

PLANNING COMMISSION AGENDA APRIL 28, 2022



MEDFORD
OREGON

Commission Members

Rachel Bennett

Larry Beskow

David Culbertson

Bill Mansfield

Mark McKechnie

E. J. McManus

Jared Pulver

John Quinn

Jeff Thomas

Regular Planning Commission
meetings are held on the second and
fourth Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA



MEDFORD
OREGON

April 28, 2022

5:30 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications

20.1 **LDS-22-046** Final Order for tentative plat approval for the West McAndrews Subdivision–Phase II, an 8-lot (Lots 22-29) residential subdivision proposed for single-family lots. The property consists of two contiguous parcels totaling approximately 1.44 acres, and is located south of Finley Road, west of Ross Lane, north of W. McAndrews Road, and Spring Valley Drive is stubbed at the property's southerly boundary. The property is contained within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district and is proposed as the second phase of the West McAndrews Subdivision, with Phase I abutting the property to the south. (372W26AB TL 1800 & 1900).

20.2 **ZC-22-071** Final Order for a change of zone for two parcels totaling 3.24 acres located east of Lozier Lane and west of West 8th Street, and approximately 500 feet south of West Main Street. The request is to change the zoning from MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre) to MFR-30 (Multiple Family Residential – 20 to 30 dwelling units per gross acre). (372W26DA1500 & 1601).

30. Approval or Correction of the Minutes from the April 14, 2022 hearing.

40. Oral Requests and Communications from the Audience

Comments will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

The Planning Commission encourages written comments, which may be submitted by regular mail to Planning Commission, 200 S. Ivy Street or by email to planning@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 meeting with your comments.

50. Public Hearings

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

Continuances

50.1 **PUD-21-413** Consideration of a revised Preliminary PUD Plan for the Springbrook Park Planned Unit Development, an existing PUD contained within a 19.6-acre tract of land, currently consisting

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.

of single-family homes. The subject request is to add the multi-family component of the PUD. The development is proposed to consist of ten buildings (nine apartment buildings, and one recreation building), for a total of 105 dwelling units. The subject development will be limited to a single, vacant parcel totaling approximately 6.76 acres (TL 516). Additionally, the applicant is requesting to revise the previously approved Phases 5 & 6 of Springbrook Park, requesting to increase the size of the lots (Lots 43-49 of Phase 5; and Lot 57 of Phase 6) within these phases. The subject areas are located along Springbrook Road, and are north of Sharman Way, south of Dragon Tail Place, and are within the MFR-15 (Multiple-Family Residential, 10 to 15 dwelling units per gross acre) and SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. The property is part of the Springbrook Park Planned Unit Development, and includes a Restricted Zoning (RZ) administrative mapping overlay (371W08BD TL 544, 545, 546, 547, 548, 549, 550, 551, and 516). Applicant: Montagne Development; Agent: Brandie Dalton; Planner: Dustin Severs. **The applicant has requested that this item be continued to the May 12, 2022, meeting.**

50.2 **PUD-22-092/LDS-22-093/ZC-22-094** Consideration of a revised Preliminary PUD Plan, along with a revised tentative plat and zone change requests, for the Stewart Meadows Village Planned Unit Development (PUD). The PUD is located on an approximate 121-acre site bounded generally by Stewart Avenue, South Pacific Highway, Garfield Avenue, Myers Lane, and Anton Drive and is within the SFR-10, C-C, I-L and I-G zoning districts, and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. 371W31A TL 2000, 2100, 2200, 2802, 3900, 4000 371W31D TL 200, 500, 900, 1000, 2500, 2501, 2800, 2900, 3000, 371W32C TL 5400, 5503; Applicant: KOGAP Enterprises, Inc.; Agent: Maize & Associates, Inc.; Planner: Dustin Severs. **The applicant has requested that this item be continued to the May 12, 2022, meeting.**

New Business

50.3 **DCA-22-006** A legislative amendment to modify sections in Articles I, II, III, IV, and V, in Chapter 10 of the Municipal Code related to standards for the development of middle housing and minor housekeeping changes.

