

CITY COUNCIL MEETING AGENDA



December 3, 2025

6:00 P.M.

Medford City Hall, Council Chambers

411 W. 8th Street, Room 300

www.medfordoregon.gov

The public may view live and recorded City Council meetings through our website [HERE](#).

10. Roll Call

20. City Manager Reports

30. Recognitions, Community Group Reports

40. Oral Requests and Communications from the Audience

The City Council sets aside 30 minutes for in-person public comments. Comments are limited to two minutes per individual, group or organization. Please complete a public comment form before speaking.

The City Council encourages written comments. Please submit your comments by regular mail to City Council, 411 W. 8th Street or by email to PublicComments@cityofmedford.org. Comments must be received by noon on the date of the meeting to be noted in the record. Please include the date of the Council meeting with your comments.

50. Approval or Correction of the November 19, 2025 Meeting Minutes

60. Consent Calendar

60.1 COUNCIL BILL 2025-97

AN ORDINANCE ratifying the Employment Resignation Agreement and Release of Robert Field.

60.2 COUNCIL BILL 2025-98

A RESOLUTION outlining the intention to appoint the next City Manager and the path forward to do so.

70. Items Removed from the Consent Calendar

80. Ordinances and Resolutions

80.1 COUNCIL BILL 2025-99

A RESOLUTION delegating to the City Manager Pro Tem authority to make hiring and firing decisions outside of department directors and deputy department directors.

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

80.2 COUNCIL BILL 2025-100

An ORDINANCE authorizing execution of an intergovernmental agreement and acceptance of Neighborhood Stabilization Program One (NSP-1) funding in the amount of \$766,106.67 from Oregon Housing and Community Services (OHCS) to address the impacts of the national foreclosure crisis.

90. Public Hearings

The City Council encourages written comments instead of testifying in person. Please send written comments to the email in the agenda item or by regular mail to the City Manager's Office at 411 W. 8th Street, by noon on the date of the meeting to be noted in the record. Please include the hearing topic and date of City Council meeting with your comments. If you submit written comments prior to the meeting, you do not need to speak during the hearing to have standing to appeal.

For land use matters and other quasi-judicial appeals: Comments are limited to a total of 30 minutes for applicants and/or their representatives. They may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All other participants are limited to 4 minutes.

For matters that are legislative or administrative and are not quasi-judicial: Comments are limited to 4 minutes per individual, group or organization.

Please complete a public comment form before speaking.

90.1 REQUEST FOR CONTINUANCE

Council is requested to consider the continuance of a public hearing related to a Transportation Facility application to upgrade Stevens Street from Crater Lake Avenue to approximately 250 feet north on Wabash Avenue.

Land Use, Quasi-Judicial Hearing – Email Comments to planning@cityofmedford.org

90.2 COUNCIL BILL 2025-101

AN ORDINANCE amending sections 10.550 of the Medford Municipal Code (MMC), as it pertains to Access Standards (DCA-25-170).

Land Use, Legislative Hearing – Email Comments to planning@cityofmedford.org

90.3 COUNCIL BILL 2025-102

AN ORDINANCE adding Section 10.462A to the Medford Municipal Code (MMC), as it pertains to transportation infrastructure and proportionate share mitigation (DCA-25-199).

Land Use, Legislative – Email Comments to planning@cityofmedford.org

100. Council Business

100.1 Proclamations Issued

100.2 Committee Reports and Communications

- a. Council Officers Update**
- b. Committee Reports**
- c. Boards and Commissions Appointments**

110. Staff Reports

120. Adjournment



AGENDA ITEM COMMENTARY

DEPARTMENT: City Attorney's Office
PHONE: (541) 774-2020
STAFF CONTACT: Eric Mitton, City Attorney

AGENDA SECTION: Consent Calendar
MEETING DATE: December 3, 2025

COUNCIL BILL 2025-97

AN ORDINANCE ratifying the Employment Resignation Agreement and Release of Robert Field.

SUMMARY AND BACKGROUND

Council is requested to consider ratifying the Employment Resignation Agreement and Release of Robert Field.

PREVIOUS COUNCIL ACTIONS

On August 1, 2024, Council Bill 2024-74 was approved, selecting Robert Field as City Manager and adopting an employment agreement to commence on September 16, 2024.

ANALYSIS

On November 17, 2025, Mr. Field and the City executed a resignation agreement, ending his employment effective November 24, 2025. The City of Medford extends its gratitude for Mr. Field's contributions and wishes him the best in his future endeavors. The agreement contains the six-month severance package described in Mr. Field's employment agreement that would apply to a voluntary resignation and otherwise contains standard provisions. Although effective upon execution, the agreement as a matter of procedure should ultimately be ratified by a Council vote.

COUNCIL GOALS

Council Goal and Objective: None
Strategy: None.
Deliverable: None.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

All expenses related to the resignation agreement will be charged to the City Manager's Office budget in Fund 100, General Fund.

TIMING ISSUES

None

COUNCIL OPTIONS

Approve the ordinance as presented.
Modify the ordinance as presented.
Deny the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION



AGENDA ITEM COMMENTARY

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance as presented.

EXHIBITS

Ordinance

Agreement is on file with the City Recorder

ORDINANCE NO. 2025-97

AN ORDINANCE ratifying the Employment Resignation Agreement and Release of Robert Field.

WHEREAS, on August 1, 2024, Council Bill 2024-74 was approved, selecting Robert Field as City Manager and adopting an employment agreement to commence on September 16, 2024;

WHEREAS, On November 17, 2025, Mr. Field and the City executed a resignation agreement, ending his employment effective November 24, 2025;

WHEREAS, the agreement contains the six-month severance package described in Mr. Field's employment agreement that applies to a voluntary resignation and otherwise contains standard provisions;

WHEREAS, the agreement is effective upon execution, and it should ultimately be ratified by a Council vote; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

City Council hereby ratifies the Employment Resignation Agreement and Release of Robert Field.

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December, 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED: December 3, 2025

Mayor Michael Zarosinski



AGENDA ITEM COMMENTARY

DEPARTMENT: City Attorney's Office
PHONE: (541) 774-2020
STAFF CONTACT: Eric Mitton, City Attorney

AGENDA SECTION: Consent Calendar
MEETING DATE: December 3, 2025

COUNCIL BILL 2025-98

A RESOLUTION outlining the intention to appoint the next City Manager and the path forward to do so.

SUMMARY AND BACKGROUND

Council is requested to consider a resolution outlining the intention to appoint the next City Manager and the path forward to do so.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The City Charter, section 18(2), states in material part, "Upon any vacancy occurring in the office of manager, the council at its next meeting shall adopt a resolution of its intention to appoint another manager. Not later than one year after adopting the resolution, the council shall appoint a manager to fill the vacancy."

The intent of this Charter provision appears to be primarily a question of intent. As recruitment of an executive can take time, and takes a number of procedural steps as outlined in the City Charter and in state law.

City staff estimates that the City would need approximately 60 days to evaluate and select the type of recruitment method (a competitive process administered by City staff, a competitive process administered by a contract recruiter, etc.), approximately 30 days to take necessary steps to start that process (including execution of a contract with any recruiter and passage of any resolutions required by ORS 192.660(7)(d)), and approximately six months to conduct the process. This timeline is just a rough estimate and is not meant to be legally binding. However, it does provide a viable path to complete this process in less than one year as required by the City Charter.

COUNCIL GOALS

Council Goal and Objective: None
Strategy: None.
Deliverable: None.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.



AGENDA ITEM COMMENTARY

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Deny the resolution as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to approve the resolution as presented.

EXHIBITS

Resolution

RESOLUTION NO. 2025-98

A RESOLUTION outlining the intention to appoint the next City Manager and the path forward to do so.

WHEREAS, the City Charter, section 18(2), states in material part, "Upon any vacancy occurring in the office of manager, the council at its next meeting shall adopt a resolution of its intention to appoint another manager. Not later than one year after adopting the resolution, the council shall appoint a manager to fill the vacancy.";

WHEREAS, the intent of this Charter provision appears to be primarily a question of intent. As recruitment of an executive can take time, and takes a number of procedural steps as outlined in the City Charter and in state law; and

WHEREAS, City staff estimates that the City would need approximately 60 days to evaluate and select the type of recruitment method (a competitive process administered by City staff, a competitive process administered by a contract recruiter, etc.), approximately 30 days to take necessary steps to start that process (including execution of a contract with any recruiter and passage of any resolutions required by ORS 192.660(7)(d)), and approximately six months to conduct the process. This timeline is just a rough estimate and is not meant to be legally binding. However, it does provide a viable path to complete this process in less than one year as required by the City Charter; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

Section 1. The City Council hereby outlines the intention to appoint the next City Manager and the path forward to do so.

Section 2. This Resolution shall become effective immediately upon its passage by the Council and approval by the Mayor.

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED: December 3, 2025

Mayor Michael Zarosinski



AGENDA ITEM COMMENTARY

DEPARTMENT: City Attorney's Office
PHONE: (541) 774-2020
STAFF CONTACT: Eric Mitton, City Attorney

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: December 3, 2025

COUNCIL BILL 2025-99

A RESOLUTION delegating to the City Manager Pro Tem authority to make hiring and firing decisions outside of department directors and deputy department directors.

SUMMARY AND BACKGROUND

Council is requested to consider a resolution delegating to the City Manager Pro Tem authority to make hiring and firing decisions outside of department directors and deputy department directors.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The City Charter, Section 18(5), states in material part: "If the office of city manager shall be vacant, the mayor shall be empowered to appoint a city manager pro tem who shall serve as city manager; provided that the city manager pro tem shall not have the power to appoint or dismiss officers or employees of the city except with the approval of the council."

Mayor has appointed a City Manager Pro Tem. However, without delegation from Council, every single hiring and firing action at the City would require Council review and approval. This could cause significant delays in hiring routine positions (from Parks lifeguards to Public Works laborers) and would significantly burden Council with non-policy-making decisions.

An alternative was adopted during the City's last experience with a City Manager Pro Tem, in the time period after Eric Swanson's administration and prior to Brian Sjothun's. At that time, Council delegated hiring and firing authority to the Pro Tem for all employees except for department directors and deputy department directors. For those leadership positions, staff would conduct the hiring process as normal at a staff level, but instead of a City Manager making a final decision, the Pro Tem would take a recommendation to Council in executive session for discussion and review, with final adoption subsequently on the dais. This compromise approach (between full delegation and no delegation) allows for the City to function efficiently and normally as to rank-and-file employees, but also ensures that there is additional input and oversight on decision-making for key leadership positions. Staff recommends that same compromise approach be adopted here.

COUNCIL GOALS

Council Goal and Objective: None

Strategy: None

Deliverable: None



AGENDA ITEM COMMENTARY

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

Some sort of delegation should be adopted as soon as possible so as not to disrupt routine hiring processes.

COUNCIL OPTIONS

Approve the resolution as presented.

Modify the resolution as presented.

Deny the resolution as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to approve the resolution as presented.

EXHIBITS

Resolution

RESOLUTION NO. 2025-99

A RESOLUTION delegating to the City Manager Pro Tem authority to make hiring and firing decisions outside of department directors and deputy department directors.

WHEREAS, the City Charter, Section 18(5), states in material part: "If the office of city manager shall be vacant, the mayor shall be empowered to appoint a city manager pro tem who shall serve as city manager; provided that the city manager pro tem shall not have the power to appoint or dismiss officers or employees of the city except with the approval of the council";

WHEREAS, Mayor has appointed a City Manager Pro Tem;

WHEREAS, without delegation from Council, all hiring and firing action at the City would require Council review and approval causing significant delays in hiring and burden Council with non-policy-making decisions; and

WHEREAS, the last time the City had a City Manager Pro Tem, Council delegated hiring and firing authority to the Pro Tem for all employees except for department directors and deputy department directors. Under this system, for those leadership positions, the Pro Tem takes a recommendation to Council in executive session for discussion and review, with final adoption on the dais, thereby allowing the City to function efficiently as to rank-and-file employees, but ensuring additional oversight for key leadership positions; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

Section 1. The City Council hereby delegates to the City Manager Pro Tem authority to make hiring and firing decisions outside of department directors and deputy department directors.

Section 2. This Resolution shall become effective immediately upon its passage by the Council and approval by the Mayor.

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December, 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED December 3, 2025

Mayor Michael Zarosinski



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Michelle King, Planning Director

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: December 3, 2025

COUNCIL BILL 2025-100

An ORDINANCE authorizing execution of an intergovernmental agreement and acceptance of Neighborhood Stabilization Program One (NSP-1) funding in the amount of \$766,106.67 from Oregon Housing and Community Services (OHCS) to address the impacts of the national foreclosure crisis.

SUMMARY AND BACKGROUND

Council is requested to consider approval of an ordinance to accept Neighborhood Stabilization Program One (NSP-1) grant funds in the amount of \$766,106.67 from Oregon Housing and Community Services (OHCS) to address the impacts of the national foreclosure crisis. The funding originated with the U.S. Department of Housing and Urban Development (HUD) and OHCS is the pass-through entity.

PREVIOUS COUNCIL ACTIONS

On June 4, 2025, Council Bill 2025-48 was approved, adopting the 2025-2027 Biennial Budget for the City of Medford and making appropriations thereunder.

ANALYSIS

This Grant is made in connection with the Neighborhood Stabilization Program One (NSP-1), established by the U.S. Department of Housing and Urban Development (HUD) under the Housing and Economic Recovery Act of 2008 (HERA), Public Law 110-289, to address the impacts of the national foreclosure crisis.

NSP-1 funding was first made available in 2009, and program activities subsided in the 2018-2020 timeframe. Over the past several years, program income returned to the NSP-1 fund and OHCS made this funding available to the City of Medford. This agreement supports the continued use of NSP-1 funds to promote neighborhood stabilization through eligible activities, including acquisition, rehabilitation, and redevelopment of residential properties. This program allows for 10% of the awarded funding to be used for program administration.

To qualify for funding, a project must provide housing for households with income at or below 120% Area Median Income (AMI) or be in an area in which at least 51% of the residents have incomes at or below that threshold. An affordability period of 5-20 years will apply; the amount of time is calculated based on whether housing is rental or homeownership and the amount of NSP funding.

Specific projects have not yet been identified for NSP-1 funding; however, staff are working to select an appropriate project and expect to return to City Council with a funding recommendation within the next few months.



AGENDA ITEM COMMENTARY

COUNCIL GOALS

Council Goal and Objective: Housing

Strategy: Promote housing stability initiatives, including support for pathways to homeownership and securing external funding for housing efforts

Deliverable: None

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

\$766,106.67 in NSP-1 grant revenue will be recognized and appropriated in Fund 100, General Fund, at a future supplemental budget.

TIMING ISSUES

Acceptance of OHCS NSP-1 grant agreement no. 9120 is required to facilitate the release of funds.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance as presented.

EXHIBITS

Ordinance

OHCS Grant Agreement No. 9120 on file in City Recorder's Office

ORDINANCE NO. 2025-100

An ORDINANCE authorizing execution of an intergovernmental agreement and acceptance of Neighborhood Stabilization Program One (NSP-1) funding in the amount of \$766,106.67 from Oregon Housing and Community Services (OHCS) to address the impacts of the national foreclosure crisis.

WHEREAS, NSP-1 was established by the U.S. Department of Housing and Urban Development (HUD) under the Housing and Economic Recovery Act of 2008 (HERA), Public Law 110-289, to address the impacts of the national foreclosure crisis;

WHEREAS, the OHCS, as the pass-through entity, received an allocation of NSP-1 funds from HUD and has administered these funds in accordance with federal requirements;

WHEREAS, the City of Medford is a Unit of General Local Government and an eligible Subrecipient under HUD regulations and program guidance;

WHEREAS, upon execution of Grant No. 9120, the City of Medford will receive \$766,106.67 for the period beginning July 1, 2025, and ending June 30, 2028; and

WHEREAS, funding will be used to promote neighborhood stabilization through eligible activities, including acquisition, rehabilitation, and redevelopment of residential properties; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

The City Council hereby authorizes execution of Grant No. 9120 and acceptance of Neighborhood Stabilization Program One funds in the amount of \$766,106.67 from HUD through OHCS to address the impacts of the national foreclosure crisis.

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED: December 3, 2025

Mayor Michael Zarosinski



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Michelle King, Planning Director
Kayla Parr, Planner II
Presented by: Carla Angeli Paladino, Principal Planner

AGENDA SECTION: Public Hearings
MEETING DATE: December 3, 2025

REQUEST FOR CONTINUANCE

Council is requested to consider the continuance of a public hearing related to a Transportation Facility application to upgrade Stevens Street from Crater Lake Avenue to approximately 250 feet north on Wabash Avenue.

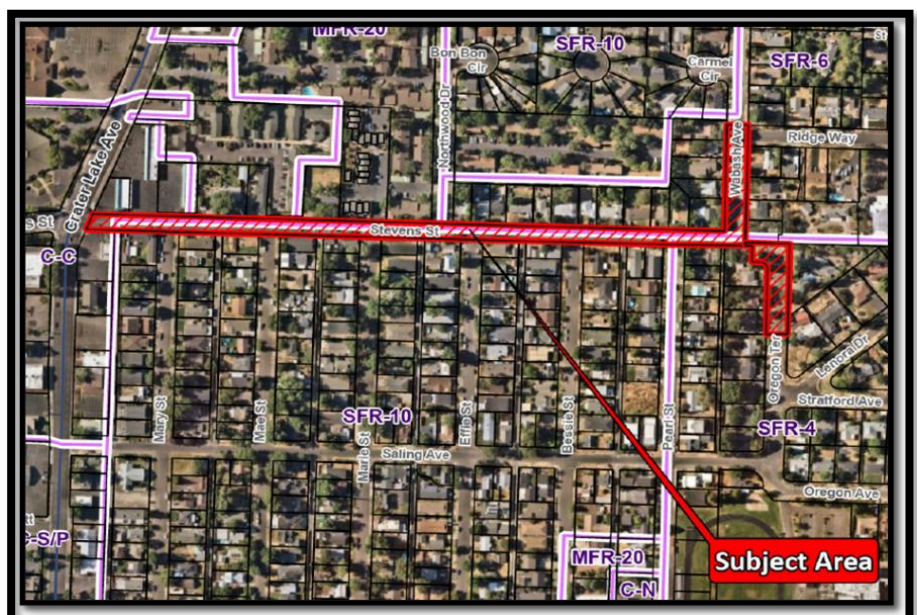
SUMMARY AND BACKGROUND

Council is requested to consider a Transportation Facility application to upgrade Stevens Street from Crater Lake Avenue to approximately 250 feet north on Wabash Avenue. The project seeks to modify the Minor Collector Street cross section within a constrained right-of-way.

