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet</p>					

PASSED by the Council and signed by me in authentication of its passage this 19 day of May, 2016.

ATTEST: Winnie Shepard
Deputy City Recorder

[Signature]
Mayor
[Signature]
Mayor

APPROVED May 19, 2016.

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.