50.4 **PUD-22-075/LDS-22-076/E-22-077** Consideration of a revised Preliminary PUD Plan, along with a tentative plat and an Exception request, for the Coker Butte Business Park Planned Unit Development (PUD). The PUD is contained within five contiguous parcels totaling approximately 14.5 acres (15.6 gross acres). The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. The PUD is zoned I-L (Light industrial) and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. (371W05 TL 1000, 1001, 1002, 1003, 1100). Applicant: Coker Butte Properties, LLC & Table Rock Holdings, LLC; Agent: CSA Planning, Ltd.; Planner: Dustin Severs.

60. Reports

- 60.1 Site Plan and Architectural Commission
- 60.2 Transportation Commission
- 60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

**BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF TENTATIVE PLAT APPROVAL FOR WEST MCANDREWS)
SUBDIVISION PHASE II [LDS-22-046]) **ORDER**

ORDER granting approval of a request for tentative plat for *West McAndrews Subdivision Phase II*, described as follows:

Tentative plat approval for the West McAndrews Subdivision-Phase II, an 8-lot (Lots 22-29) residential subdivision proposed for single-family lots. The property consists of two contiguous parcels totaling approximately 1.44 acres, and is located south of Finley Road, west of Ross Lane, north of W. McAndrews Road, and Spring Valley Drive is stubbed at the property's southerly boundary. The property is contained within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district and is proposed as the second phase of the West McAndrews Subdivision, with Phase I abutting the property to the south. (372W26AB TL 1800 & 1900).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *West McAndrews Subdivision Phase II*, as described above, with the public hearing a matter of record of the Planning Commission on April 14, 2022.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval for *West McAndrews Subdivision Phase II*, as described above and directed staff to prepare the final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *West McAndrews Subdivision Phase II*, stands approved per the Staff Report dated April 7, 2022, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Staff Report dated April 7, 2022.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.202 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 28th day of April, 2022.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

**BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE ZC-22-071 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY JASWANT SINGH) **ORDER**

ORDER granting approval of a request for a zone change described as follows:

Consideration of a request for a change of zone for two parcels totaling 3.24 acres located east of Lozier Lane and west of West 8th Street, and approximately 500 feet south of West Main Street. The request is to change the zoning from MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre) to MFR-30 (Multiple Family Residential – 20 to 30 dwelling units per gross acre). (372W26DA1500 & 1601).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Staff Report dated April 6, 2022, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 2W 26DA Tax Lots 1500 & 1601

is hereby changed as described above.

Accepted and approved this 28th day of April, 2022.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Vice-Chair

ATTEST:

Planning Department Representative

STAFF REPORT – CONTINUANCE

for a type-III quasi-judicial decision: **Planned Unit Development (PUD) Revision**

Project Springbrook Park PUD–Revision
 Applicant: Montagne Development, Inc.
 Agent: Brandie Dalton

File no. PUD-21-413

To Planning Commission *for 4/28/2022 hearing*

From Dustin Severs, Planner III

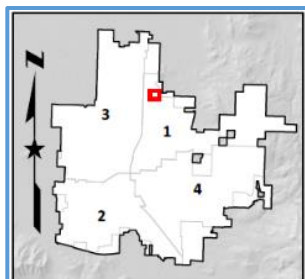
Reviewer Kelly Evans, Assistant Planning Director

Date April 21, 2022

BACKGROUND

Proposal

Consideration of a revised Preliminary PUD Plan for the Springbrook Park Planned Unit Development, an existing PUD contained within a 19.6-acre tract of land, currently consisting of single-family homes. The subject request is to add the multi-family phase of the PUD. The development is proposed to consist of ten buildings (nine apartment buildings, and one recreation building), for a total of 105 dwelling units. The subject development will be limited to a single, vacant parcel totaling approximately 6.76 acres (TL 516), located along Springbrook Road, north of Sharman Way, south of Dragon Tail Place, and within the MFR-15 (Multiple-Family Residential, 10 to 15 dwelling units per gross acre) zoning district. The property is part of the Springbrook Park Planned Unit Development, and includes a Restricted Zoning (RZ) administrative mapping overlay (371W08BD TL 516).