Oregon Terrace is also being identified for potential improvements as a logical extension of this network. Improvements will be made to approximately 200 feet of the existing street and new construction will extend Oregon Terrace to connect with Stevens Street. A modified Minor Collector Street cross section will be applied.

The Planning Commission held a hearing on the project on November 13, 2025. At that meeting, a motion to provide a favorable recommendation was withdrawn, and Planning Staff requested that the matter be continued to the December 11, 2025, Planning Commission hearing.

As a result, Council is requested to continue the hearing to the January 21, 2026, meeting. A continuance will allow time for staff to refine proposed project designs and present additional material to the Planning Commission for consideration on December 11, 2025. Property owner notice of the December Council hearing was mailed prior to the Planning Commission hearing resulting in the need for a formal continuance of the matter.





AGENDA ITEM COMMENTARY

PREVIOUS COUNCIL ACTIONS

On December 15, 2022, Council Bill 2022-148 was approved, adopting revisions to the Transportation System Plan, including the Stevens Street improvement project and Oregon Terrace roadway construction project.

On June 4, 2025, Council Bill 2025-48 was approved adopting the 2025-2027 biennial budget for the City of Medford and making appropriations thereunder.

ANALYSIS

Stevens Street lies in northeast Medford and intersects Biddle Road at its western terminus and Wabash Avenue at its eastern terminus. The City has classified the western portion of Stevens Street between Biddle Road and Crater Lake Avenue as a Major Collector Street and has fully improved it to Major Collector Street standards, including pedestrian and bicycle facilities. However, this project focuses on proposed improvements to the eastern portion of Stevens Street between Crater Lake Avenue and Wabash Avenue, which the City has classified as a Minor Collector Street and has not yet fully improved to Minor Collector Street standards.

The City of Medford Transportation System Plan identifies the Stevens Street improvements as Urban Upgrade Project #615. This project aims to upgrade Stevens Street to a modified Minor Collector Street cross section, incorporating sidewalks, bike lanes, and on-street parking in designated locations.

Oregon Terrace lies southeast of Stevens Street and currently connects to the Stevens Street-Wabash Avenue junction via a 7-foot-wide asphalt pedestrian path. The City is considering this area for potential improvements, depending on any remaining funds after completing the Stevens Street project or the availability of future funding opportunities.

The City of Medford Transportation System Plan identifies Oregon Terrace as New Roadway Project #607. The proposed project will upgrade approximately 200 feet of the existing street and construct a new roadway segment to extend Oregon Terrace and connect it directly to Stevens Street, replacing the existing pedestrian path. The improvements and new construction will follow a modified Minor Collector Street cross section, including sidewalks and bike lanes.



AGENDA ITEM COMMENTARY

The proposed adjustments to the cross section are reflected in the table below:

	Travel Lane	Bike Lane	On-Street Parking	Sidewalk	Planter Strip	Left or Center Turn Lane/ Median	Total Paved Width	Total Right-of-Way Width
Minor Collector Street Standard Dimensions	11 ft.	6 ft.	8 ft.	5 ft.	8 ft.	None	34-50 ft.	60-76 ft.
Proposed Stevens Street Cross Section	11 ft.	Varies (5-6 ft.)	Varies (0-7 ft.)	6 ft.	None	Varies (Median 0-2 ft.)	Varies (33-40 ft.)	55.5 ft.
Proposed Oregon Terrace Cross Section	11 ft.	6 ft.	None	6 ft.	None	None	34 ft.	60 ft.

The specific modifications include:

- Reducing the bike lane from 6 feet to 5 feet in designated locations;
- Eliminating on-street parking in designated locations, and reducing the width of on-street parking from 8 feet to 7 feet where proposed;
- Increasing the sidewalk from 5 feet to 6 feet;
- A total paved width of 33-40 feet;
- A total right-of-way width of 55.5 feet on Stevens Street after real property acquisition

The Transportation Commission voted 7-0-1 in support of the project during their October 13, 2025, meeting. The Commission recommended the following:

- Reducing all bike lanes to 5 feet to increase the parking lane on the south side of Stevens Street to 8 feet;
- Consider providing a left turn lane at the intersection of Stevens Street and Crater Lake Avenue; and
- Consider intersection controls at the Oregon Terrace intersection with Stevens Street

The Active Transportation Advisory Committee also voted 5-0-0 in support of the project during their October 13, 2025 meeting.



AGENDA ITEM COMMENTARY

COUNCIL GOALS

Council Goal and Objective: Community Planning and Neighborhood Identity

Strategy: Continue to support and modernize infrastructure throughout the City.

Deliverable: Complete capital improvement projects.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There is no direct financial impact to the City as a result of this continuance request. However, if this proposal is approved, funding for construction of the project has been identified through a Surface Transportation Block Grant in the amount of \$2,108,577.92 and will be managed by Public Works Engineering.

TIMING ISSUES

Improvements are projected to be completed in 2027.

COUNCIL OPTIONS

Approve the request for continuance to the January 21, 2026, meeting.

STAFF RECOMMENDATION

Staff recommends approval of the continuance request.

SUGGESTED MOTION

I move to continue the hearing to January 21, 2026, as requested.

EXHIBITS

None.



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Michelle King, Planning Director
Dan Worth, Public Works Director
Liz Hamblin, CFM, Planner II
Presented by: Carla Angeli Paladino, Principal Planner

AGENDA SECTION: Public Hearings
MEETING DATE: December 3, 2025

COUNCIL BILL 2025-101

AN ORDINANCE amending sections 10.550 of the Medford Municipal Code (MMC), as it pertains to Access Standards (DCA-25-170).

SUMMARY AND BACKGROUND

Council is requested to consider a proposed legislative amendment to the Medford Land Development Code that includes modifications to the Driveway Access Standards for Arterial and Collector classified roads (DCA-25-170).

The Planning Commission unanimously voted to forward a favorable recommendation at the Planning Commission meeting held on November 13, 2025.

PREVIOUS COUNCIL ACTIONS

On November 30, 2023, Council held a joint study session with the Planning Commission during which staff presented various challenges with cross access standards.

On October 14 and 16, 2025, a Council Briefing was held to present Transportation Related Development Code Amendments.

ANALYSIS

The proposed changes to the Driveway Access standards include reformatting the code to separate the standards for Arterial Streets and Collector Streets. This will provide clarity for developers and staff when designing and reviewing development projects.

Additionally, this amendment identifies that Commercial, Industrial and Multi-Family uses are subject to Collector Street Driveway spacing standards, thus reducing spacing requirements for single-family residential on lower-speed collectors.

Finally, the proposed changes provide a tiered cross-access easement requirement depending on street classification and uses.

The proposal allows for more flexibility for developers along arterial and collector streets, while single family residential developments are no longer subject to the same standards as Commercial, Industrial and Multi-Family Residential developments.



AGENDA ITEM COMMENTARY

COUNCIL GOALS

Council Goal and Objective: None

Strategy: None

Deliverable: None

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None

TIMING ISSUES

None

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance as presented.

EXHIBITS

Ordinance

DCA-25-170 Council Report, including Exhibits A through F

ORDINANCE NO. 2025-101

AN ORDINANCE amending sections 10.550 of the Medford Municipal Code (MMC), as it pertains to Access Standards (DCA-25-170).

WHEREAS, Medford Municipal Code Section 10.550 provided development standards for driveway access;

WHEREAS, on October 23, 2025, the Medford Planning Commission approved a continuance of the project to the next public hearing;

WHEREAS, on November 13, 2025, the Medford Planning Commission held a public hearing to consider the code changes and made a motion to forward a favorable recommendation to the City Council; and

WHEREAS, on December 3, 2025, the City Council has determined the proposed Development Code Amendment can satisfy the applicable criteria as demonstrated by the Findings and Conclusions included in the Council Report dated November 26, 2025, on file in the Planning Department; now therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.550 (Access Standards) of the Medford Municipal Code is hereby amended as follows (language in **bold** font is new; language in ~~striketrough~~ font is existing law to be repealed; and three asterisks (***) indicate existing language which remains unchanged by this ordinance but was omitted for the sake of brevity):

(3) Driveway Spacing and Locational Standards.

(a) Arterial and Collector Streets.

*(i) Driveway Spacing. and Location. No driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s). No driveway access shall be allowed to an Arterial Street within 150 feet of the nearest right-of-way line of an intersecting street. Driveways shall be placed adjacent to the property line of a contiguous parcel if possible to do so and meet driveway spacing requirements of this section. **Except where sections of MLDC 10.550 specifically allow for reduced spacing, n**No driveway access to an Arterial or Collector Street shall be located closer than allowed by the standards in Table 10.550-3, measured from the center of driveway to center of driveway.*

Table 10.550-3. Minimum Driveway Spacing Standards (Center-to-Center) Arterial and Collector Streets

SPEED LIMIT (MPH)	25 or less	30	35	40	45
DRIVEWAY SPACING (FEET)	145 ft.	195 ft.	250 ft.	315 ft.	385 ft.

(ii) Arterial Street Driveway Locational Requirements.

(A) No driveway access to an Arterial Street shall be allowed for any parcel that abuts the right-of-way of a street of a lower classification or has legal right of access to any street via any abutting parcel(s).

(B) Driveway access on an Arterial Street shall not be allowed within 250 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Driveways shall be placed adjacent to the property line of a contiguous parcel and shall have easements recorded for shared driveway use if possible to do so and meet driveway spacing requirements of this section.

(iii) Collector Street Driveway Locational Requirements for Commercial, Industrial and Multi-family Uses.

(A) No driveway access to a Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street unless the proposed access will be at least 1.5 times the minimum driveway spacing standard in Table 10.550-3.

(B) Driveway access on a Collector Street shall not be allowed within 150 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Driveways shall be placed adjacent to the property line of a contiguous parcel and shall have easements recorded for shared driveway use if the shared driveway configuration can practicably achieve the driveway spacing requirements in Table 10.550-3 or come as close as practicable to achieving these spacing standards.

(iv) *Collector Street Driveway Locational Requirements for SFR Uses.*

(A) No driveway access to a Collector Street serving a single parcel shall be allowed for any parcel that abuts the right-of-way of a lower order street unless the driveway will meet the spacing standard in Table 10.550-3.

(B) Driveway access on a Collector Street shall not be allowed within 150 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Shared driveways on Collectors with a speed limit of 30mph or less are permitted to have driveways at one half the minimum spacing standard in Table 10.550-3 if the driveway is shared between adjacent parcels that meet the minimum dimensional standards for the zone and each parcel provides for off-street maneuvering such that vehicles can enter and exit the property without backing up. Shared access easements shall be recorded where required to meet these requirements.

(iv) *Number of Driveways for each Separately Owned Tract.* Within the requirements set forth in (a)(ii) above **and the spacing standards in Table 10.550-3**, driveway access to an Arterial Street shall be limited to one driveway for each tract of property owned. For purposes of this section, parcels that are contiguous under the same ownership or part of the same application for development shall be considered to be one tract of property.

(viii) *Cross-Access Easement(s) Required.*

- (A) Any parcel or tract granted driveway access to an Arterial ~~or Collector~~ Street shall grant cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street.
- (B) **Any parcel or tract granted driveway access to a Major Collector Street shall grant cross-access easements to all contiguous parcels or tracts that are planned for similar uses and do not abut a street of a lower order than a collector. Similar uses means residential to residential or commercial to commercial. If driveway spacing is less than the standard in this section, then the parcel shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street regardless of use. Single family residential uses are exempt from this section.**
- (C) **Any parcel or tract granted driveway access to a Minor Collector Street with driveway spacing less than the standard in this section shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street. Single family residential uses are exempt from this section.**
- (D) **Industrial developments that meet the maximum block length and block perimeter length standards in Section 10.426 with driveways that otherwise meet or exceed the standards in Section 10.550(3)(a) are exempt from cross-access easement requirements regardless of the street classification.**
- (E) Site design must accommodate future use of such accesses. Use of shared driveways on multiple parcels or tracts and cross-access easements shall be required when site and traffic conditions, including projections of future traffic volumes and movements, indicate that such requirements ~~will~~ **are appropriate** to preserve the capacity and safety of the transportation system.
- (F) **Cross-access shall be provided where the remoteness requirements for emergency access apply per Section 7.023 of the Code.**

(ix) *Management of the Transportation System.* Granting of driveway access to a public right-of-way is not a guarantee that future improvements designed to improve

safety and capacity will not be constructed in the public right-of-way. Medians, turning movement restrictions, signs, signals, and striping may be installed by the City or others with the approval of the Public Works Director or Designee, to preserve and enhance the function of the transportation system.

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED December 3, 2025

Mayor Michael Zarosinski



for a Type IV legislative decision: **Development Code Amendment**

Project	Driveway Access Standards		
File no.	DCA-25-170		
To	Mayor and Council	<i>for December 3, 2025, hearing</i>	
From	Liz Hamblin CFM, Planner III		
Reviewer	Carla Angeli Paladino, Principal Planner		
Date	November 26, 2025		

Proposal

History

There was a request at the Fall 2024 meeting for Public Works to investigate reviewing and clarifying some of the driveway standards contained in Medford Land Development Code (MLDC) section 10.550. Public Works committed to meeting with a subset of the quarterly meeting group to review the code and identify desired changes.

Public Works had also previously reviewed some of the challenges with the current cross-access easement requirements at a joint study session with the Planning Commission and City Council on November 30, 2023. Staff committed to working on code updates to address these challenges at that time.

The purpose of this amendment is to provide reduced spacing requirements for single-family residential uses on lower speed collectors, adjustment to access restrictions for arterial streets compared to collector streets, and finally, to implement tiered cross-access easements depending on street classification and uses.

Authority

This proposed plan authorization is a Type IV 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 §§10.214 and 10.218.

ANALYSIS

The proposed changes to the Driveway Access standards include reformatting the code to separate the standards for Arterial Streets and Collector Streets. This will provide clarity for developers and staff when designing and reviewing development projects.

Additionally, this amendment identifies that Commercial, Industrial and Multi-Family uses are subject to Collector Street Driveway spacing standards, thus reducing spacing requirements for single-family residential on lower-speed collectors.

Finally, the proposed changes provide a tiered cross-access easement requirement depending on street classification and uses.

The proposal allows for more flexibility for developers along arterial and collector streets, while single family residential developments are no longer subject to the same standards as Commercial, Industrial and Multi-Family Residential developments.

PLANNING COMMISSION MEETINGS AND RECOMMENDATION

At the October 23, 2025, Planning Commission meeting, staff presented the proposed development code amendment. Commissioner Pulver requested clarification for properties that would abut two higher order streets and whether an Exception application would be required if the locational standard couldn't be met.

In lieu of drafting code during a public hearing, staff requested the application be continued to the next meeting.

Staff provided amended language that includes exception language that grants relief if the subject parcel does not have sufficient width to meet the locational standards found in 10.550(3)(a)(ii)(B), 10.550(3)(a)(iii)(B) and 10.550(3)(a)(iv)(B) of Exhibit A.

This additional language also included added relief for collector street locational requirements for Single Family Residential uses in Section 10.550(3)(a)(iv)(B). The additional language is on Pages 4 through 6 of Exhibit A.

At the November 13, 2025, Planning Commission meeting, staff presented the new language that allows conditional access if a parcel can't meet the access standards for corner lots.

The Planning Commission unanimously forwarded a favorable recommendation to the City Council.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics, findings and conclusions in roman type.

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

10.218 (1). Explanation of the public benefit of the amendment.

Findings

Code amendments aim to enhance efficiency, transparency, and understanding within the community's development framework. The Transportation System Plan noted a list of key code changes for staff to work on which included looking at provisions related to access standards.

The proposal clarifies access standards on arterial and collector streets and will provide modified access requirements for some single-family residential development along lower speed collector streets. This amendment also provides tiers to cross access standards.

Conclusions

Satisfied. The proposed amendment provides clarity for developers when designing projects that require access from arterial and collector streets. While reducing spacing requirements for single family residential uses. This criterion is satisfied.

10.218 (2). The justification for the amendment with respect to the following factors:

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

Findings

The Transportation System Plan identifies Key Code and Policy Amendments related to driveways and access standards. The amendment to access standards is in conformance with the Goals, Policies, and Implementation section of the Comprehensive Plan.

Conclusions

Satisfied. The proposed amendment is in conformance with the goals or policies of the Transportation System Plan Element of the Comprehensive Plan. This criterion is found to be satisfied.

- (b) Comments from applicable referral agencies regarding applicable statutes or regulations.*

Findings

To date, three responses to the proposal have been received. The City of Medford Public Works and Medford Water Commission indicated they do not have any comments on the proposed amendment. The Medford Fire Department provided comment requesting clarification language to be added for requirements for providing emergency vehicle access standards. The proposal was updated to reflect Fire's request (See Exhibit C).

Conclusions

Satisfied. The proposed amendment has been distributed to the applicable referral agencies for comments. This criterion is found to be satisfied.

- (c) Public comments.*

Findings

The code amendment was emailed on September 23, 2025, to an interested parties group who represent consultants, developers, and residents kept apprised of code changes. One comment from CSA Planning (Exhibit B) was received in support of the amendment.

The Planning Commission held a study session on Monday August 11, 2025 (See Exhibit D), and the Active Transportation Advisory Committee held a regular meeting on August 11, 2025, where the proposed changes were presented. No members of the public were present at either study session.

Conclusions

Satisfied. The proposal has been distributed for input. A presentation about the amendment was given during study sessions with the Planning Commission and Active Transportation Advisory Committee. The public hearing process also provides an opportunity for public comments. This criterion is found to be satisfied.

(d) Applicable governmental agreements.

Findings

The proposal does not affect any governmental agreements and is not applicable in this instance.

Conclusions

Not Applicable. No governmental agreements are known to be impacted by the proposed changes. This criterion is not applicable.

RECOMMENDED ACTION

The Planning Commission voted 8-0 to forward a favorable recommendation of the amendment based on the Findings and Conclusions that all the approval criteria are either satisfied or not applicable, per the Council Report dated November 26, 2025, including all exhibits.

EXHIBITS

- A Proposed amendment
- B Public comments – CSA Planning LTD received October 5, 2025
- C Fire Department Comments, October 15, 2025
- D Planning Commission Study Session Minutes, August 11, 2025
- E Planning Commission Meeting Draft Minutes, October 23, 2025
- F Planning Commission Meeting Draft Minutes, November 13, 2025

CITY COUNCIL AGENDA:

DECEMBER 3, 2025

Exhibit A

Proposed amendment

Deleted text is ~~struck through~~; added text is **BOLD**

*** * * Indicates following sections were not included in amendment**

10.550 Access Standards.

(1) *Driveway Throat Width Standards.* Driveways that connect to a public right-of-way shall be constructed according to the standards in Tables 10.550-1 and 10.550-2. See Figure 10.550-1 for driveway throat, flare and radius definitions.

For the purposes of this section, Minimum Access Easements and Alleys shall be considered driveways.

Table 10.550-1. Driveway Throat Widths

Street Classification	Land Use on Parcel to be Served by the Driveway*			
Local (All streets other than collectors or arterials.)	SFR and Middle Housing	MFR	Commercial	Industrial
Less than 500 ADT***	10 to 18 ft.****	18 to 24 ft.	24 to 30 ft.	24 to 30 ft.
500 to 1,000 ADT***			24 to 30* ft.	24 to 36 ft.
Greater than 1,000 ADT***			24 to 36* ft.	24 to 36 ft.
Collector	SFR and Middle Housing	MFR	Commercial	Industrial
Less than 500 ADT***	12 to 24 ft.	18 to 36 ft.	18 to 24 ft.	24 to 36 ft.**

Street Classification	Land Use on Parcel to be Served by the Driveway*			
500 to 1,000 ADT***	(Shared Approach Only)		18 to 36 ft.**	24 to 36 ft.**
Greater than 1,000 ADT***			18 to 36 ft.**	24 to 36 ft.**
Arterial	SFR and Middle Housing	MFR	Commercial	Industrial
Less than 500 ADT***	No direct access unless no alternative exists, then 12 to 20 ft. (Shared Approach Only)	No direct access unless no alternative exists, then 18 to 36 ft.	18 to 24 ft.	24 to 30 ft.
500 to 1,000 ADT***			18 to 30 ft.	24 to 36 ft.
Greater than 1,000 ADT***			18 to 36 ft.	24 to 36 ft.

* Institutional uses shall be considered commercial uses for the purposes of this subsection.

** Driveway throat widths greater than 24 feet shall be granted only for full movement approaches that warrant a left turn lane.

*** ADT = Average Daily Trips using the proposed driveway, determined from the latest version of the Institute of Transportation Engineering handbook based on the expected ultimate use of the site.

**** May be up to 24' with approval of Public Works Director or Designee.

(2) *Driveway Radius Standards.*

Table 10.550-2. Driveway Radius Standards

Street Classification	Land Use on Parcel to be Served by the Driveway*			
	SFR	MFR	COMMERCIAL	INDUSTRIAL
Local	Curb Cut	<6 units: curb cut >6 units: 15 ft. radius	Curb cut or 20 ft. radius	Curb cut or 20 ft. radius

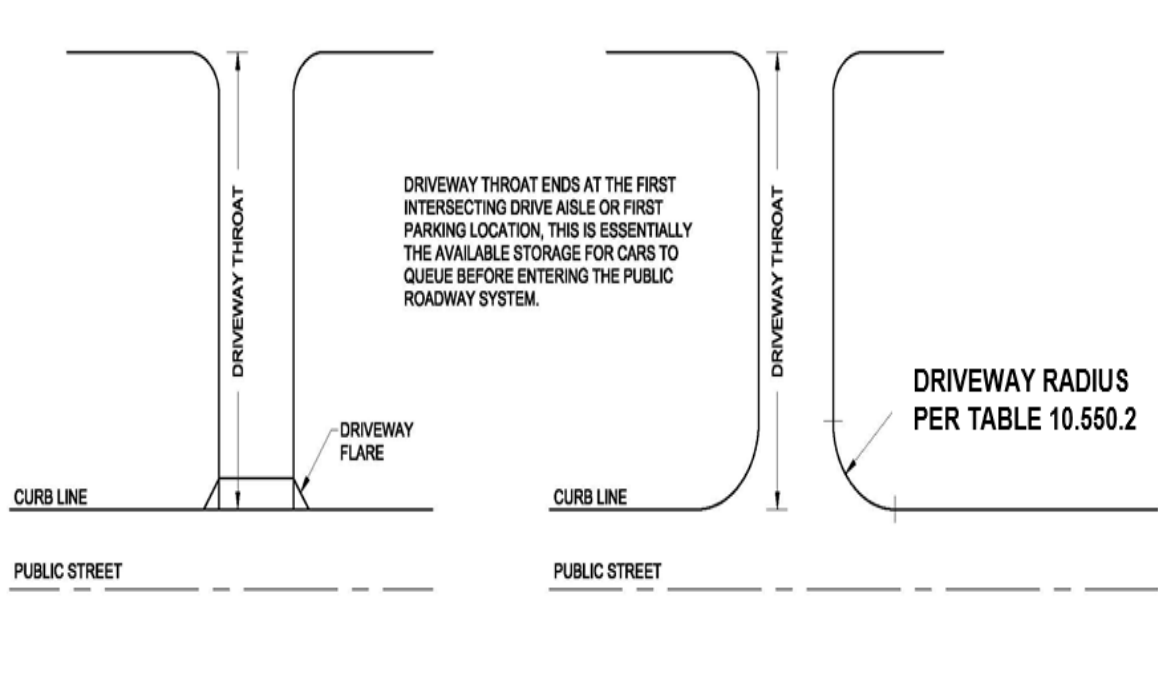
Street Classification	Land Use on Parcel to be Served by the Driveway*			
	SFR	MFR	COMMERCIAL	INDUSTRIAL
Collector	Shared Access Curb cut	20 ft. radius	20 ft. radius	25 ft. radius
Arterial	No direct access unless no alternative exists, then 15 ft. radius.	25 ft. radius	25 ft. radius	25 ft. radius

* Institutional uses shall be considered commercial uses for the purposes of this subsection.

Curb Cut = Dropped Curb with Portland Concrete Cement driveway apron per current City of Medford Standard Drawings

Radius = At-grade driveway approach with 6-inch curbs per current City of Medford Standard Drawings

Figure 10.550-1. Driveway Throat, Flare and Radius Definitions



(3) *Driveway Spacing and Locational Standards.*

(a) *Arterial and Collector Streets.*

~~(i) *Driveway Spacing and Location.* No driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s). No driveway access shall be allowed to an Arterial Street within 150 feet of the nearest right-of-way line of an intersecting street. Driveways shall be placed adjacent to the property line of a contiguous parcel if possible to do so and meet driveway spacing requirements of this section.~~ **Except where sections of MLDC 10.550 specifically allow for reduced spacing, n** No driveway access to an Arterial or Collector Street shall be located closer than allowed by the standards in Table 10.550-3, measured from the center of driveway to center of driveway.

Table 10.550-3. Minimum Driveway Spacing Standards (Center-to-Center) Arterial and Collector Streets

SPEED LIMIT (MPH)	25 or less	30	35	40	45
DRIVEWAY SPACING (FEET)	145-ft.	195-ft.	250-ft.	315-ft.	385-ft.

(ii) *Arterial Street Driveway Locational Requirements.*

(A) No driveway access to an Arterial Street shall be allowed for any parcel that abuts the right-of-way of a street of a lower classification or has legal right of access to any street via any abutting parcel(s).

(B) Driveway access on an Arterial Street shall not be allowed within 250 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest

from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Driveways shall be placed adjacent to the property line of a contiguous parcel and shall have easements recorded for shared driveway use if possible to do so and meet driveway spacing requirements of this section.

(iii) *Collector Street Driveway Locational Requirements for Commercial, Industrial and Multi-family Uses.*

(A) No driveway access to a Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street unless the proposed access will be at least 1.5 times the minimum driveway spacing standard in Table 10.550-3.

(B) Driveway access on a Collector Street shall not be allowed within 150 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Driveways shall be placed adjacent to the property line of a contiguous parcel and shall have easements recorded for shared driveway use if the shared driveway configuration can practicably achieve the driveway spacing requirements in Table 10.550-3 or come as close as practicable to achieving these spacing standards.

(iv) *Collector Street Driveway Locational Requirements for SFR Uses.*

(A) No driveway access to a Collector Street serving a single parcel shall be allowed for any parcel that abuts the right-of-way of a lower order street unless the driveway will meet the spacing standard in Table 10.550-3.

(B) Driveway access on a Collector Street shall not be allowed within 150 feet of the nearest right-of-way line of an intersecting street. If the parcel does not have sufficient width to meet this requirement and a driveway is otherwise allowed on that street under this code section, the driveway shall be located adjacent to the property line farthest from the intersecting street, and no authorization for larger driveway width shall be granted. A declaration of covenant may be required to relocate the driveway with future adjacent development if that can practicably satisfy the distance requirement.

(C) Shared driveways on Collectors with a speed limit of 30mph or less are permitted to have driveways at one half the minimum spacing standard in Table 10.550-3 if the driveway is shared between adjacent parcels that meet the minimum dimensional standards for the zone and each parcel provides for off-street maneuvering such that vehicles can enter and exit the property without backing up. Shared access easements shall be recorded where required to meet these requirements.

(iiiv) Number of Driveways for each Separately Owned Tract. Within the requirements set forth in (a)(ii) above **and the spacing standards in Table 10.550-3**, driveway access to an Arterial Street shall be limited to one driveway for each tract of property owned. For purposes of this section, parcels that are contiguous under the same ownership or part of the same application for development shall be considered to be one tract of property.

(viii) Cross-Access Easement(s) Required.

(A) Any parcel or tract granted driveway access to an Arterial or Collector Street shall grant cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street.

- (B) Any parcel or tract granted driveway access to a Major Collector Street shall grant cross-access easements to all contiguous parcels or tracts that are planned for similar uses and do not abut a street of a lower order than a collector. Similar uses means residential to residential or commercial to commercial. If driveway spacing is less than the standard in this section, then the parcel shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street regardless of use. Single family residential uses are exempt from this section.**
- (C) Any parcel or tract granted driveway access to a Minor Collector Street with driveway spacing less than the standard in this section shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street. Single family residential uses are exempt from this section.**
- (D) Industrial developments that meet the maximum block length and block perimeter length standards in Section 10.426 with driveways that otherwise meet or exceed the standards in Section 10.550(3)(a) are exempt from cross-access easement requirements regardless of the street classification.**
- (E) Site design must accommodate future use of such accesses. Use of shared driveways on multiple parcels or tracts and cross-access easements shall be required when site and traffic conditions, including projections of future traffic volumes and movements, indicate that such requirements ~~will be~~ **are appropriate to** preserve the capacity and safety of the transportation system.**
- (F) Cross-access shall be provided where the remoteness requirements for emergency access apply per Section 7.023 of the Code.**

(ivii) *Management of the Transportation System.* Granting of driveway access to a public right-of-way is not a guarantee that future improvements designed to improve safety and capacity will not be constructed in the public right-of-way. Medians, turning movement restrictions, signs, signals, and striping may be installed by the City or others with the approval of the Public Works Director or Designee, to preserve and enhance the function of the transportation system.

* * *

Liz A. Hamblin

From: Jay Harland <jay@csaplanning.com>
Sent: Sunday, October 5, 2025 8:04 AM
To: Liz A. Hamblin
Subject: RE: Please Review DCA-25-170

***WARNING! External Email. Do not click unrecognized links or attachments. When in doubt, use the Phish Alert Button**

Liz,

Access standards are always a challenge.

I think these revisions will avoid some of the contentious issues that have arisen in the past – especially around collector street driveways and cross-access requirements on collector streets.

Future adjustments may still be needed, but I think these changes will be a significant improvement over the current code. As such, I support the changes as drafted.

Thanks,

Jay Harland



President
CSA Planning Ltd.
4497 Brownridge, Suite 101
Medford, Oregon 97504
(541) 779-0569

From: Liz A. Hamblin <Liz.Hamblin@cityofmedford.org>
Sent: Tuesday, September 23, 2025 11:11 AM
To: Bandana Shrestha <BShrestha@aarp.org>; Belle Shepherd <belle.shepherd@dhsosha.state.or.us>; Bob Neathamer <bob@neathamer.com>; Brad Bennington <brad@buildso.com>; Brad Earl <brad.earl@medford.k12.or.us>; Brian McLemore (brian@mclemoredevelopment.com) <brian@mclemoredevelopment.com>; Clark Stevens (clark@rsaoregon.com) <clark@rsaoregon.com>; Dan Horton <dan@hortonarchitecture.com>; Dan O'Connor <dano@oconnorlawgroup.net>; Darrell Huck <dlh@hoffbuhr.com>; Dave Wright <dwright@cpmrealestateservices.com>; Debralee <debralee@cnpls.net>; Dennie Conrad <dennie.conrad@asante.org>; Dunbar Carpenter <dcarpen186@aol.com>; Edgar Hee <ejhee@juno.com>; Eli Matthews <eli@medfordchamber.com>; Gayle Johnson <gayle.johnson@providence.org>; Greg Holmes <greg@friends.org>; hbittner3@gmail.com; Jason Elzy <jason@hajc.net>; Jay Harland <jay@csaplanning.com>; Jenna Marmon <jenna.marmon@odot.state.or.us>; Jlm Maize <jmaize3145@charter.net>; John Chmelir (johnchmelir@jcsoregon.com) <johnchmelir@jcsoregon.com>; Josh LeBombard <josh.lebombard@state.or.us>; kim.parducci@gmail.com; Laz Ayala <laz@kda-homes.com>; Lilia C. Caballero <Carmen.Caballero@cityofmedford.org>; Lindsay Berryman <lindsay1694@gmail.com>; Mark Bartholomew <msb@roguelaw.com>; knox <knox@mind.net>; Megan Lanier Wattier (megan@lanierlandconsulting.com)

<megan@lanierlandconsulting.com>; Micah Horowitz <micah.horowitz@odot.state.or.us>; Mike Montero <montero-associates@charter.net>; Mike Naumes <mnaumes@naumes.com>; Mike Savage <mike@csaplanning.com>; Paige West <pwest@rvtd.org>; randy maharhomes.com <randy@maharhomes.com>; Raul Woerner <raul@csaplanning.com>; rjbarney@gmail.com; Rick Bennett <rbennett6662@yahoo.com>; Robert Bierma <robertbierma@gmail.com>; Robert Boggess <rboggess@naumes.com>; Sarah Lynch <slynch@retirement.org>; Scott Sinner <scottsinner@yahoo.com>; Todd Powell <todd@powellengineeringconsulting.com>; Tony Bakke <tony@cecengineering.com>

Subject: Please Review DCA-25-170

Good morning,

The City of Medford is proposing a code amendment to the Driveway Access Standards.

This is tentatively scheduled for Planning Commission on October 23, 2025.

If you would like to review and provide comments please direct them to me.

Liz Hamblin (she, her), CFM | *Planner III*

City of Medford, Oregon

200 S. Ivy St., Medford, OR 97501

Ph: 541-774-2380

[Website](#) | [Facebook](#) | [Twitter](#)



Medford Fire Department Land Development Report

Review/Project Information

Reviewed By: Fairrington, Tanner

Review Date: 09/04/2025

Meeting Date: 09/17/2025

LD File #: DCA25-00170
Driveway
Access
Code
Amendment

Associated File See
#1: planning
project
information

Planner: Liz Hamblin

Applicant: City of Medford

Site Name: Driveway Access Code Amendment

Project Location: City of Medford

Project Description: A legislative amendment to amend Chapter 10 of the Municipal Code related to Driveway Access standards.

Language clarification provided below per coordination with planning and engineering staff.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
Other	Medford Fire Department recommends approval with the condition that future development of the property will meet the access and water supply requirements of the Medford Municipal Code and Oregon Fire Code. Additional conditions will likely apply as the site is developed. The applicant shall be responsible for meeting the requirements of the Medford Municipal Code and Oregon Fire Code. Additional fire apparatus access roads required by Chapter 7 of the Medford Municipal Code and Chapter 5 and Appendix D of the Fire code for emergency access and response may be required in addition to roads and streets required by Chapter 10 of the Medford Municipal Code. Where additional access is required for emergency response, a permanent access road within an access and maintenance easement may be required. Where construction of roads and streets for circulation and traffic volumes will be delayed until future development occurs, temporary access roads may be required. Where access roads are required, they shall be constructed to meet Chapter 5 and Appendix D of the Oregon Fire Code. Alternate methods to meeting access and water supply may be approved. Firefighting water supply, including fire hydrants, may be required per Chapter 7 of the municipal code and Chapter 5, Appendix B, and Appendix C of the Oregon Fire Code.	Other violations observed include:

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in effect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the adopted Fire, Building, Mechanical Codes and applicable referenced NFPA Standards.

Medford Fire Dept., 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300



REQUEST FOR COMMENTS

date created: 08/29/2025

Project Driveway Access Code Amendment
File no. DCA 25-170
Applicant City of Medford
Agent n/a

To Referral agencies and departments
From Liz Hamblin, CFM Planner III
 tel. 541-774-2385 *eml.* Liz.hamblin@cityofmedford.org

PROJECT DESCRIPTION

A legislative amendment to amend Chapter 10 of the Municipal Code related to Driveway Access standards.

REQUEST FOR COMMENTS

Attached are documents for your review. Please investigate and submit a written report setting forth any necessary conditions as required of your department/agency for approval to the Planning Department within ten working days.

If no comments are received within the 10-day review period, the Planning Department will assume that your department or agency has no comments.

If you have any questions, please contact the planner listed above. Thank you.

ATTACHMENTS

A Draft Language – New Section 10.550

Proposed Amendment – Rev 08-12-2025

order than a collector. Similar uses means residential to residential or commercial to commercial. If driveway spacing less than the standard in this section, then the parcel shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street regardless of use. Single family residential uses are exempt from this section.

(C) Any parcel or tract granted driveway access to a Minor Collector Street with driveway spacing less than the standard in this section shall grant cross-access easements to all contiguous parcels or tracts that do not abut a lower order street. Single family residential uses are exempt from this section.

(D) Industrial developments that meet the maximum block length and block perimeter length standards in Section 10.426 with driveways that otherwise meet or exceed the standards in Section 10.550(3)(a) are exempt from cross-access easement requirements regardless of the street classification.

(E) Site design must accommodate future use of such accesses. Use of shared driveways on multiple parcels or tracts and cross-access easements shall be required when site and traffic conditions, including projections of future traffic volumes and movements, indicate that such requirements ~~will~~ **are appropriate to preserve the capacity and safety of the transportation system.**

(ivii) Management of the Transportation System. Granting of driveway access to a public right-of-way is not a guarantee that future improvements designed to improve safety and capacity will not be constructed in the public right-of-way. Medians, turning

F. Cross-access shall be provided where the remoteness requirements for emergency access apply per 7.023 of the Code.

ent restrictions, signs, signals, and striping may be installed by the City or with the approval of the Public Works Director or Designee, to preserve and the function of the transportation system.

streets. A minimum distance of three (3) feet shall be maintained between the closest portions of adjacent driveway flares as measured along the curb on local streets, except where existing conditions dictate otherwise. Cul-de-sacs are exempt from these standards.

PLANNING COMMISSION STUDY SESSION MINUTES



August 11, 2025

12:00 p.m.