Request

The applicant has requested that the item be continued to May 12, 2022.

EXHIBITS

A Applicant's continuance request, received via email on April 20, 2022.

Vicinity Map

PLANNING COMMISSION AGENDA:**FEBRUARY 24, 2022****APRIL 14, 2022****APRIL 28, 2022**

Dustin J. Severs

From: Brandie Dalton <BDalton@mtengineering.net>
Sent: Wednesday, April 20, 2022 4:21 PM
To: Dustin J. Severs
Subject: RE: Springbrook Park hearing date

<EXTERNAL EMAIL **Click Responsibly!**>

Dustin,

Since we still have some changes to make, I don't see us getting you the information by tomorrow. So please postpone our April 28th hearing to the next hearing which is May 12th.

Thanks again for your help and patience,

Brandie Dalton
Land-Use Planner
Multi/Tech Engineering Services, Inc
1155 SE 13th Street
Salem, Oregon 97302
(503) 363-9227



EXHIBIT
A



Project Name:

Medford Apartments Springbrook Road PUD

Map/Taxlot:

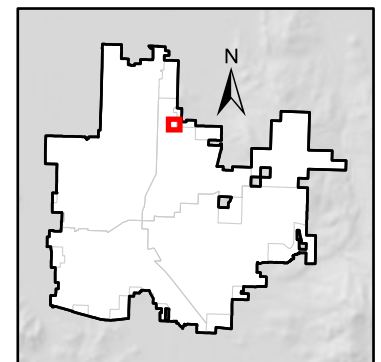
371W08BD TL 516

Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

Date: 4/4/2022

0 125 250
Feet



STAFF REPORT – CONTINUANCE

for a type-III quasi-judicial decision: **PUD, Land Division, and Zone Change**

Project Stewart Meadows Village PUD–Revision
 Applicant: KOGAP Enterprises; Agent: Jim Maize & Associates, Inc.

File no. PUD-22-092 / LDS-22-093 / ZC-22-094

To Planning Commission *for 4/28/2022 hearing*

From Dustin Severs, Planner III

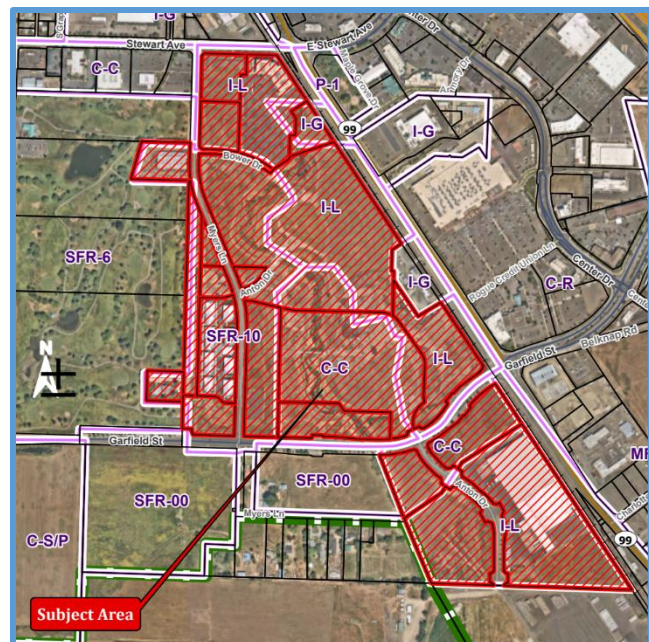
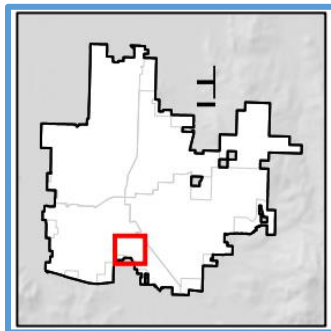
Reviewer Kelly Evans, Assistant Planning Director