Virtual via Zoom and In-Person

The regular study session of the Planning Commission was called to order at 12:00 p.m. via Zoom and an In-Person meeting on the above date with the following members and staff present:

Chair Mark McKechnie, Vice Chair David Culbertson, Commissioners Rachel Bennet, Larry Beskow, Jared Pulver, Jeff Thomas, EJ McManus, Assistant Planning Director Kelly Akin, Deputy City Attorney Allen Moreland, Transportation Manager Karl MacNair, Planner III Liz Hamblin and Recording Secretary Kali Ochoa. Commissioner Brad Bennington was absent.

20.1 DCA-25-231: Driveway Access Amendment – Karl MacNair

Kelly Akin, Assistant Planning Director, introduced Karl MacNair, Transportation Manager, to present draft code updates made to the Driveway Access code amendment.

Mr. MacNair provided some history of why they are requesting the code amendment, along with a brief explanation of what steps they have taken to put this code amendment together. He went on to explain that Staff, Planning Commission, City Council and later the development community initiated the code amendment and now it is ready for review before the amendment goes to a formal hearing.

Some of the challenges identified were collector and arterial streets are treated the same as far as driveway access. Mr. MacNair stated arterial streets should be stricter and collectors are to balance access and circulation. In the current code there isn't any mention of how to single family driveways are supposed to work, they are currently treated as all other driveways even though they have less trips coming from there. Cross-access requirement has no exceptions, single family driveways on higher order streets and cross-access is not tied to driveway spacing standards.

Mr. MacNair provided a brief description of what cross-access easements are and how they are supposed to work. He provided multiple current cross-access easements. Mr. MacNair explained although in the current code it is not specified, they have been requiring shared driveways with a hammerhead turn around for single family homes on collector and arterial streets. He went on to explain some additional challenges they have seen are between different types of zones.

The current access standards do not allow driveway access to arterials or collector streets if an alternative exists. When the property does allow for driveway access, they are required to adhere to specific spacing and cross-access easements. Some of the proposed changes for the driveway spacing and locational standards would be to keep the strict requirements for arterial streets, allow for driveway access if an alternative exists or if spacing is 1.5 times the standard on collector streets, and allow for shared driveways at half the spacing standard for single family residential homes.



Planning Commission Study Session Minutes August 11, 2025

Mr. MacNair provided clarification on the update for single family residential home driveways for Chair McKechnie. Mr. McKechnie further inquired if they have two commercial properties, but one is vacant and comes in with a residential, would it be required to have cross-access? Mr. MacNair stated based on the proposed changes, it would not require cross-access.

Commissioner Beskow inquired in the new language, if the word adjacent means the edge of the driveway would be right on the property line. Mr. MacNair stated yes.

Commissioner Culbertson inquired what mechanism will be used for commercial cross-access to lock in. He further inquired if we would require a deed restriction to avoid having to come back years later. Mr. MacNair stated we will continue to use the current process to either be shown on the plat or a separate recorded easement document, recorded with Jackson County.

20.2 DCA-25-206: Commission Membership 2.0 – Liz Hamblin

Planner III Liz Hamblin presented a brief history of why staff were asked to review the commission memberships for the Site Plan and Architectural Commission (SPAC). Ms. Hamblin explained after speaking with both SPAC and the Planning Commission, the City Council members removed the Licensed Landscape Architect appointment but also directed staff to revisit the appointment requirements and reduce SPAC to seven voting members.

Ms. Hamblin went back through the history and analysis of the Site Plan and Architectural Commission. She went on to present the three options to choose from for how the Planning Commission would recommend reducing the number of voting members. The options given were:

Option A:

Removal of two At-Large positions.

Option B:

Removal of Planning Commission Liaison and one At-Large positions.

Option C:

Remove SPAC and refer all Type III applications to the Planning Commission.

Ms. Hamblin explained how staff came up with the different options, including comparing the number of applications received between 2006 to present. She further explained in 2019 the Planning department changed the SPAC Type II decisions, which contributed to the decrease in SPAC applications. She explained City Council's direction is to have Planning look for ways to streamline applications and consolidate the commissions and committees. Ms. Hamblin notified the Commissioners that during a SPAC study session, the members preferred option A, they felt the professional requirements and Planning Commissioner Liaison position are important rolls for SPAC and if SPAC is removed then the professional requirements should be moved over to the Planning Commission.

**Planning Commission Study Session Minutes
August 11, 2025**

Chair McKechnie wanted clarification on what the professional requirements are for SPAC. Ms. Hamblin provided the professional requirements to be on the Site Plan and Architectural Commission. Mr. McKechnie further inquired if SPAC is dissolved, will the workload be transferred to the Planning Commission. Ms. Hamblin stated yes, all SPAC Type III will be deferred to the Planning Commission.

Commissioner Beskow stated he supports Option A but inquired what the rationale was back in 2007 to go from nine members to seven. Ms. Hamblin stated during her research she could not find a reason as to why the change was made.

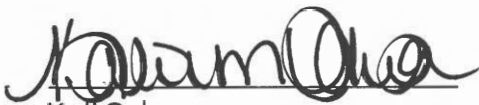
Commissioner Bennett stated she supports Option A, but would support Option B, and does not agree with Option C. Commissioner Pulver stated he supports Option A, as well. Commissioner Culbertson stated he fully supports Option A.

Chair McKechnie stated he supports option A but is open to Option C; however, the Planning Commissioners would need some sort of training. Commissioner McManus stated his support for Option A via the chat.

Kelly Akin, Assistant Planning Director, provided a brief review of the changes to the Commissions through the years to see the workload changes. Ms. Akin asked Commissioner Thomas to provide his opinion on the SPAC study session. Commissioner Thomas expressed his concern with reducing the number of members but agreed with the need for more public comments. Commissioner Pulver stated he agreed with Commissioner Thomas' opinion.

There being no further business, this study session adjourned at 12:53 p.m.

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.



Kali Ochoa

Recording Secretary

PLANNING COMMISSION MEETING MINUTES - Excerpt



MEDFORD
OREGON

October 23, 2025

5:30 p.m.

Medford City Hall, Council Chambers

411 W. 8th Street, Medford, Oregon

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

Chair Mark McKechnie, Vice Chair Culbertson, Commissioners Rachel Bennett, Jared Pulver, James (Jim) Wallen, Larry Beskow and Jeff Thomas; Assistant Planning Director Kelly Akin, Deputy City Attorney Allen Moreland, Public Works Development Services Manager Doug Burroughs, Principal Planner, Carla Paladino, Planner III Liz Hamblin, Planner III Dustin Severs, Planner III Kegen Benson, and Recording Secretary Kali Ochoa. Commissioner EJ McManus was absent.

10. Roll Call

20. Consent Calendar/Written Communications

20.1 CUP-23-266 Consideration of request for a one-year time extension of the approved Conditional Use Permit (CUP) for the operation of an animal adoption facility with reduced kennel setbacks. The subject site consists of two contiguous, vacant parcels totaling approximately 4.08 acres, located on the north side of Commerce Drive and immediately east of the Rogue Valley Expressway. The property is zoned I-L. **Applicant:** Southern Oregon Humane Society, **Agent:** CSA Planning Ltd., **Planner:** Kelly Akin.

Motion: Move to adopt the Consent Calendar and Written Communication as submitted.

Moved by: Vice Chair Culbertson

Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Beskow, Wallan, and Thomas voted yes. Motion passes.

30. Approval or Correction of the Minutes from the October 9, 2025, Meeting

30.1 The minutes were approved as submitted.

40. Oral Requests & Communications from the Audience

There were none.

50. Public Hearings

Allen Moreland, Deputy City Attorney, read the Quasi-Judicial statement.



Planning Commission Meeting Minutes October 23, 2025

50.5 DCA-25-170 Consideration of a legislative amendment to Chapter 10 of the Medford Municipal Code related to access standards. **Applicant/Agent:** City of Medford; **Planner:** Liz Hamblin.

Liz Hamblin, Planner III, presented a brief staff report describing the project. Staff recommended forwarding a recommendation for approval.

Commissioner Pulver inquired if we are creating a situation where we're not going to be able to provide access to someone. Mr. Pulver went on to state he wants to make sure they have a means to request an exception. Ms. Hamblin stated it is in the section of the code that does allow an exception. However, they have also clarified that you can still have access on a lower order street, if you do have the higher order street corner-lot problem. Mr. Pulver further stated his understanding from the code, you can't have access within 250 feet of a street if you are on a major arterial and you can't have access within 150 feet of the street on a major collector; therefore, he wants to make sure we are creating a flaw down the road. Ms. Hamblin deferred to Mr. Karl MacNair.

Karl MacNair, Public Works Transportation Manager, stated Mr. Pulver is correct but they can add the additional language as an exception if needed.

Commissioner Thomas expressed he intended to vote no when he saw the staff report but inquired if this is something they can change tonight or should they continue this item and allow staff to work on the additional language. Mr. MacNair stated he would prefer working through the language and bring it back to the Planning Commission at a later date.

Chair McKechnie inquired if staff are requesting a continuance. Ms. Hamblin stated, yes. Mr. McKechnie inquired if the public hearing needed to be opened. Ms. Akin stated since the hearing has been noticed, they should give the opportunity for testimony.

The public hearing was opened, and the following testimony was given:

Ms. Akin stated the record should remain open.

There was none

Motion: Move to continue DCA-25-170 to the November 13, 2025, Planning Commission meeting, and the record is open:

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Thomas, Bennington, and Beskow voted yes. Motion passes.

Planning Commission Meeting Minutes October 23, 2025

Commissioner Thomas advised that he made it very clear to Site Plan and Architectural Commission that option "C" was not the recommendation from Planning Commission.

The public hearing was opened, and the following testimony was provided:

There was no testimony provided.

The public hearing was closed.

Motion: Based on the findings and conclusions that all the applicable criteria are satisfied or not applicable, initiate the amendment and forward a favorable recommendation for approval of DAC-25-2026 per the staff report dated October 16, 2025, including all exhibits.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas and Wallen voted yes. Motion passes.

60.1 Transportation Commission

Commissioner Pulver stated their last meeting was the Joint Planning Commission and Transportation Commission meeting.

60.2 Site Plan and Architectural Commission

Commissioner Thomas stated their last meeting was a continuance.

60.3 Planning Department

Kelly Akin, Assistant Planning Director, notified the Commissioners, Mr. Bennington has resigned his position on the Commission. Commissioner Pulver inquired if there are terms set to expire in 2026. Ms. Akin stated there are terms expiring every year and we are currently recruiting for the various bodies.

Ms. Akin went on to inform the Commissioners the Downtown Plan was approved by City Council last week and it also received a state-wide planning award from the Oregon Planning Association.

She stated they do not have any business for the October 27, 2025, study session, but will have business for the November 13, 2025, and December 11, 2025, Planning Commission meeting.

Ms. Akin went on to inform the Commissioners, City Council adopted the Downtown Plan, they approved the GLUP amendment for La Clinica and approved the Belnap street vacation. She

**Planning Commission Meeting Minutes
October 23, 2025**

went on to notify the Commissioners the upcoming projects to be heard before City Council will be an annexation on Table Rock Road, which will be heard on November 5, 2025.

70. Message and papers from the Chair

There were none.

80. City Attorney Remarks

There were none.

90. Propositions and Remarks from Commission

Commissioner Pulver suggested his fellow Commissioners review the Minor Minimum Access vs the Major Minimum Access and if there were things they would like staff to review.

Commissioner Thomas stated from his perspective that it was not the difference between private vs easement, but that he thought they could do a Minor v Major and that was not given to us as an option and then we were told they had to vote but he felt there were other options.

Chair McKechnie stated from his perspective that his understanding was it would be used if there were no other options, but it looks like that was not the case.

Commissioner Bennett stated she feels they butt up against the reality if it meets the requirements of the application, absent some extraordinary circumstance, we really do need to approve it. However, reading into there are options as this is an alternative, she feels they need a clearer understanding, which would help in this scenario.

Mr. McKechnie went on to state the next public hearing after, had a public street with a cul-de-sac and it worked. But to be told this is the only way to do it without some backup that says they couldn't do it because of a specific reason, just seems like they were being lazy.

100. Adjournment

There being no further business, this meeting adjourned at 7:32 p.m.

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.



Kali M. Ochoa
Recording Secretary



Mark McKechnie
Chair

PLANNING COMMISSION MEETING MINUTES - EXCERPT



MEDFORD
OREGON

November 13, 2025

5:30 p.m.

Medford City Hall, Council Chambers

411 W. 8th Street, Medford, Oregon

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

Chair Mark McKechnie, Vice Chair Culbertson, Commissioners Rachel Bennett, Jared Pulver, James (Jim) Wallen, Larry Beskow, EJ McManus and Jeff Thomas; Assistant Planning Director Kelly Akin, City Attorney Eric Mitton, Public Works Development Services Manager Doug Burroughs, Principal Planner, Carla Paladino, Transportation Manager Karl MacNair, Planner III Steffen Roennfeldt, Planner III Liz Hamblin, Planner III Dustin Severs, Planner III, Kegen Benson, Planner II Kayla Parr, and Recording Secretary Kali Ochoa.

10. Roll Call

* * *

Additional Old Business:

50.7 DCA-25-170 Consideration of a legislative amendment to Chapter 10 of the Medford Municipal Code related to access standards. **Applicant/Agent:** City of Medford; **Planner:** Liz Hamblin.

Chair McKechnie reminded staff and Commissioners, the record was still open from the previous meeting on October 23, 2025.

Liz Hamblin, Planner III, presented a brief revised staff report describing the project. Staff recommended forwarding a favorable recommendation to City Council.
The public hearing was closed.

Motion: Based on the findings and conclusions that all the approval criteria are either met or not applicable, forward a favorable recommendation for adoption of DAC-25-2026 per the staff report dated November 6, 2025, including all exhibits.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 8-0-0 Chair McKechnie, Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas, McManus and Wallen voted yes. Motion passes.

* * *

60.1 Transportation Commission

60.2 Site Plan and Architectural Commission



**Planning Commission Meeting Minutes
November 13, 2025**

60.3 Planning Department

70. Message and papers from the Chair

There were none.

80. City Attorney Remarks

There were none.

90. Propositions and Remarks from Commission

100. Adjournment

There being no further business, this meeting adjourned at 9:31 p.m.

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.

Kali M. Ochoa
Recording Secretary

Mark McKechnie
Chair



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning

PHONE: (541) 774-2380

STAFF CONTACT: Michelle King, Planning Director
Dan Worth, Public Works Director

Presented by: Carla Angeli Paladino, Principal Planner

AGENDA SECTION: Public Hearings

MEETING DATE: December 3, 2025

COUNCIL BILL 2025-102

AN ORDINANCE adding Section 10.462A to the Medford Municipal Code (MMC), as it pertains to transportation infrastructure and proportionate share mitigation (DCA 25 199).

SUMMARY AND BACKGROUND

Council is requested to consider a legislative code amendment to Chapter 10 of the Municipal Code to add provisions related to proportionate share for transportation improvements (DCA-25-199).

During the November 13, 2025, hearing, the Planning Commission voted 7-1 to forward a favorable recommendation of the project to the City Council.

PREVIOUS COUNCIL ACTIONS

On October 14 and 16, 2025, Council Briefings were held to review the draft Code amendment related to proportionate share.

ANALYSIS

The basis for the proposed Code amendment is outlined in the City's Transportation System Plan (TSP). The TSP includes a list of Key Code and Policy Amendment recommendations for the City to evaluate and consider. The topic of pro-rata share (proportionate share) requirements for traffic signals and roundabouts is one of the listed Code amendments.

The proposed language was developed by Engineering staff and members of the Transportation Commission over the course of several meetings between February 2023 and October 2024. The Planning Commission initiated the amendment in February 2025.

The premise of proportionate share is for a development project to pay a portion of the cost of a required transportation mitigation (such as a traffic signal or roundabout) that is "proportionate" or equivalent to the impact of the development. For example, if a development adds vehicle trips to a four-way stopped controlled intersection and those trips cause the intersection to fall below the City's Level of Service standard then the project is required to mitigate the intersection. The future plan for the intersection is a traffic light, but the added vehicle trips from the development and the overall traffic volumes do not yet warrant a traffic signal to be built. In this case, the project would be responsible to help pay for a "share" or percentage of the cost of the future traffic signal (the development's proportionate share) to the City as mitigation. These funds would be held by the City to construct the future signal or pay the funds to a developer when the traffic signal is warranted.



AGENDA ITEM COMMENTARY

The proposal adds new language to Chapter 10 to address transportation impacts caused by a project such as the scenario described above. There are four subsections in the new Code section that have been developed including the purpose, applicability, proportionate share calculation, and use of proportionate share funds.

COUNCIL GOALS

Council Goal and Objective: Community Planning and Neighborhood Identity

Strategy: Continue to support and modernize infrastructure throughout the City

Deliverable: None

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Decline to approve the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance as presented.

EXHIBITS

Ordinance

Council Report, including Exhibits A through H

ORDINANCE NO. 2025-102

AN ORDINANCE adding Section 10.462A to the Medford Municipal Code (MMC), as it pertains to transportation infrastructure and proportionate share mitigation (DCA-25-199).

WHEREAS, Medford Municipal Code Section 10.214 designates the City Council as the approving authority for Development Code amendments;

WHEREAS, on October 23, 2025, the Medford Planning Commission approved a continuance of the project to the next public hearing;

WHEREAS, on November 13, 2025, the Medford Planning Commission held a public hearing, to consider the code changes, and made a motion to forward a favorable recommendation to the City Council; and

WHEREAS, on December 3, 2025, the City Council has determined the proposed Development Code Amendment can satisfy the applicable criteria as demonstrated by the Findings and Conclusions included in the Council Report dated November 26, 2025, on file in the Planning Department; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.462A (Proportionate Shares Towards Mitigation) of the Medford Municipal Code is hereby added as follows (language in **bold** font is new; language in ~~strikethrough~~ font is existing law to be repealed; and three asterisks (***) indicate existing language which remains unchanged by this ordinance but was omitted for the sake of brevity):

Section 10.462A Proportionate Share As Mitigation

1. Purpose and Scope

The purpose of this section is to establish a proportionate share methodology that is consistent with Section 10.668 and OAR 660-012-0060 for traffic signals, roundabouts, and other major mitigations under the jurisdiction of the City of Medford, in each case, where a Transportation Impact Analysis requires transportation infrastructure improvements towards mitigation for development projects.

2. Applicability

- a. This section only applies to traffic impacts studied in a Transportation Impact Analysis (TIA), completed in accordance with MLDC 10.461. These regulations are applicable only to transportation facilities under the jurisdiction of the City of Medford. Applicants are responsible for**

coordinating with other jurisdictions or applicable agencies that control a transportation facility being impacted by a proposed project to identify acceptable mitigation for those facilities.

- b. Proportionate share payments shall be allowed as mitigation for a failing intersection when a TIA finds that an intersection requires mitigation in the future condition with project traffic and the mitigation is one or more of the following:**
 - i. A new signal or roundabout but preliminary signal warrants are not met under current volumes with project traffic.**
 - ii. A Major Mitigation, as defined herein.**
- c. Proportionate share payments shall not be allowed towards mitigation when the mitigation is:**
 - i. A new signal or roundabout where preliminary signal warrants are met under background traffic plus project traffic in the current year;**
 - ii. A Minor Mitigation, as defined herein;**
 - iii. A mitigation that addresses a safety concern identified in the TIA that justifies construction of the improvement, such as a documented crash history or other circumstances identified by the developer's traffic engineer or the Public Works Director, or designee;**
- d. When a developer constructs a mitigation under Section 2.c, they are still eligible for reimbursement payments, if applicable, in accordance with Section 4.d.**
- e. If an interim mitigation is identified that meets requirements of Sections 10.461 and 10.462 but is not consistent with the planned improvements in the City's Transportation System Plan, then the City may allow a proportionate share payment toward the planned improvement or require the interim mitigation to be built by the developer as an interim improvement.**
- f. For purposes of this Section 10.462A:**
 - i. "Major Mitigation" means mitigation identified in the TIA including but not limited to:**

- a. Relocation of existing signal poles and/or cabinets;
 - b. Any mitigation that requires the acquisition of right-of-way outside the control of the developer; or
 - c. Subject to 2(g), below, any mitigation determined by the Public Works Director to constitute a Major Mitigation.
 - ii. “Minor Mitigation” means a mitigation identified in the TIA including but not limited to:
 - a. Installation of signage;
 - b. Installation of signal heads on existing signal poles;
 - c. Signal phasing and/or timing changes;
 - d. New turn lanes;
 - e. Installation of medians;
 - f. Any mitigation that does not require the acquisition of right-of-way outside the control of the developer; or
 - g. Subject to 2(g), below, any mitigation determined by the Public Works Director to constitute a Minor Mitigation.
- g. Any determination by the Public Works Director pursuant to Section 2(f)(i)(c) or 2(f)(ii)(g), above, as to whether a mitigation is a “Minor Mitigation” or a “Major Mitigation” will be valid provided it:
 - i. is consistent with mitigation measures previously classified as major or minor, as the case may be, in comparable projects;
 - ii. is based on established engineering principles, technical standards, or transportation planning practices;
 - iii. takes into account the Public Works Director’s professional judgment and experience addressing similar traffic impacts; or
 - iv. is supported by written findings identifying the applicable criteria and explaining the rationale for the determination.
- h. The findings for the land use application will identify how the proportionate share methodology meets the requirements of OAR 660-012-0060. Where required under OAR 660-012-0060, the findings will be accompanied by a statement that the mitigation is reasonably likely to be provided by the end of the planning period.

3. Proportionate Share Calculation

- a. When proportionate share payments are identified as the mitigation, they shall be calculated according to the following formula to ensure rough proportionality between the cost to the developer and the project's impact (Section 10.668),

- i.
$$\text{Proportionate Share Percentage} = \frac{\text{Development Trips}}{\text{Total Future Intersection Trips}} \times 1.5$$

- ii. The minimum proportionate share percentage shall be 5%;
 - iii. Proportionate share percentages shall be rounded to the nearest whole percentage point (X.5 or higher rounds up).

Note: 1.5 times the percentage accounts for the cost of engineering, construction management, contingency, and cost escalation.

- b. The proportionate share amount shall be calculated by multiplying the proportionate share percentage by the estimated cost of the mitigation calculated at the time it is paid.
- c. Notwithstanding Sections 3.a and 3.b, when a proportionate share is allowed under Section 2.e, the proportionate share amount shall be 125% of the total interim mitigation project cost (including design, right-of-way acquisition, and construction).

4. Use of Proportionate Share Funds

- a. Payments shall be rendered prior to issuance of building permits for vertical construction or final plat approval. This does not apply to developer tracts or reserve acreage.
- b. The cost of the improvement shall be based on the City Engineer's estimate, the developer's engineer's estimate approved by the City, or the actual construction cost if built by others prior to the payment being made.
- c. Once a proportionate share payment is applied as a condition of approval on a land use decision, it shall not be eligible for removal until it is paid. Completion of the project by others does not release the obligation to pay the proportionate share.
- d. The City shall collect proportionate share payments and hold them in an interest-bearing account designated for the mitigation of the

specific intersection for which the payment was collected. The City shall only use the money to:

- i. Fully or partially fund a City initiated project to build the identified mitigation at that specific intersection, or**
 - ii. Make payment to a developer, or multiple developers, after the identified mitigation at that intersection is constructed by said developer(s). The developer(s) shall enter into a development agreement with the City that details the specifics of the proportionate share payments and each party's obligations prior to starting construction. The developer(s) shall be required to submit to the City all documentation of the cost of construction reasonably requested by the City (including, but not limited to) bid documents, invoices, and proof of payment for said invoices).**
- e. Proportionate shares may be refunded to the entity that originally paid the proportionate share if:**
 - i. It is determined that a proportionate share was overpaid once the actual construction cost is known, or**
 - ii. A later city approved TIA demonstrates an improvement is no longer required within the planning horizon.**
- f. If a proportionate share payment refund is due under Section 4.e and the entity that originally paid the proportionate share has dissolved or cannot be located, then the City may reassign the funds to other intersections where improvements are underfunded.**
- g. If a proportionate share payment refund is due under Section 4.e, then any interest accrued shall not be eligible for reimbursement. Interest accrued shall be reassigned to other intersections where improvements are underfunded.**
- h. When a proportionate share is paid after construction is complete, the proportionate share payment shall be based on the actual construction costs and be made to the City. If any third parties are entitled to payment, the City shall make payment to those parties according to the following criteria:**
 - i. If the required mitigation was fully funded and built by a third party (not counting any proportionate shares paid prior to construction completion), then the third party shall be entitled**

to 100% of any proportionate share payments made after construction.

- ii. If the required mitigation is constructed by the City, then the City shall retain 100% of any proportionate share payments made after construction.**
- iii. If the required mitigation was partially funded and constructed by a developer through a development agreement with the City, then the parties shall receive payment as defined in said development agreement.**

PASSED by the Council and signed by me in authentication of its passage this 3rd day of December 2025.

ATTEST: _____
City Recorder

Mayor Michael Zarosinski

APPROVED December 3, 2025

Mayor Michael Zarosinski

COUNCIL REPORT

for a Type IV Legislative Land Use decision: **Development Code Amendment**

Project Proportionate Share Code Amendment
File no. DCA-25-199
To Mayor and Council *for 12/3/2025*
From Carla Angeli Paladino, Principal Planner
Reviewer Michelle King, Planning Director
 Dan Worth, Public Works Director
Date November 26, 2025

BACKGROUND

Proposal

A legislative code amendment to add provisions to Chapter 10 of the Municipal Code related to proportionate share for transportation improvements. **See Exhibit A**

History

The Transportation System Plan (TSP) outlines goals, policies and implementation strategies to improve the City's transportation network. Improvements are in the form of physical changes or upgrades to streets and intersections and through programs and policy changes that ensure orderly development and appropriate regulations to guide projects. Since adoption of the plan in 2018, staff have been working on and proposing changes based on the topics listed under the key code and policy amendments section of the TSP. This proposed code amendment is one of the listed topics for consideration.

Engineering staff led the discussion and development of the proportionate share methodology and code language with the Transportation Commission members starting in February 2023 and concluding in October 2024. The code language was developed based on that initial work. The Planning Commission initiated the amendment in February 2025. The Transportation Commission recommended approval of the proposal in May 2025 with changes that related to reimbursements (Section 10.462A(2)(d)). The Planning Commission had a follow up study session in June 2025, and Council reviewed the amendments during Council Briefing sessions in October 2025.

Authority

This proposal is a Type IV legislative land use action to amend 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 §§10.214 and 10.218.

ANALYSIS

The proposal adds new language to Chapter 10 to address transportation impacts caused by a project. There are four subsections in the new code section that have been developed including the purpose, applicability, proportionate share calculation, and use of proportionate share funds.

The purpose subsection outlines what the goal of the entire section is aiming to address which is to support the goal of making development pay its fair share of traffic impacts that it causes. These provisions apply to transportation facilities under the jurisdiction of the City of Medford and when a transportation impact analysis indicates mitigation is needed for the proposed development.

The applicability section reiterates when these regulations apply. It makes a distinction between what types of improvements can use proportionate share payments as mitigation (e.g. new signal or roundabout when warrants are *not* met or a major mitigation as defined) versus examples of mitigation that are not allowed to use proportionate share payments (e.g. new signal or roundabout when warrants *are* met, a minor mitigation as defined, or to mitigate a safety concern). This section defines new terms including major mitigation and minor mitigation.

The calculation section provides the formula used to calculate the percentage to be paid including establishing a 5 percent minimum. The identified percentage is then multiplied by the estimated cost of the mitigation to determine the payment. In some cases, the proportionate share amount will be 125 percent of the total interim mitigation project cost.

The last section details when payment is required, how the cost of improvements are calculated, and how payment works as a condition of approval. Payments collected will be held in an interest-bearing account designated for the specific facility it was collected for. The money can only be used to fully or partially fund a City initiated project at the specific facility or pay a developer or multiple developers after the identified mitigation is constructed by said developer. An agreement will be executed between the developer and City that details the payments and obligations prior to construction. Documentation showing cost of the project including bid documents and invoices will be required. The section also discusses how payment refunds work

if applicable. Refunds not able to be tracked back to the original payor or entity will be reassigned to other transportation facilities where improvements are underfunded. Interest accrued in the accounts is not an eligible reimbursement and will put towards other intersection projects.

These code additions help to establish a process that both staff and the development community can use to offset impacts created with developments and help to fund the transportation improvements needed.

PLANNING COMMISSION – OCTOBER 23, 2025

Staff requested a continuance of the October 23, 2025, hearing (**See Exhibit G**) until November 13, 2025, to provide additional time to coordinate with ODOT on proposed language changes made the day of the hearing in response to ODOT concerns.

Background

ODOT staff submitted a letter into the record on October 10, 2025, (**See Exhibit D**) providing some general feedback about the proposed amendment and its relationship to Oregon Administrative Rule (OAR) 660-012-0060 (2). In response, City staff evaluated the code changes and made modifications to relate the proposal to the OAR (Exhibit A to October 23, 2025, staff report). Legal staff also assisted with providing findings in the staff report to substantiate the proposal (language under criterion 10.218(2)(b)).

Late afternoon on October 21, 2025, staff received correspondence from ODOT staff with concerns/questions about the findings in the report. Early the next day on October 22, 2025, Planning staff responded back indicating the findings were written by Legal staff and that a conference call to discuss the issues would be best.

Midday on October 23, 2025, ODOT staff and City staff (Planning, Engineering, and Legal) met to discuss the code amendment. Following the meeting, the draft language was sent to ODOT for them to provide some suggested changes. ODOT staff sent back proposed revisions later that day and City staff made revisions. This version of the amendment was handed out to the Planning Commission prior to the hearing. City staff decided the changes needed more discussion internally and a continuance was requested.

ODOT and Planning staff communicated on October 24, 2025, noted that a continuance was requested the night before and staff were still evaluating the edits proposed by ODOT the previous day.

On October 27, 2025, City staff sent ODOT staff the amended language for their review.

ODOT responded back on November 3, 2025, with additional questions. Staff responded to the questions and indicated we would proceed with the amendment as amended by City staff.

PLANNING COMMISSION RECOMMENDATION – NOVEMBER 13, 2025

The Planning Commission heard the proposal at their November 13, 2025, hearing (**See Exhibit H for except draft minutes**). The Commission voted 7-1 to forward a favorable recommendation to the City Council. The dissenting vote was from Commissioner McKechnie. He raised questions about the multiplier in the proportionate share calculation. He thinks it should be 1.25 times rather than 1.5 times. Commissioner McKechnie also asked if the requirement could be paid prior to Certificate of Occupancy (C of O) for building permit projects rather than at building permit issuance. Karl MacNair responded to the 1.5 times calculation indicating that this factors in the cost of engineering, construction management and cost escalation. Doug Burroughs from Engineering responded that the C o O process is administered by the Building Safety Department and relates to substantial completion of the building. If the building is at that stage, Building Safety will issue the certificate. It is harder to hold a project up because the final payment conditions have not been made. Engineering is not in favor of revising when the payment is accepted. Legal staff concurred with Engineering's rationale for when to accept payment.

No public testimony was received.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics, findings and conclusions in roman type.

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

10.218 (1). Explanation of the public benefit of the amendment.

Findings

Code amendments are intended to streamline, clarify, and outline provisions for the approval and construction of projects within the community. The Transportation System Plan noted a list of key code changes for staff to work on which included looking at provisions related to proportionate share.

Proportionate share means that a development project is required to pay a portion of the cost for a required mitigation that is "proportionate" or equivalent to the impact of the development. For example, new traffic generated by a development reaches a stop-controlled intersection that fails to meet the level of service standard. The project is required to mitigate the intersection. The Transportation System Plan indicates the intersection is planned to be a traffic signal in the future, but the traffic volumes do not yet warrant a signal. In this case, development would be required to pay a specific percentage of the cost of

a traffic signal (the development's proportionate share) to the City as mitigation. The City holds the money and either uses it to construct the future signal when warranted, or pay the funds to the developer who builds the signal when warranted.

Proportionate share provisions help address the issue of developments being held up for small impacts to failing intersections where expensive mitigations are needed. They are also necessary tools to maintain rough proportionality between the impacts of a development and the cost of mitigation, as required by *Dolan v City of Tigard*.

Medford only requires mitigation at locations that do not have a funded (tier 1) project in the TSP. If the TSP shows that the project is funded, then development is not required to mitigate the intersection. The proportionate share methodology proposed in the amendment will only be applied to intersections where the City does not have a project planned to be funded in the TSP.

Additional considerations relating to proportionate shares include:

- Traffic signals, roundabouts, and major intersection modifications are typically more expensive than other required improvements, so there is a greater benefit to sharing this cost amongst multiple developments.
- The City cannot require mitigation until it is shown that a transportation facility is not adequate for the projected future developed condition. Once a facility is shown to not be adequate, the City must place conditions on the development to mitigate the identified facility per state laws and the municipal code.
- There are two different standards for testing facility adequacy and meeting signal warrants. Testing facility adequacy and the need for mitigation typically occurs first, which results in a "catch22" scenario for a period of time where mitigation is required but a signal is not yet warranted.
- The City collects System Development Charges (SDC) for improvements that add capacity. However, signals and roundabouts are not considered capacity adding improvements, they are for safety and orderly movement of traffic through an intersection. Part of a project may be SDC creditable, but the signal or roundabout itself is not.

Conclusions

Satisfied. The amendment addresses an important development tool that is not currently identified in the City's code. The new language will provide staff and the applicant with a methodology and process to follow related to transportation mitigation. The language provides a path for developments to proceed and appropriately mitigate any necessary impacts the project will have on the City's transportation system. This criterion is satisfied.

10.218 (2). The justification for the amendment with respect to the following factors:

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

Findings

The Transportation System Plan is a part of the Comprehensive Plan. It contains specific goals and policies as well as direction on key amendments to pursue.

Transportation System Plan

Key Code and Policy Amendments: *Modify the Municipal Code related to pro-rata share requirements for traffic signals and roundabouts*

The Transportation System Plan identifies this specific amendment to be addressed in the City's Development Code. Engineering staff worked closely with the Transportation Commission to develop the draft language and refine it.

The Development Code does not currently address proportionate share (pro-rata) provisions related to development proposals and impacts on traffic signals and roundabouts. Language to guide how mitigation is handled at the time of development is needed and will provide clearer direction to staff and the applicant about what is expected.

Conclusions

Satisfied. The proposal is found to be consistent with the identified key code and policy changes related to proportionate share (prorate share) as outlined in the Transportation System Plan, a document contained within the Comprehensive Plan. This criterion is satisfied.

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

Findings

The proposal was submitted to the Department of Land Conservation and Development (DLCD) on June 18, 2025, per applicable state administrative rule (660-018-0020) requirements. No comments from DLCD have been received to date.

In addition, the code changes were distributed to applicable internal and external referral agencies to provide comments and input for the record. A Land Development committee meeting was held Wednesday, September 17, 2025, to discuss the amendment and receive feedback. Official no comment memorandums or emails were received from Building Safety, Public Works Engineering, and Medford Water.

Comments were received from the Oregon Department of Transportation (ODOT) regarding the proposed language in relationship to Oregon Administrative Rule (OAR) 660-012-0060(2) (**See Exhibits D and E**) (Exhibit E is only a link). Though the comments did not explicitly state the proposed changes are in conflict with the Transportation Planning Rule, our State partners were pointing out the applicable rules related to project impacts on a local system and a jurisdiction's requirements to make findings and apply solutions that ensure any allowed land use is consistent with adopted performance standards for the facility being evaluated. OAR 660-012-0060 outlines a number of options that a jurisdiction can use to help solve for identified impacts depending on the project being proposed.

Additional correspondence with ODOT staff has occurred since the original email was received (see Analysis section above for timeline).

City Legal staff provided the following findings in addition to a written memo (**See Exhibit F**). The City concludes that the proposed code amendment is in line with the OAR provision cited above. The proportionate share is a measure or funding method explicitly allowed under OAR 660-012-0060(2) to achieve consistency with performance measures. As long as the proportionate share funding mechanism ensures the resulting improvement is delivered by the end of the planning period (as required for any mitigation mechanism under OAR 660-012-0060) and satisfies the *Nollan-Dolan* essential nexus and rough proportionality standards applicable to all development exactions, the code amendment serves to implement the TPR requirement for mitigation.

The code language is consistent with OAR 660-012-0060 (2) because proportionate shares constitute a form of mitigation (funding for future physical improvements) and is strongly supported by the detailed provisions of the Oregon Administrative Rules (OAR) and the purpose statements within the proposed amendment language.

OAR 660-012-0060 is part of Oregon's Transportation Planning Rule. When a local government determines that a land use action (such as an amendment

or development) will significantly affect an existing or planned transportation facility, OAR 660-012-0060(2) mandates that the local government must ensure that allowed land uses are consistent with the facility's performance standards (Mobility Targets/Level of Service (LOS)) through one or a combination of specified remedies. The argument that proportionate shares satisfy this requirement is supported by the following provisions of Oregon law.