Date April 21, 2022

BACKGROUND

Proposal

Consideration of a revised Preliminary PUD Plan, along with a revised tentative plat and zone change requests, for the Stewart Meadows Village Planned Unit Development (PUD). The PUD is located on an approximate 121-acre site bounded generally by Stewart Avenue, South Pacific Highway, Garfield Avenue, Myers Lane, and Anton Drive and is within the SFR-10, C-C, I-L and I-G zoning districts, and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. Applicant: KOGAP Enterprises, Inc.; Agent: Maize & Associates, Inc.; Planner: Dustin Severs. 371W31A TL 2000, 2100, 2200, 2802, 3900, 4000; 371W31D TL 200, 500, 900, 1000, 2500, 2501, 2800, 2900, 3000; 371W32C TL 5400, 5503



Request

The applicant has requested that the item be continued to May 12, 2022.

EXHIBITS

A Applicant's continuance request, received via email on April 19, 2022.
Vicinity Map

PLANNING COMMISSION AGENDA:**April 28, 2022**

Dustin J. Severs

From: Jim Maize <jmaize3145@charter.net>
Sent: Tuesday, April 19, 2022 8:16 AM
To: Dustin J. Severs
Cc: Brent Hackwell; Christian Istel
Subject: Stewart Meadows Village PUD Cintnuations

<EXTERNAL EMAIL **Click Responsibly!**>

Hello Dustin,

As agent for applicant KOGAP Enterprises, Inc. we request that the public hearings for our 3 applications - Preliminary PUD Plan Revision (PUD-22-092), Tentative Plat (LDS-22-093) and Zone Change (ZC-22-094) for Stewart Meadows Village PUD, be continued from the April 28, 2022, Planning Commission meeting, to their next meeting on May 12, 2022. The reason is to give the applicant sufficient time to respond to recommended conditions in the Public Works Department Staff Report.

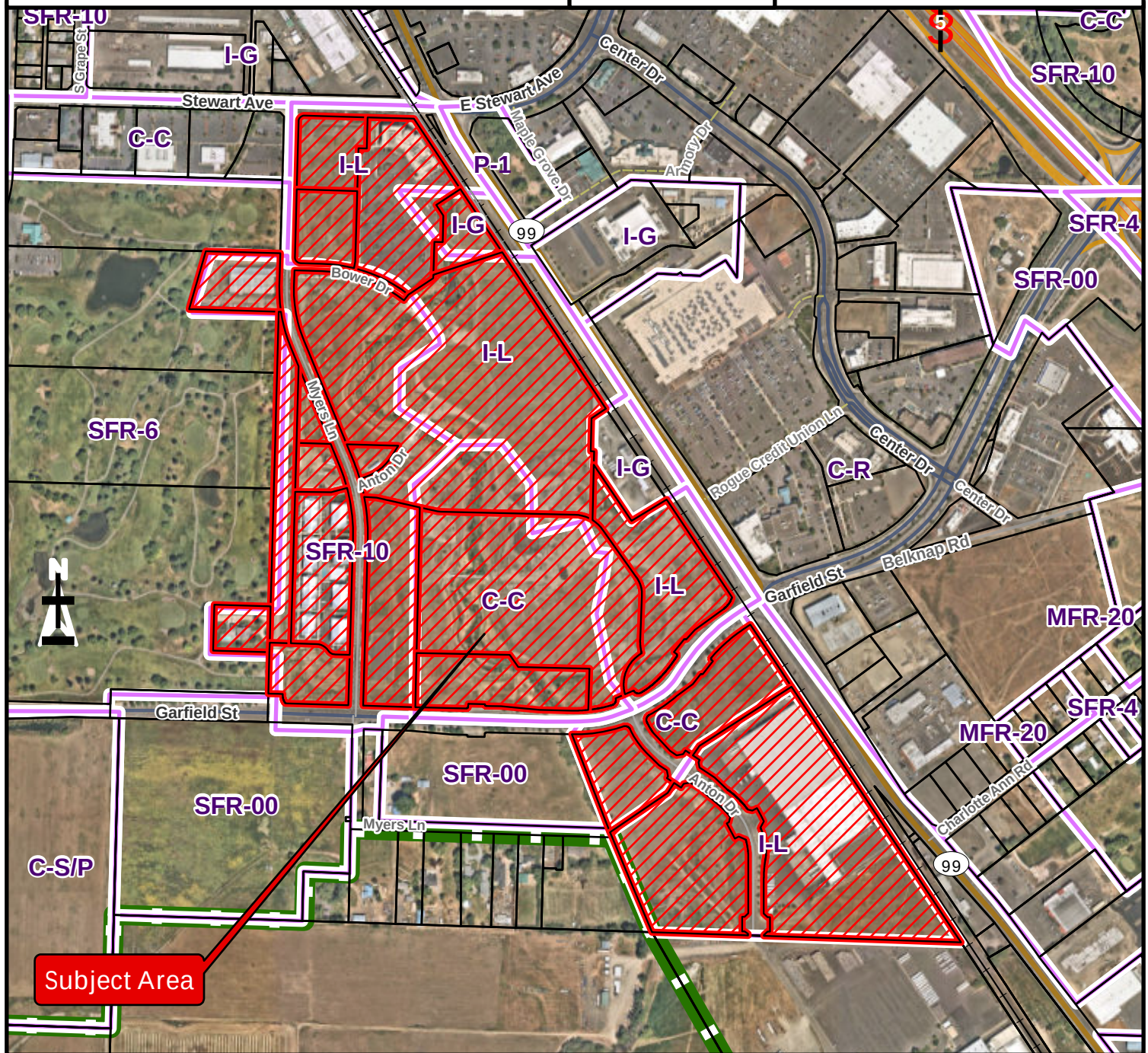
The applicant agrees to extend the 120-day approval periods by 14 days. Please let me know if there is additional information that I can provide.