1. Proportionate Shares as an Explicit Mitigation Tool under OAR 660-012-0060 (2).

The TPR explicitly authorizes mechanisms other than immediate physical construction to meet the mitigation requirement:

- OAR 660-012-0060(2)(d) allows for mitigation through *"Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements"*.
- ✓ The "proportionate shares" mechanism established in the amendment (Section 10.462A) is precisely a "similar funding method" imposed as a "condition of development".
- OAR 660-012-0060(2)(b) permits *"Amending the TSP or comprehensive plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses... Such amendments shall include a funding plan or mechanism..."*.
- ✓ Since the goal of the amendment is to collect funds specifically to "Fully or partially fund a City initiated project to build the identified mitigation at that specific intersection", it functions as the required "funding mechanism" for transportation improvements necessary to maintain consistency with performance standards.

2. Statutory Authority for Mitigation through Conditions

The amendment specifically applies when a Transportation Impact Analysis (TIA) requires improvements because the TIA identifies that the development impacts a failing intersection or causes an intersection to fail to meet the Mobility Target.

- Section 10.461(5)(s) and Section 10.462(1)) recognize that if Level of Service (LOS) is determined to be below the Mobility Target, mitigation measures are required, and these measures may include stipulations and/or construction of necessary transportation improvements.
- The goal of the amendment is to establish a methodology for major mitigations (like traffic signals or roundabouts) "where a Transportation

Impact Analysis requires transportation infrastructure improvements as mitigation for development projects".

- If the required mitigation is complex (such as a Major Mitigation or an improvement where signal warrants are not yet met by current volumes), providing a proportionate share payment allows the City to collect funds necessary to eventually construct the improvement that will achieve the required LOS.

3. Compliance with Constitutional Exactions Mandates

The structure of the proportionate share payment as a fee dedicated to future physical improvements aligns with the requirements for legal exactions in Oregon, which are implicitly necessary for mitigation measures imposed under the TPR.

- The purpose of the amendment is explicitly to ensure "that the cost to the developer is roughly proportional to the impact of the project".
- Section 10.668 requires that any condition forcing a developer to dedicate land or provide public improvements (an exaction) must show an essential nexus and rough proportionality.
- The proportionate share payments are held in an *"interest-bearing account designated for the improvement of the specific intersection for which the payment was collected"*. This dedication ensures the collected funds maintain the essential nexus by addressing the specific transportation impact caused by the development.

By defining the payment as the necessary mitigation toward a future physical improvement, the amendment operates within the legal framework of OAR 660-012-0060(2)(d), allowing the government to secure funding for major infrastructure necessary to maintain performance standards, rather than forcing a single developer to construct a facility prematurely or in its entirety.

Conclusion

Satisfied. Staff have informed the state and applicable referral agencies about the proposal. Three internal agencies including Building Safety, Public Works Engineering, and Medford Water have responded with no comments for the record. Comments from the Oregon Department of Transportation were received and addressed in the findings above. Changes were also made to the draft language in response to ODOT's comments and suggested language. This criterion is satisfied.

(c) Public comments.

Findings

The code amendment was emailed on October 10, 2025, to the interested party group who represent consultants, developers, and residents kept apprised of code changes. No comments have been received to date.

The Transportation Commission worked on the code amendment language over four meetings starting in February 2023, and then in April 2024, July 2024, and October 2024.

The Planning Commission held an initial study session on the topic on February 10, 2025, and formally initiated the amendment on February 27, 2025. A second study session was held on June 9, 2025. The minutes of the study sessions are attached (**See Exhibits B and C**). No members of the public were present at the study session. The City Council held briefings on the matter on October 14 and 16, 2025.

The project included public hearings in October (which was continued), November, and December. Additional comments may be received prior to or during the hearings.

Conclusions

Satisfied. The proposal has been distributed for input. The language was developed with input from the Transportation Commission. Discussions regarding the amendment were held with the Planning Commission and City Council. The public hearing process also provides an opportunity for public comment. This criterion is satisfied.

(d) Applicable governmental agreements.

Findings

The proposal is not known to affect any governmental agreements that are in place.

Conclusions

Not Applicable. No governmental agreements are known to be impacted by the proposed changes. This criterion is not applicable.

RECOMMENDED ACTION

The Planning Commission voted 7-1 to forward a favorable recommendation of the development code amendment based on the Findings and Conclusions that all the approval criteria are either met or not applicable, per the Council Report dated November 26, 2025, including all exhibits.

EXHIBITS

- A Proposed amendment, October 27, 2025, draft
- B Planning Commission Study Session Minutes, February 10, 2025
- C Planning Commission Study Session Minutes, June 9, 2025
- D Oregon Department of Transportation email comments, October 10, 2025
- E [OAR 660-012-0060](#) (link only)
- F City Legal Memo
- G Planning Commission Hearing Minutes, October 23, 2025
- H Planning Commission Hearing Minutes, November 13, 2025, excerpt draft

CITY COUNCIL AGENDA: DECEMBER 3, 2025

Section 10.462A Proportionate Shares As Mitigation

1. Purpose and Scope

The purpose of this section is to establish a proportionate share methodology that is consistent with Section 10.668 and OAR 660-012-0060 for traffic signals, roundabouts, and other major mitigations under the jurisdiction of the City of Medford, in each case, where a Transportation Impact Analysis requires transportation infrastructure improvements as mitigation for development projects.

2. Applicability

- a. This section only applies to traffic impacts studied in a Transportation Impact Analysis (TIA), completed in accordance with MLDC 10.461. These regulations are applicable only to transportation facilities under the jurisdiction of the City of Medford. Applicants are responsible for coordinating with other jurisdictions or applicable agencies that control a transportation facility being impacted by a proposed project to identify acceptable mitigation for those facilities.
- b. Proportionate share payments shall be allowed as mitigation for a failing intersection when a TIA finds that an intersection requires mitigation in the future condition with project traffic and the mitigation is one or more of the following:
 - i. A new signal or roundabout but preliminary signal warrants are not met under current volumes with project traffic.
 - ii. A Major Mitigation, as defined herein.
- c. Proportionate share payments shall not be allowed as mitigation when the mitigation is:
 - i. A new signal or roundabout where preliminary signal warrants are met under background traffic plus project traffic in the current year;
 - ii. A Minor Mitigation, as defined herein;
 - iii. A mitigation that addresses a safety concern identified in the TIA that justifies construction of the improvement, such as a documented crash history or other circumstances identified by the developer's traffic engineer or the Public Works Director, or designee;

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- d. When a developer constructs a mitigation under Section 2.c, they are still eligible for reimbursement payments, if applicable, in accordance with Section 4.d.
- e. If an interim mitigation is identified that meets requirements of Sections 10.461 and 10.462 but is not consistent with the planned improvements in the City's Transportation System Plan, then the City may allow a proportionate share payment toward the planned improvement or require the interim mitigation to be built by the developer as an interim improvement.
- f. For purposes of this Section 10.462A:
 - i. "Major Mitigation" means mitigation identified in the TIA including but not limited to:
 - a. Relocation of existing signal poles and/or cabinets;
 - b. Any mitigation that requires the acquisition of right-of-way outside the control of the developer; or
 - c. Subject to 2(g), below, any mitigation determined by the Public Works Director to constitute a Major Mitigation.
 - ii. "Minor Mitigation" means a mitigation identified in the TIA including but not limited to:
 - a. Installation of signage;
 - b. Installation of signal heads on existing signal poles;
 - c. Signal phasing and/or timing changes;
 - d. New turn lanes;
 - e. Installation of medians;
 - f. Any mitigation that does not require the acquisition of right-of-way outside the control of the developer; or
 - g. Subject to 2(g), below, any mitigation determined by the Public Works Director to constitute a Minor Mitigation.
- g. Any determination by the Public Works Director pursuant to Section 2(f)(i)(c) or 2(f)(ii)(g), above, as to whether a mitigation is a "Minor Mitigation" or a "Major Mitigation" will be valid provided it:

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- i. is consistent with mitigation measures previously classified as major or minor, as the case may be, in comparable projects;
 - ii. is based on established engineering principles, technical standards, or transportation planning practices;
 - iii. takes into account the Public Works Director's professional judgment and experience addressing similar traffic impacts; or
 - iv. is supported by written findings identifying the applicable criteria and explaining the rationale for the determination.
- h. The findings for the land use application will identify how the proportionate share methodology meets the requirements of OAR 660-012-0060. Where required under OAR 660-012-0060, the findings will be accompanied by a statement that the mitigation is reasonably likely to be provided by the end of the planning period.

3. Proportionate Share Calculation

- a. When proportionate share payments are identified as the mitigation, they shall be calculated according to the following formula to ensure rough proportionality between the cost to the developer and the project's impact (Section 10.668),

- i.
$$\text{Proportionate Share Percentage} = \frac{\text{Development Trips}}{\text{Total Future Intersection Trips}} \times 1.5$$

- ii. The minimum proportionate share percentage shall be 5%;
 - iii. Proportionate share percentages shall be rounded to the nearest whole percentage point (X.5 or higher rounds up).

Note: 1.5 times the percentage accounts for the cost of engineering, construction management, contingency, and cost escalation.

- b. The proportionate share amount shall be calculated by multiplying the proportionate share percentage by the estimated cost of the mitigation calculated at the time it is paid.
 - c. Notwithstanding Sections 3.a and 3.b, when a proportionate share is allowed under Section 2.e, the proportionate share amount shall be 125% of the total

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interim mitigation project cost (including design, right-of-way acquisition, and construction).

4. Use of Proportionate Share Funds

- a. Payments shall be rendered prior to issuance of building permits for vertical construction or final plat approval. This does not apply to developer tracts or reserve acreage.
- b. The cost of the improvement shall be based on the City Engineer's estimate, the developer's engineer's estimate approved by the City, or the actual construction cost if built by others prior to the payment being made.
- c. Once a proportionate share payment is applied as a condition of approval on a land use decision, it shall not be eligible for removal until it is paid. Completion of the project by others does not release the obligation to pay the proportionate share.
- d. The City shall collect proportionate share payments and hold them in an interest-bearing account designated for the mitigation of the specific intersection for which the payment was collected. The City shall only use the money to:
 - i. Fully or partially fund a City initiated project to build the identified mitigation at that specific intersection, or
 - ii. Make payment to a developer, or multiple developers, after the identified mitigation at that intersection is constructed by said developer(s). The developer(s) shall enter into a development agreement with the City that details the specifics of the proportionate share payments and each party's obligations prior to starting construction. The developer(s) shall be required to submit to the City all documentation of the cost of construction reasonably requested by the City(including, but not limited to) bid documents, invoices, and proof of payment for said invoices).
- e. Proportionate shares may be refunded to the entity that originally paid the proportionate share if:
 - i. If it is determined that a proportionate share was overpaid once the actual construction cost is known, or

- ii. A later city approved TIA demonstrates an improvement is no longer required within the planning horizon.
- f. If a proportionate share payment refund is due under Section 4.e and the entity that originally paid the proportionate share has dissolved or cannot be located, then the City may reassign the funds to other intersections where improvements are underfunded.
- g. If a proportionate share payment refund is due under Section 4.e, then any interest accrued shall not be eligible for reimbursement. Interest accrued shall be reassigned to other intersections where improvements are underfunded.
- h. When a proportionate share is paid after construction is complete, the proportionate share payment shall be based on the actual construction costs and be made to the City. If any third parties are entitled to payment, the City shall make payment to those parties according to the following criteria:
 - i. If the required mitigation was fully funded and built by a third party (not counting any proportionate shares paid prior to construction completion), then the third party shall be entitled to 100% of any proportionate share payments made after construction.
 - ii. If the required mitigation is constructed by the City, then the City shall retain 100% of any proportionate share payments made after construction.
 - iii. If the required mitigation was partially funded and constructed by a developer through a development agreement with the City, then the parties shall receive payment as defined in said development agreement.

PLANNING COMMISSION STUDY SESSION MINUTES



February 10, 2025

12:00 p.m.

Virtual via Zoom and In-Person

The regular study session of the Planning Commission was called to order at 12:00 p.m. via Zoom and an In-Person meeting on the above date with the following members and staff present:

Acting Chair David Culbertson, Rachel Bennett, Jared Pulver, Jeff Thomas and Jim Wallan; Interim Planning Director/Principal Planner, Carla Paladino, Assistant Planning Director, Kelly Akin, City Attorney, Eric Mitton and Transportation Manager, Karl McNair. Chair Mark McKechnie, Commissioners EJ McManus, Larry Beskow, Brad Bennington and Recording Secretary Kali Ochoa were absent.

20.1 Transportation Proportionate Shares as Mitigation Code Amendment:

Carla Paladino, Interim Planning Director, introduced Karl McNair, Transportation Manager, to go over a request for a code amendment.

Mr. McNair provided a brief explanation and some history of why they are requesting the code amendment. He went on to explain, the Oregon Supreme Court case *Dolan v City of Tigard* requires the mitigation cost be roughly proportional to the impacts of development. It was also explained that in 2018 when the Medford Transportation System Plan (TSP) was adopted, it directed staff to Modify the Municipal Code related to pro-rata shares for traffic signals and roundabouts. Currently, the code does not specify how to manage traffic signals and roundabouts, which are the most expensive traffic mitigation, that are required of developments. Mr. McNair explained, because of the large financial burden, often projects are stalled due to this requirement.

Since adopting the TSP in 2018, they have been allowing for the pro-rata shares, using the requirement of *Dolan v City of Tigard* requirement, but it has been negotiated on a “project by project basis”, because there has not been any clear guidance on how to do this. Mr. McNair explained there were not a lot of developments that came in between 2018 – 2023, once those started to come in, the Transportation Commission began discussions throughout 2023 and 2024. During this time, staff, developer agents, and a Transportation Commission subcommittee worked to refine the proposal.

Mr. McNair went on to explain the proposed methodology. He explained the proportionate share calculations are fairer than what we currently have but will be collected over time to assist when a developer comes in, we have some funds already collected. Mr. McNair further explained there are some instances where full mitigation is required and provided some examples. The development will still build mitigation, it will not all fall on the City. He explained there are different tier’s that are identified in the TSP that will define who will be affected.

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Acting Chair Culbertson inquired how pre-existing will be factored into the new code modification. Mr. McNair explained the pre-existing agreement would still need to meet what was originally agreed upon, but they will have the opportunity to come back and request their conditions to be reviewed. Commissioner Bennett inquired if the pre-existing projects will be notified and allowed to have their conditions reviewed. Carla Paladino explained they have an email list that consists of surveying, land consultants, etc. that we send a notification about new proposed code amendments. Although it is not direct contact, it is sent out to help get the word out.

Mr. McNair stated it would be the responsibility of the City to collect and track proportionate share payments. He also informed the Commissioners the City would pay any collected funds to a developer who builds the specific improvements for which the specific funds were collected. Mr. McNair requested the Planning Commission to consider initiating the code amendment at the February 27, 2025, Planning Commission meeting.

Ms. Paladino inquired if the funding will be per signal, so the funding will go into a separate account, or one big account? Mr. McNair explained it would be itemized by per signal.

20.2 Transportation Safety Action Plan (TSAP) Project Overview and Initial Input:

Ms. Paladino introduced Mr. McNair to over the new Transportation Safety Action Plan (TSAP) getting started.

Mr. McNair provided the Commissioners with a brief explanation of a project the Transportation Department is in the preliminary stages of. This project is being funded by a federal grant called "Safe Streets For All". The Grant aims to make travel safer and more accessible for all residents. One of the key foundations of the Safe Streets For All grant funding TSAP is called the Safe System Approach, which would change the way we have looked at traffic safety in the past. He went on to explain the Safe System Approach, which requires rather than looking at all crashes, we would focus on fatal and serious injury crashes. This would allow us to look at how to avoid or having life changing injuries on the transportation system. Mr. McNair reiterated this is still in the preliminary stages and are reviewing all the crash data available.

Mr. McNair provided the timeline of this project, including explaining we have a website and a survey that will be available soon, but the purpose is to notify the Commission about what is coming. Ms. Paladino inquired if Mr. McNair would like the Commissioners to answer the questions in their memo. Mr. McNair stated they can answer them now and he can take notes or provide the information later. Commissioner Bennett stated she would like them to look at sidewalks as well to help with accessibility.

There being no further business, this study session adjourned at 12:35 p.m.

**Planning Commission Study Session Minutes
February 10, 2025**

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.



Kali Ochoa
Recording Secretary

PLANNING COMMISSION STUDY SESSION MINUTES



June 9, 2025

12:00 p.m.

Virtual via Zoom and In-Person

The regular study session of the Planning Commission was called to order at 12:02 p.m. via Zoom and an In-Person meeting on the above date with the following members and staff present:

Chair Mark McKechnie, Vice Chair David Culbertson, Commissioners Larry Beskow, Jeff Thomas, Principal Planner Carla Paladino, Assistant Planning Director Kelly Akin, Deputy City Attorney Allan Moreland, Transportation Manager Karl MacNair and Recording Secretary Kali Ochoa. Commissioners Rachel Bennett, Brad Bennington, Jared Pulver, EJ McManus, and Jim Wallan were absent.

20.1 Karl MacNair – Proportionate Share Amendment:

Carla Paladino, Principal Planner, introduced Karl MacNair, Transportation Manager, to present draft code updates made to the Proportionate Share code amendment.

Mr. MacNair provided some history of why they are requesting the code amendment, along with a brief explanation of what steps they have taken to put this code amendment together. He went on to explain that the Planning Commission initiated this code amendment and now it is ready for their review before the code amendment goes to a formal hearing.

It was explained that under the Key Code and Policy Amendments in the 2018 TSP, they were directed to "Modify the Municipal Code related to pro-rata share requirements for traffic signals and roundabouts". He further explained, proportionate share is also an important tool to maintain rough proportionality, as required by the Supreme Court in their Dolan vs City of Tigard decision. Rough proportionality ensures developers are not forced to bear excessive costs through Public Works improvements that are not directly attributable to their projects. The Supreme Court requires rough proportionality; however, they do not provide a formula to determine rough proportionality. At this time, it is up to the jurisdictions to show what they are requiring is roughly proportional; therefore, this code amendment will provide an actual formula for Medford for certain types of improvements and situations. He did mention there would be other things that will still need to make rough proportionality finding, but this gives everyone the guidance to what we are working with. Mr. MacNair specified the types of improvements they are referring to are traffic signals, roundabouts, and major modifications to intersections.

Mr. MacNair spent some time going through the steps they took to develop the code amendments. He explained the proposed methodology and stated the proportionate share calculations are fairer than what we currently have. The proportionate share percentage is calculated by taking the number of development trips, divided by the total future intersection trips and then multiplied by 1.5. Mr. MacNair explained the 1.5 figure is to account for engineering, construction management, contingency and cost escalation. He further explained the code amendments including; payment timing requirements, cost estimates,

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payments must be used for the intersection for which they were collected, the condition of approval cannot be removed until it is paid, and payments may be refunded if overpaid or if an improvement is later determined to no longer be required.