Thank you,
Jim Maize, agent for applicant

MAIZE & ASSOCIATES, INC.

(541) 301-1466
PO Box 628
Medford, OR 97501

jmaize3145@charter.net



Project Name:

Stewart Meadows Village Revised PUD

Map/Taxlot:

371W31A TL 2000-2200, 2802, 3900, 4000

371W31D TL 200, 500, 900, 1000, 1001,
2500, 2501, 2800-3000

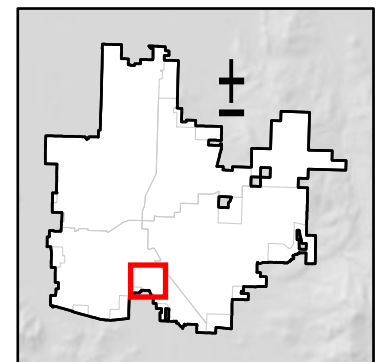
371W32C TL 5400, 5503

Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

Date: 3/10/2022

0 250 500
Feet



STAFF REPORT

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

Project HB 2001 Amendment
File no. DCA-22-006
To Planning Commission *for 4/28/2022 hearing*
From Sarah Sousa, Planner III
Reviewer Carla Angeli Paladino, Principal Planner
Date April 21, 2022

BACKGROUND

Proposal

A legislative amendment to modify sections in Articles I, II, III, IV, and V, in Chapter 10 of the Municipal Code related to standards for the development of middle housing and minor housekeeping changes.

History

House Bill 2001 (HB 2001) was adopted by the Oregon Legislative Assembly in August of 2019. The bill requires larger cities in Oregon to allow for middle housing in “areas” that allow single family homes. Large cities with over 25,000 residents, such as Medford, are required to allow middle housing types defined as duplexes, triplexes, quadplexes, townhouses, and cottage clusters in areas that allow single family housing. Large cities must adopt zoning regulations to comply with HB 2001 by June 30, 2022.

If large cities do not adopt the zoning regulations compliant with HB 2001 by July, the state’s model code that was created after the legislation would apply in regards to siting and design standards for middle housing. Planning staff reviewed the model code, and ultimately decided to amend the code based on the legislation and only use the model code specifically for design features associated with triplexes, quadplexes, and townhouses. As a result, the approach taken has been to draft changes to existing land use regulations to comply.

Following the work with the Advisory Committee, study sessions were held to review the proposed amendment. The following is a list of study sessions held.

- After work with the committee, input from the study sessions and agency partners, staff has prepared a final draft to move forward with the hearing process for final adoption.

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 Section 10.214 and 10.218.

ANALYSIS

Page 17

The amendment focuses on incorporating new regulations in the SFR-2, SFR-4, SFR-6, and SFR-10 zones. The allowance of duplexes has been added to the SFR-2 zone only, while all middle housing types (duplexes, triplexes, quadplexes, townhouses, and cottage clusters) have been incorporated into the SFR-4 and SFR-6 zones where they were not permitted previously. The SFR-10 zone currently allows all of these housing types, but with HB 2001 will more easily allow for the construction of these housing types based on size of the parcel and other siting standards rather than a prescribed density calculation.

There are areas that are not subject to the middle housing requirements. These include Multi-Family, Commercial, Industrial, and Parks zones. Also, areas with interim zoning (such as the City's SFR-00 zone) do not apply. Cities may also limit the development of middle housing, other than duplexes, for areas with topographic constraints, such as steeper sloped areas. As a result, the City proposes only to add the duplex allowance for the SFR-2 zone, as those properties have slopes greater than 15 percent.

New design standards for triplexes, quadplexes, and townhouses that follow the state's Model Code language have been incorporated into the amendment. Cottage cluster standards have been updated to comply with the changes. Parking standards for these housing types have also been updated per state regulations.

Below is a list and summary of the amendments proposed in each article of Chapter 10 divided between state mandated changes and non-mandated changes.

- **Article I - Definitions**

- State Mandated Changes

- o Updated the definitions of cottage cluster development, duplex, and townhouse
 - o Added definitions for middle housing, quadplex, and triplex

- Non-Mandated Changes

- o Added definition of rear loaded (relating to access and parking to the back of a lot)
 - o Revised definition of lot width (proposing a revision to how lot width is measured)
 - o Revised definition of multiple family dwelling from 3 attached to 5 attached units

- **Article II - Procedural Requirements**

- State Mandated Changes

- o Changed cottage clusters to Type I reviews for up to four units
 - o Added Middle Housing as a building permit review process

- Non-Mandated Changes

- o Changed cottage clusters to Type II and Type III decisions based on size of lot (over four units)
 - o Made correction to Pad Lot Section to include subdivision criteria

- **Article III - Zoning Districts**

- State Mandated Changes

- o Added the allowance of duplexes in the SFR-2 zone
 - o Added the allowance of all middle housing types in the SFR-4 and SFR-6 zones

- Non-Mandated Changes

- o Added statement about middle housing

- **Article IV - Public Improvement Standards and Criteria**

- State Mandated Changes

- None.

- Non-Mandated Changes

- o Added statement about public improvements and sewer capacity
 - o Reduced driveway throat width from 12 feet to 10 feet for single family and middle housing types

Article V – Site Development Standards

State Mandated Changes

- o Added statement clarifying that up to four middle housing units are not subject to maximum density requirements
- o Changed townhouse requirements related to density, minimum lot size, and lot width
- o Added land division and site development standards specific to triplexes and quadplexes
- o Reduced rear yard setbacks for townhouses
- o Clarified the existing multiple family design standards apply to five or more units
- o Reduced the parking standard for duplexes
- o Added triplex and quadplex parking standards
- o Added exclusions for bicycle parking and landscape standards for up to four units (previously only exempted single family detached homes)
- o Removed the corner lot requirement for cottage clusters in SFR-4
- o Removed allowance for attached units in cottage cluster developments
- o Revised lot area, parking, density, lot coverage, cottage size, and building height for cottage cluster developments

Non-Mandated Changes

- o Added a cap on the creation of oversize lots
- o Changed how window and doors are calculated in the multiple family design standards (to match middle housing calculation)
- o Specified triplexes and quadplexes are subject to the allowance of padlots
- o Clarified reduced setbacks do not allow for the encroachment of structures within public utility easements
- o Separated land division and site development standards into two separate tables
- o Added reduced lot standards for rear loaded lots
- o Increased lot coverage for townhouses
- o Added design standards for triplexes, quadplexes, and townhouses
- o Changed off-street parking standards for multiple family units based upon number of bedrooms
- o Clarified when parking can encroach into required front yard setbacks

- o Added a provision that allows alleys to be counted toward vehicular backup space requirements
- o Clarified parking is not allowed within the drive aisle of extended residential driveways serving more than one unit
- o Clarified the total number of units in the single family zones on one lot is four, including accessory dwelling units

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code Section 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 (A) . Explanation of the public benefit of the amendment.