Chair McKechnie inquired if after the intersection has been constructed, we find that the intersection costs more than what was originally calculated, does the City eat the additional costs? Mr. MacNair stated, yes, there is not a way for the City to charge more after the calculations have been agreed upon; therefore, if the costs are higher than originally figured, the City will pay the additional costs. Chair McKechnie further inquired about the difference between the two ways to calculate the cost. Mr. MacNair explained the 50% calculation is when you calculate the straight proportionate share calculations, based on traffic volume. But the 125% is used when "interim improvements" are proposed and used.

Allen Moreland, Deputy City Attorney, inquired if in the event a refund is issued, will the refund include interest. Mr. MacNair stated he is not sure. The proposed code language states we will hold the funds in an interest-bearing account, but we should clarify.

Commissioner Beskow inquired if the intersections that are referred to in the TSP or if it can be applied to any intersection the development would affect. Mr. MacNair explained it can apply to any intersection, but in the event it's a high order street there is likely a tier two signal identified in the TSP.

Vice Chair Culbertson suggested changing the proposed code language to reflect holding the monies in a non-interest-bearing account to avoid accounting issues down the road. Mr. MacNair stated the City may want to use the interest to help with the overage costs from the projects that are underfunded. Vice Chair Culbertson further inquired who would determine if an intersection is failing or needs signalization. Mr. MacNair explained there are mobility standards in the code and signal warrants in the MUTCD which are based on volume and crash history. Both these standards are reviewed in a TIA to determine if a signal is needed.

Commissioner Beskow inquired if a right turn lane is a capacity improvement. Mr. MacNair stated a right turn lane could be considered capacity improvement. Commissioner Beskow went on to ask if that would make them eligible for SDC's. Mr. MacNair stated that he does not work directly with SDC's but he believes they would be eligible for SDC's, for additional lanes that truly add capacity. Commissioner Beskow further inquired if once this code amendment is put in place, will this code amendment change the way TIAs for zone changes are worded and/or presented to the Planning Commission. Mr. MacNair stated we will have more clarity which would allow for more consistency. Vice Chair Culbertson inquired if this code amendment falls in line with our "Clear and Objective Standards" in our code. Mr. MacNair stated he feels this will be clearer since the code is currently silent on this.

There being no further business, this study session adjourned at 12:37 p.m.

**Planning Commission Study Session Minutes
June 9, 2025**

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.

A handwritten signature in blue ink, appearing to read 'Kali Ochoa', is written over a horizontal line.

Kali Ochoa
Recording Secretary



Outlook

RE: Proportionate Share Topic - Code Amendment

From HOROWITZ Micah <Micah.HOROWITZ@odot.oregon.gov>
on behalf of
ODOT Region 3 Development Review <R3DevRev@odot.oregon.gov>
Date Fri 10/10/2025 3:46 PM
To Carla G. Paladino <Carla.Paladino@cityofmedford.org>
Cc BROOKS Aaron G <Aaron.G.BROOKS@odot.oregon.gov>; BAKER Michael <Michael.BAKER@odot.oregon.gov>

***WARNING! External Email. Do not** click unrecognized links or attachments. **When in doubt, use the Phish Alert Button**

Hi Carla, thank you for sending this amendment over for comment.

While I don't see anything that contradicts TPR, I would like to reiterate that proportionate share mitigation is generally not permitted under 660-012-0060 (2). If TIA identifies mitigation, and the City makes a Goal 12 finding of significant effect, funding for the full project must be identified – even if the applicant/developer will only be responsible for a proportionate share.

https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=0mvQIBY21d-2xROkUG674gPOKbHVnjgK7gbvNKqz2Fdp_HIX4tiw!1367815784?ruleVrsnRsn=292996

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the performance standards of the facility measured or projected at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in subsections (a) through (e) below, unless the amendment meets the balancing test in subsection (e) or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

Please let me know if you would like to discuss in more detail.

Best regards,
Micah

Micah Horowitz | Development Review Planner
ODOT Region 3 | Southwest Oregon (Coos, Curry, Douglas, Jackson & Josephine Counties)
c: 541.603.8431 | e: micah.horowitz@odot.oregon.gov

MEMORANDUM

This memorandum explains how the Final Draft Proportionate Share Code Language, Land Development Code Section 10.462A (dated October 27, 2025) (“LDC Section 10.462A,” or the “Amendment”), is designed to comply with both Medford Municipal Code (MMC) Section 10.668 (Limitation of Exactions) and the Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule, or TPR).

I. Compliance with MMC 10.668: Essential Nexus and Rough Proportionality

MMC Section 10.668 sets the standard for all exactions required by the City, ensuring that applicants are not required to dedicate land or provide public improvements unless two key standards are met: *essential nexus* and *rough proportionality*.

The Amendment explicitly incorporates and satisfies this mandatory requirement:

1. Stated Purpose (Consistency with MMC 10.668):

The purpose of LDC Section 10.462A is to establish a proportionate share methodology that is consistent with Section 10.668. This consistency ensures that any fee collected as a proportionate share payment adheres to the legal requirements governing exactions.

2. Essential Nexus (Linking Mitigation to Impact):

- A proportionate share payment is only applicable when a Transportation Impact Analysis (TIA) finds that an intersection requires transportation infrastructure improvements as mitigation for development projects. The TIA is completed in accordance with MLDC 10.461.
- The requirement for a TIA and a finding of impact serves to establish the essential nexus by confirming that the development causes the adverse impact necessitating the improvement (mitigation for a "failing intersection" in the future condition with project traffic). Furthermore, TIA analysis must evaluate impacts considered a “significant effect” in accordance with OAR 660-012-060.

3. Rough Proportionality (Fair Calculation of Cost):

- The core calculation methodology in Section 3 states that proportionate share payments "shall be calculated according to the following formula to ensure rough proportionality between the cost to the developer and the project's impact (Section 10.668)".
- The calculation mechanism itself involves multiplying the proportionate share percentage by the estimated cost of the mitigation calculated at the time it is paid. This

structured calculation ensures that the fee amount is commensurate with the quantifiable impact generated by the individual project, thereby satisfying the rough proportionality standard mandated by MMC 10.668.

II. Compliance with OAR 660-012-0060: Reasonably Likely to Be Provided

OAR 660-012-0060 governs plan and land use regulation amendments that significantly affect transportation facilities (Transportation Planning Rule, or TPR). Crucially, for development mitigation to comply with state requirements, findings must demonstrate that the mitigation is reasonably likely to be provided by the end of the planning period.

The Amendment ensures compliance with OAR 660-012-0060 through explicit incorporation and mandatory findings:

1. Stated Purpose (Direct Reference to TPR):

- The purpose clause (Section 1) states that LDC 10.462A is established to be consistent with OAR 660-012-0060.
- The purpose further requires that the proportionate share methodology applies only when the resulting mitigation will be provided by the end of the planning period.

2. Mandatory Findings for TPR Compliance:

LDC 10.462A(2)(h) explicitly links the use of proportionate share payments to this state requirement: "Proportionate share shall be applicable as a funding mechanism towards TPR compliance when the City finds that it is reasonably likely to fund measures that will meet the performance standard by the end of the planning period. (OAR 660-012-0060)".

- This section mandates that the findings made as part of the land use action must identify how the proportionate share methodology meets the state requirements of OAR 660-012-0060.
- Where required under the OAR, the findings must be accompanied by a specific statement that the mitigation is reasonably likely to be provided by the end of the planning period.
- By requiring specific, documented findings tied to the completion date of the project within the planning period, the code ensures adherence to the TPR's requirements concerning transportation mitigation timing.

III. Conclusion

In summary, LDC 10.462A ensures compliance with both MMC Section 10.668 (Limitation of Exactions) and OAR 660-012-0060 (Transportation Planning Rule, or TPR) by:

1. Explicitly requiring consistency with MMC 10.668 (Limitation of Exactions) and OAR 660-012-0060 (TPR) in its stated purpose.
2. Mandating the documentation of findings showing that the mitigation is "reasonably likely to be provided by the end of the planning period".
3. Establishing that the calculation methodology itself is designed "to ensure rough proportionality between the cost to the developer and the project's impact".

PLANNING COMMISSION MEETING MINUTES



October 23, 2025

5:30 p.m.

Medford City Hall, Council Chambers

411 W. 8th Street, Medford, Oregon

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

Chair Mark McKechnie, Vice Chair Culbertson, Commissioners Rachel Bennett, Jared Pulver, James (Jim) Wallen, Larry Beskow and Jeff Thomas; Assistant Planning Director Kelly Akin, Deputy City Attorney Allen Moreland, Public Works Development Services Manager Doug Burroughs, Principal Planner, Carla Paladino, Planner III Liz Hamblin, Planner III Dustin Severs, Planner III Kegen Benson, and Recording Secretary Kali Ochoa. Commissioner EJ McManus was absent.

10. Roll Call

20. Consent Calendar/Written Communications

20.1 CUP-23-266 Consideration of request for a one-year time extension of the approved Conditional Use Permit (CUP) for the operation of an animal adoption facility with reduced kennel setbacks. The subject site consists of two contiguous, vacant parcels totaling approximately 4.08 acres, located on the north side of Commerce Drive and immediately east of the Rogue Valley Expressway. The property is zoned I-L. **Applicant:** Southern Oregon Humane Society, **Agent:** CSA Planning Ltd., **Planner:** Kelly Akin.

Motion: Move to adopt the Consent Calendar and Written Communication as submitted.

Moved by: Vice Chair Culbertson

Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Beskow, Wallan, and Thomas voted yes. Motion passes.

30. Approval or Correction of the Minutes from the October 9, 2025, Meeting

30.1 The minutes were approved as submitted.

40. Oral Requests & Communications from the Audience

There were none.

50. Public Hearings

Allen Moreland, Deputy City Attorney, read the Quasi-Judicial statement.

Planning Commission Meeting Minutes October 23, 2025

Continuances:

50.1 CP-25-222 A legislative amendment to the Economic Element and Goals, Policies, and Implementation Strategies sections of the Medford Comprehensive Plan to incorporate the updated Economic Opportunity Analysis and related goals and policies. **Applicant/Agent:** City of Medford, **Planner:** Carla Angeli Paladino. **The applicant has requested to continue this item to the February 26, 2026, Planning Commission meeting.**

Chair McKechnie inquired if any person or persons in attendance is not able to attend the February 26, 2026, Planning Commission meeting and wishes to offer testimony. There were none.

Motion: Move to continue CP-25-222 to the February 26, 2026, Planning Commission meeting:

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas and Wallen voted yes. Motion passes.

Old Business:

50.2 ZC-25-226 / LDS-25-227 Consideration of Maple Park Subdivision, a proposed 12-lot residential subdivision; along with a zone change of the property from SFR-00 to SFR-10. The property consists of a single parcel, developed with a single-family residence, and totalling approximately 1.57 acres, located at the northwest corner of Nicholas Lee Drive and Maple Park Drive. **Applicant:** Esteban Gonzalez Duran; **Agent:** Richard Stevens & Associates, Inc.; **Planner:** Dustin Severs.

Chair McKechnie inquired if any Commissioners have any ex parte communication or conflicts of interest they would like to disclose. There were none.

Chair McKechnie inquired if any person or persons in attendance wished to question the Commission as to conflicts of interest or ex parte contacts. There were none.

Dustin Severs, Planner III, presented a brief staff report describing the project. Staff recommends approval.

Chair McKechnie inquired if the commissioners were able to use the testimony from the September 25, 2025, Planning Commission meeting. Kelly Akin, Assistant Planning Director, explained there were a few commissioners who were not in attendance at the September 25, 2025, meeting. In order to participate in tonight's hearing on this project, you would have needed to watch the meeting and review the meeting minutes. Vice Chair Culbertson and Commissioner Larry Beskow both stated they had watched the video and reviewed the minutes from the September 25, 2025, Planning Commission meeting.

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Commissioner Pulver inquired about the difference between a Minor Minimum Access Easement and a Major Minimum Access Easement. Mr. Severs explained the Minor Minimum Access Easement allows for up to three units and the Major Minimum Access Easement allows for up to eight units to take access.

The public hearing was opened, and the following testimony was provided:

Clark Stevens, with Richard Stevens & Associates, Inc., located at 244 S. Grape Street, representing the applicant. Mr. Stevens gave a brief explanation of the project and requested approval from the Commission.

Commissioner Bennett inquired if the lots were developed as duplexes, would the road be able to be widened to qualify as a public street. Mr. Stevens explained the project would then need to all be duplexes to meet the minimum density.

Commissioner Beskow inquired what agreement will be in place to ensure the seven lots who share the driveway share in the maintenance of the driveway. Mr. Stevens stated those agreements are prepared by the applicants' attorney and will be reviewed by Public Works. The easements and the maintenance agreements are all built in, which is very similar to a private road standard. Mr. Beskow further inquired whether the applicant will have an HOA or just an agreement that each owner signs off on. Mr. Stevens stated at this time they are not doing an HOA, it will be strictly straight easements for the lots to be served.

Commissioner Thomas requested Mr. Stevens explain how the easement will work and why only seven of the 12 lots will enter into a maintenance agreement and share the cost when all 12 will access the easement. Mr. Stevens explained some lots will have frontage on Maple Park Drive and will not use the easement. Mr. Thomas further inquired if there will be a specific account that the seven lots will put money into for the maintenance; he went on to explain his concerns with the community being able to get along because they can't keep track of who is taking care of the repairs needed in the future. Mr. Stevens explained the easement will run with the land, so every time it changes title those easements carry on to the next owners. Mr. Thomas asked how often the easement will be assessed for repairs. Mr. Stevens said he did not know the details of the agreement, but if the Commission requires an HOA for the seven lots where there is an annual fee based off an engineer's estimate for maintenance, they will agree to that. Mr. Thomas went on to ask if there is an example of this situation somewhere else in the city. Mr. Stevens stated there have been several approved, but is unsure which ones still exist. Commissioner Culbertson stated, several years ago the Planning Commission approved a subdivision that was seven units on a private access called Panther Landing. Mr. Culbertson went on to explain there is not really an assessment but more triggers, if there are deficiencies in the road that need to be taken care of, then all the parties will need to put into it. It is no different when you share a fence with your neighbor. Every owner of the house in their preliminary title report will have an easement and every title company will give them a

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full copy of that. Mr. Culbertson went on to further explain if they created an HOA, which will have an impoundment of money that will accrue, that's not going to make those lots as sellable as others because it will be an encumbrance that the loan officer detracts from having an HOA; therefore, an easement is easier. Commissioner Thomas inquired who can trigger the maintenance, is it one homeowner or a specific number. Mr. Culbertson explained it can be as little as one neighbor, but if the one neighbor triggers it unwarranted they will be responsible for the costs.

Commissioner Wallan inquired what sort of easement is being proposed. Mr. Stevens explained they are proposing a Major Minimum Access Easement which allows for up to eight dwelling units to be served and will allow parking on one side.

Chair McKechnie inquired who will own lot nine. Mr. Stevens stated eventually the City of Medford will own it. Mr. McKechnie went on to inquire if other options were considered. Mr. Stevens stated there were multiple other options reviewed but this is what was submitted.

Mr. Stevens reserved time for rebuttal.

The public hearing was closed.

Vice Chair Culbertson requested splitting the motion into two motions. Chair McKechnie agreed.

Motion: Move to adopt the applicant's findings and adopt the Final Order for approval of ZC-25-226 per the Staff Report dated October 16, 2025, including:

- Exhibits A through O

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Thomas, Wallan, and Beskow voted yes. Motion passes for ZC-25-226.

Motion: Move to adopt the applicant's findings and adopt the Final Order for approval of LDS-25-227 per the Staff Report dated October 16, 2025, including:

- Exhibits A through O and
- Approval for the subdivision to include the creation of a Major Minimum Access Easement, in lieu of a public street, pursuant to MLDC 10.450(1).

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

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Commissioner Bennett explained she thinks this will be a tight fit; however, she does not feel it is their place to protect homeowners from themselves and if they sell, that is 11 potential new dwellings on the market. Ms. Bennett went on to state she will be supporting the motion.

Commissioner Pulver stated he echoes Ms. Bennetts' sentiment, and if the Planning Commission objects to the tools that are in the code, that is a different issue and should be taken up with staff. Mr. Pulver does understand the concerns, but the code allows it, therefore he will support the motion.

Vice Chair Culbertson stated he would like to echo Ms. Bennett and Mr. Pulver, the Commission has approved projects like this in the past. Mr. Culbertson went on to state that even if they had reconfigured this and created a flag lot to access three of the lots, it still would not mitigate the easement issue. He will be supporting the motion.

Commissioner Wallan stated just because an application checks all the boxes, we also have an obligation to the community at large, to consider the effect on subsequent property owners. He went on to explain, if all we are going to do is check off the boxes and not exercise our independent view on some of these things, he doesn't understand why they are here.

Chair McKechnie expressed he intends to vote no, for a number of reasons based on the code. He went on to explain the Major Minimum Access is listed as an alternative, which provides the Commission with some discretionary approval on whether it makes sense to use, it also means the applicant should have explored more options and this was the only one available. He stated he feels there are other options available that should have been considered. He went on to state the applicant has no idea how this will work and is leaving it up to the attorneys at some point, he is concerned they are approving a potential nightmare. He intends to vote no.

Commissioner Thomas stated when he tried to research the minor v major access in the code, he read the code as, if it was able to be done as a minor, then he doesn't feel they should need to vote yes.

Commissioner Beskow stated he intends to support the motion. He went on to state not only does it operate but it will have no more difficulties that are already around town. Mr. Beskow also pointed out there is nothing stopping lots five and 12 from taking access on to Nicholas Lee Drive.

Roll Call vote: 4-3-0 Vice Chair Culbertson, Commissioners Pulver, Bennett, and Beskow voted yes. Chair McKechnie, Commissioners Thomas and Wallan voted no. Motion passes.

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New Business:

50.3 ZC-25-282 / LDS-25-283 / E-25-284 Consideration of Sunset Ridge Estates, a proposed 5-lot residential subdivision, along with a request for a change of zone from SFR-00 to SFR-4, and an Exception request related to driveway throat widths. The property consists of a single parcel, developed with a single-family residence, totals approximately 1.81 acres, and is located at the southwest corner of Rolling Meadows Lane and Thrasher Lane. **Applicant:** John Lawton; **Agent:** CSA Planning, Ltd; **Planner:** Dustin Severs.

Chair McKechnie inquired if any Commissioners have any ex parte communication or conflicts of interest they would like to disclose. There were none.

Chair McKechnie inquired if any person or persons in attendance wished to question the Commission as to conflicts of interest or ex parte contacts. There were none.

Dustin Severs, Planner III, presented a brief staff report describing the project including new exhibits. Staff recommends approval.

Commissioner Beskow inquired about the Fire Department's concerns with accessing lot 5. Mr. Severs stated they had questions but ultimately supported the flag lot.

The public hearing was opened, and the following testimony was provided:

Jay Harland with CSA Planning, Ltd., located at 4497 Brownridge Terrace, Ste. 101, representing the applicant. Mr. Harland gave a brief explanation of the project and requested approval from the Commission.

Commissioner Beskow inquired if there will be some shared drainage with the park. Mr. Harland explained they worked with Public Works to come up with a concept that works for all.

Mr. Harland reserved rebuttal time.

The public hearing was closed.

Vice Chair Culbertson inquired if his fellow Commissioners would like to have the motions split for each project. The Commissioners denied separating the projects.

Motion: Adopt the findings as recommended by staff and adopt the Final Orders for approval of ZC-25-282, LDS-25-283, and E-25-284, per the Staff Report dated October 16, 2025, including:

- Exhibits A through U,

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- Approval for Rolling Meadows Lane to terminate in a cul-de-sac, pursuant to MLDC 10.450(1)(c) and 10.450(2)(a-b),
- Approval of Lot 5 to be created as a flag lot, pursuant to MLDC 10.450(3), and
- Adoption of the applicant's stipulations as stated in the applicant's submitted Findings of Fact and Conclusions of Law(Exhibit B).

Moved by: Vice Chair Culbertson Seconded by: Commissioner Bennington

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Thomas, Wallan, and Beskow voted yes. Motion passes.

50.4 CUP-25-235 Request for a Conditional Use Permit for a new public park, approximately 7.76 acres in size. The new park is located at the southeast corner of Dakota Avenue and Gaylee Avenue. The site consists of a single parcel approximately 8.26 acres in size and is within the SFR-4 zoning district. **Applicant:** City of Medford Department of Parks, Recreation & Facilities; **Agent:** Richard Stevens & Associates; **Planner:** Steffen Roennfeldt.

Chair McKechnie inquired if any Commissioners have any ex parte communication or conflicts of interest they would like to disclose. There were none.

Chair McKechnie inquired if any person or persons in attendance wished to question the Commission as to conflicts of interest or ex parte contacts. There were none.

Steffen Roennfeldt, Planner III, presented a brief staff report describing the project. Staff recommends approval.

Commissioner Bennett inquired if the only lighting for the park will be at the entrance to the park on Dakota Avenue. Mr. Roennfeldt stated there is security lighting throughout the entire path network and there are both light and noise standards in the code.

Commissioner Pulver inquired if this is approved, they will have a lengthy timeframe to build. Mr. Roennfeldt stated they will have two years. Commissioner Pulver further inquired if any designs change between now and when the park is built, they will need to come back to the Planning Commission for approval. Mr. Roennfeldt stated yes. Commissioner Pulver went on to inquire how the security lighting will work. Mr. Roennfeldt explained it is his understanding they will have security lighting throughout the park. Commissioner Pulver stated his concern with the lack of parking.

Commissioner Thomas stated he felt a representative from the Parks Department should be present to answer some of the Commissioners' questions, he went on to inquire if all parks are open from 6am to 10:30pm regardless of lighting and why is a park staying open until 10:30pm without adequate lighting. Mr. Roennfeldt stated again the park will have security

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lighting, but he can defer to the applicant's agent, Mr. Clark Stevens, to help answer his question. Mr. Thomas went on to inquire about the lack of parking. Mr. Roennfeldt stated it was explained to him this is meant to be a traditional neighborhood park.

Commissioner Wallan inquired if the residences bordering the park, will they have direct access to the park through their fences or will that be restricted. Mr. Roennfeldt stated he is not sure, he believes it would be up to the future homeowner.

Commissioner Beskow inquired if there are any current neighborhood parks with no parking currently exist. Mr. Roennfeldt stated he is unsure. Commissioner Pulver stated there is one in Summerfield in the neighborhood, but it is also bordered by three streets.

Chair McKechnie inquired why this park was not submitted as a P-1 zone change. Kelly Akin, Assistant Planning Director, stated what happens with the P-1 zone, it is applied to City owned properties, and the City does not own this property yet. There is a park development review, which is very similar to a conditional use permit for properties within the P-1 zone, so the criteria and conditions are almost identical to a conditional use permit. But because this property is not yet City owned and not P-1 zoned; therefore, the CUP is required. Mr. McKechnie further inquired if once the City owns the property there will be a zone change coming. Ms. Akin explained it will be an administrative decision.

The public hearing was opened, and the following testimony was provided:

Clark Stevens, with Richard Stevens & Associates, Inc., located at 244 S. Grape Street, representing the applicant. Mr. Stevens attempted to answer some of the questions asked by the Commissioners. Mr. Stevens explained in the Staff Report there is a letter from the Parks Director, Rich Rosenthal, labeled Exhibit G, explaining the parking situation. Mr. Stevens went on to explain there are lights, but this park is intended to be a daytime park; therefore, when the sunsets the park should not be in use.

Commissioner Bennett inquired if the homeowners around the park will have the option of accessing the park directly from their home. Mr. Stevens stated at this time they are not proposing direct access, but that would be between the Parks Department and the future homeowners. Ms. Bennett went on to inquire about the plan for the restrooms. Mr. Stevens explained the Parks Department's feeling was when there is more use, that would come at a later date.

Mr. Stevens reserved time for rebuttal.

The public hearing was closed.

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Motion: Adopt the applicant's findings as recommended by staff and adopt the Final Order for approval of CUP-25-235, per the Staff Report dated October 16, 2025, including:

- Exhibits A through L, and
- Approval to exceed maximum block length and perimeter standards as approved in LDS-24-087 and allowed in MLDC 10.426(4)(b) when outdoor recreational facilities inhibit the creation of new streets for connectivity.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Commissioner Pulver deferred to his fellow Commissioners if a friendly amendment to include 12 parking spaces and a single ADA unisex restroom to be constructed upon initial construction of the park would be supported.

Vice Chair Culbertson stated he would support this friendly amendment.

Commissioner Thomas expressed his disappointment that a representative from the Parks Department was not present to assist in answering the Commissioners questions.

Commissioner Bennett stated she also would support a friendly amendment as long as it included the addition of a restroom.

Commissioner Pulver proposed a friendly amendment to require the construction of a single unisex ADA restroom at the time of construction of the park on site; as well as, the inclusion of 12 finished parking spaces. Commissioner Bennett seconded the amendment.

Ms. Akin suggested continuing this item to the November 13, 2025, Planning Commission meeting, to allow for a Parks Department representative to come and answer the Commissioner's questions. Mr. Stevens agreed to continuing the project.

Vice Chair Culbertson withdrew the motion.

Motion: Move to continue CUP-25-235 to the November 13, 2025, Planning Commission meeting.

Commissioner Pulver withdrew his friendly amendment.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Bennett, Beskow, Wallan, Thomas, Pulver voted yes. Motion passes.

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50.5 DCA-25-170 Consideration of a legislative amendment to Chapter 10 of the Medford Municipal Code related to access standards. **Applicant/Agent:** City of Medford; **Planner:** Liz Hamblin.

Liz Hamblin, Planner III, presented a brief staff report describing the project. Staff recommended forwarding a recommendation for approval.

Commissioner Pulver inquired if we are creating a situation where we're not going to be able to provide access to someone. Mr. Pulver went on to state he wants to make sure they have a means to request an exception. Ms. Hamblin stated it is in the section of the code that does allow an exception. However, they have also clarified that you can still have access on a lower order street, if you do have the higher order street corner-lot problem. Mr. Pulver further stated his understanding from the code, you can't have access within 250 feet of a street if you are on a major arterial and you can't have access within 150 feet of the street on a major collector; therefore, he wants to make sure we are creating a flaw down the road. Ms. Hamblin deferred to Mr. Karl MacNair.

Karl MacNair, Public Works Transportation Manager, stated Mr. Pulver is correct but they can add the additional language as an exception if needed.

Commissioner Thomas expressed he intended to vote no when he saw the staff report but inquired if this is something they can change tonight or should they continue this item and allow staff to work on the additional language. Mr. MacNair stated he would prefer working through the language and bring it back to the Planning Commission at a later date.

Chair McKechnie inquired if staff are requesting a continuance. Ms. Hamblin stated, yes. Mr. McKechnie inquired if the public hearing needed to be opened. Ms. Akin stated since the hearing has been noticed, they should give the opportunity for testimony.

The public hearing was opened, and the following testimony was given:

Ms. Akin stated the record should remain open.

There was none

Motion: Move to continue DCA-25-170 to the November 13, 2025, Planning Commission meeting, and the record is open:

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Thomas, Bennington, and Beskow voted yes. Motion passes.

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50.6 DCA-25-199 A legislative amendment to amend Chapter 10 of the Municipal Code related to proportionate share for transportation improvements. **Applicant:** City of Medford, **Planner:** Carla Angeli Paladino.

Carla Paladino, Principal Planner, explained Staff have been working with ODOT since yesterday, they provided a comment (Exhibit D) prior to the report being issued, they still have some issues with the findings and language. Staff met with them today, ODOT proposed some language, and staff has amended some of their proposed changes. Ms. Paladino explained staff would like to request a continuance.

The public hearing was opened, and the following testimony was given:

- a. Jay Harland, with CSA Planning, Ltd., located at 4497 Brownridge Terrace Ste. 101, requested a copy of the new exhibit and was in support of continuing this item to the next meeting.

Motion: Move to continue DCA-25-199 to the November 13, 2025, Planning Commission meeting, and the record is open:

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Thomas, Bennington, and Beskow voted yes. Motion passes.

50.7 DCA-25-206 Consideration of a legislative amendment to Chapter 10 of the Medford Municipal Code to reduce the number of appointed commissioners from nine to seven the Site Plan and Architectural Commission. **Planner:** Liz Hamblin.

Liz Hamblin, Planner III, presented a brief staff report describing the project. Staff recommended forwarding a recommendation for approval.

Vice Chair Culbertson inquired how many Commissioners are currently seated on the Site Plan and Architectural Commission. Ms. Akin stated there is currently one vacancy. Mr. Culbertson further inquired if the vacancy is an at-large vacancy. Ms. Akin confirmed the position was previously for a Landscape Architecture position but is now an at-large position. Mr. Culbertson went on to inquire how it would be decided who would be let go from the commission. Ms. Akin advised that the decision would be made according to term expiration. Mr. Culbertson suggested attendance to make the decision.

Commissioner Pulver clarified that in the Site Plan and Architectural Commission minutes Mr. Bender stated that option "C" was the recommendation from Planning Commission and that was not correct.

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Commissioner Thomas advised that he made it very clear to Site Plan and Architectural Commission that option "C" was not the recommendation from Planning Commission.

The public hearing was opened, and the following testimony was provided:

There was no testimony provided.

The public hearing was closed.

Motion: Based on the findings and conclusions that all the applicable criteria are satisfied or not applicable, initiate the amendment and forward a favorable recommendation for approval of DAC-25-2026 per the staff report dated October 16, 2025, including all exhibits.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-0-0 Chair McKechnie, Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas and Wallen voted yes. Motion passes.

60.1 Transportation Commission

Commissioner Pulver stated their last meeting was the Joint Planning Commission and Transportation Commission meeting.

60.2 Site Plan and Architectural Commission

Commissioner Thomas stated their last meeting was a continuance.

60.3 Planning Department

Kelly Akin, Assistant Planning Director, notified the Commissioners, Mr. Bennington has resigned his position on the Commission. Commissioner Pulver inquired if there are terms set to expire in 2026. Ms. Akin stated there are terms expiring every year and we are currently recruiting for the various bodies.

Ms. Akin went on to inform the Commissioners the Downtown Plan was approved by City Council last week and it also received a state-wide planning award from the Oregon Planning Association.

She stated they do not have any business for the October 27, 2025, study session, but will have business for the November 13, 2025, and December 11, 2025, Planning Commission meeting.

Ms. Akin went on to inform the Commissioners, City Council adopted the Downtown Plan, they approved the GLUP amendment for La Clinica and approved the Belnap street vacation. She

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went on to notify the Commissioners the upcoming projects to be heard before City Council will be an annexation on Table Rock Road, which will be heard on November 5, 2025.

70. Message and papers from the Chair

There were none.

80. City Attorney Remarks

There were none.

90. Propositions and Remarks from Commission

Commissioner Pulver suggested his fellow Commissioners review the Minor Minimum Access vs the Major Minimum Access and if there were things they would like staff to review.

Commissioner Thomas stated from his perspective that it was not the difference between private vs easement, but that he thought they could do a Minor v Major and that was not given to us as an option and then we were told they had to vote but he felt there were other options.

Chair McKechnie stated from his perspective that his understanding was it would be used if there were no other options, but it looks like that was not the case.

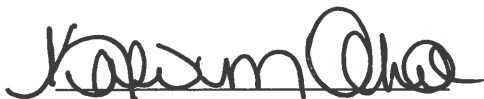
Commissioner Bennett stated she feels they butt up against the reality if it meets the requirements of the application, absent some extraordinary circumstance, we really do need to approve it. However, reading into there are options as this is an alternative, she feels they need a clearer understanding, which would help in this scenario.

Mr. McKechnie went on to state the next public hearing after, had a public street with a cul-de-sac and it worked. But to be told this is the only way to do it without some backup that says they couldn't do it because of a specific reason, just seems like they were being lazy.

100. Adjournment

There being no further business, this meeting adjourned at 7:32 p.m.

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.



Kali M. Ochoa
Recording Secretary



Mark McKechnie
Chair

PLANNING COMMISSION MEETING MINUTES



MEDFORD
OREGON

EXCERPT ONLY

November 13, 2025

5:30 p.m.

Medford City Hall, Council Chambers

411 W. 8th Street, Medford, Oregon

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

Chair Mark McKechnie, Vice Chair Culbertson, Commissioners Rachel Bennett, Jared Pulver, James (Jim) Wallen, Larry Beskow, EJ McManus and Jeff Thomas; Assistant Planning Director Kelly Akin, City Attorney Eric Mitton, Public Works Development Services Manager Doug Burroughs, Principal Planner, Carla Paladino, Transportation Manager Karl MacNair, Planner III Steffen Roennfeldt, Planner III Liz Hamblin, Planner III Dustin Severs, Planner III, Kegen Benson, Planner II Kayla Parr, and Recording Secretary Kali Ochoa.

10. Roll Call

20. Consent Calendar/Written Communications

20.1 CUP-23-266 Consideration of request for a one-year time extension of the approved Conditional Use Permit (CUP) for the operation of an animal adoption facility with reduced kennel setbacks. The subject site consists of two contiguous, vacant parcels totaling approximately 4.08 acres, located on the north side of Commerce Drive and immediately east of the Rogue Valley Expressway. The property is zoned I-L. **Applicant:** Southern Oregon Humane Society, **Agent:** CSA Planning Ltd., **Planner:** Kelly Akin.

Chair McKechnie moved to remove item 20.2 from the Consent Calendar.

Motion: Move to adopt the Consent Calendar for item 20.1 as submitted.

Moved by: Vice Chair Culbertson

Seconded by: Commissioner Pulver

Roll Call vote: 8-0-0 Chair McKechnie, Vice Chair Culbertson, Commissioners Pulver, Bennett, Beskow, Wallan, McManus and Thomas voted yes. Motion passes.

20.2 GF-25-372 Consideration of a request to allow a private family cemetery on 0.32 acres located on the north side of E Jackson Street approximately 75 feet west of N Barneburg Road (1809 E Jackson Street) in the SFR-4 zoning district. The request is made pursuant to the rules in ORS 97.460. **Applicant:** Doug O'Dell, **Planner:** Kelly Akin.

Kelly Akin, Assistant Planning Director, presented a brief staff report describing the project.

Motion: Move to adopt the Consent Calendar for item 20.1 as submitted.

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The public hearing was closed.

Motion: Based on the findings and conclusions that all the approval criteria are either met or not applicable, forward a favorable recommendation for adoption of DAC-25-2026 per the staff report dated November 6, 2025, including all exhibits.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 8-0-0 Chair McKechnie, Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas, McManus and Wallen voted yes. Motion passes.

50.8 DCA-25-199 A legislative amendment to amend Chapter 10 of the Municipal Code related to proportionate share for transportation improvements. **Applicant**: City of Medford, **Planner**: Carla Angeli Paladino.

Chair McKechnie reminded staff and Commissioners, the record was still open from the previous meeting on October 23, 2025.

Carla Angeli Paladino, Principal Planner, presented a brief revised staff report describing the project including the additional sections to be included with Section 10.462A. Staff recommended forwarding a favorable recommendation to City Council.

Commissioner Wallan inquired how long the funds will be held before they are refunded if the upgrades are never made. Karl MacNair, Transportation Manager, stated if the development shows a future need for that improvement, it will require additional analysis to prove the improvement is no longer needed, and they will receive their money back. Chair McKechnie inquired if the developer would need to perform the analysis. Mr. MacNair stated, yes.

Commissioner McManus inquired if ODOT has any implications if they respond later. Ms. Paladino stated they have an exhibit on record, so they do have appeal rights.

Chair McKechnie stated he felt the multiplier used for the proportionate share calculations should be 1.25. Mr. McKechnie went on to state the penalty is due at the time of issuance of the building permit, but he feels developers should be given a break and require the fee to be paid prior to C of O. Mr. MacNair stated the 1.5 multiplier is to address engineering, construction management and cost escalation, we do not have a timeline of when the projects are being built; therefore, we do not know what the actual cost escalation is but we are using projected traffic volumes and because of all of these uncertainties that is how they came up with the 1.5 multiplier.

Doug Burroughs, Public Works Development Services Manager, stated a lot of people want to flag everything on the C of O; however, the building code requires the C of O be issued once

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the building gets to a certain completed status of construction. Mr. Burroughs went on to explain we can try to withhold C of O, but the reality is the building official is obligated to issue it once it has reached a complete state. Engineering is not in favor of revising when the funds are received. Legal staff concurred.

The public hearing was closed.

Motion: Based on the findings and conclusions that all the approval criteria are either met or not applicable, forward a favorable recommendation for adoption of DAC-25-199 per the staff report dated November 6, 2025, including all exhibits.

Moved by: Vice Chair Culbertson Seconded by: Commissioner Pulver

Roll Call vote: 7-1-0 Vice Chair Culbertson and Commissioners Pulver, Beskow, Bennett, Thomas, McManus and Wallen voted yes. Chair McKechnie voted no. Motion passes.

60.1 Transportation Commission

60.2 Site Plan and Architectural Commission

60.3 Planning Department

70. Message and papers from the Chair

There were none.

80. City Attorney Remarks

There were none.

90. Propositions and Remarks from Commission

100. Adjournment

There being no further business, this meeting adjourned at 9:31 p.m.

The City Recorder maintains a record of these proceedings with the agenda, minutes and documentation associated with this meeting.

Kali M. Ochoa
Recording Secretary

Mark McKechnie
Chair