Findings

The purpose of HB 2001 is to provide more opportunity for potentially affordable and diverse housing options in cities to better meet the needs of people at different stages in their lives. The state is seeking to address the woefully inadequate supply of housing that exists and legislation such as HB 2001 is intended to expand opportunity through in-fill and new development for a variety of housing types in zones previously restricted to only detached single family dwellings. Medford, like many Oregon cities, have zoning codes that do not allow middle housing within most of the single family zones. Single family zoned lots in Medford are predominantly developed with one detached single family home. The statute will allow for up to four units on one lot and does not allow cities to require more restrictive regulations than what is imposed for single family detached homes. This removes a barrier to affordable and diverse housing options to be built.

Currently, the Land Development Code does not include provisions for middle housing for most of the single family zones, other than duplexes. This will get expanded to most of the single family zones (SFR-4 & SFR-6). The SFR-2 zone will also get changed to allow duplexes. This not only offers more affordable housing opportunities, it provides more diverse housing options to meet the needs of residents who might prefer choices other than detached single family homes.

The City of Medford is identified as a Large City, determined in the statute as cities with populations over 25,000 people. The City is required to comply with the Middle Housing law by June 30, 2022. The staff and the advisory committee who helped guide the changes took the approach of making specific adjustments to

the city's code to comply with the law rather than adopting the state's developed model code for middle housing. This approach is seen as a public benefit to make required changes better reflect the local context and differentiate from the prescribed method in the Model Code.

Conclusions

The proposed code changes provide the opportunity for more affordable and diverse housing options. This amendment removes middle housing barriers currently in place and makes the review process equal with the development of single family housing.

This criterion is satisfied.

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

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

Findings

The Comprehensive Plan addresses goals, policies, and implementation measures related to housing. The following supports the amendment:

Housing Element -

Policy 1: The City of Medford shall assess the housing needs of current and prospective residents, including the elderly, disabled, active retirees, and other groups with special housing needs, to determine development priorities and to formulate specific strategies and activities to meet those needs.

Conclusions

The amendment will enable more housing types in the single family zones, which will provide more affordable units and alternate options for young families, seniors, and those seeking housing other than a traditional detached single family home. Also, the amendment simplifies the process for constructing middle housing. This simplified process will save time and money for property owners, who might not otherwise seek to construct additional units. The amendment will also permit more density than what is currently allowed. For example, a lot of 5,000 square feet in the SFR-4 or SFR-6 zone would currently only allow one unit. After the changes are in place, a lot of 5,000 square feet will allow up to three units. In the SFR-10 zone, a lot of 7,000 square feet currently allows two units only. After the amendment is adopted,

the same size lot would allow up to four units. These factors remove current housing barriers and promote more housing in Medford.

This criterion is found to be satisfied.

Statewide Planning Goal 10: To provide for the housing needs of citizens of the state. The text below includes findings that demonstrate compliance with Goal 10.

Findings

The City's Housing Element indicates 15,050 dwelling units are needed between 2009 and 2029. Of that total, the need for single-family detached housing is 9,034 units, of which 384 are identified as being attached units. The need for multi-family housing includes 651 duplexes and 4,586 multi-units.

OAR 660-046-0330 (b) and (c) describe the amount of infill and redevelopment as well as undeveloped areas can count toward the increase of middle housing as a result of the state required changes. Cities may assume a one percent increase in the number of dwelling units produced due to middle housing in infill and redevelopment areas and a three percent increase in the number of dwelling units produced due to middle housing allowances within undeveloped areas. These expected increases in middle housing will help fulfill the needed housing goals.

Conclusions

The amendment will enable more housing types in the single family zones, which will provide more affordable units and alternate options for citizens of all ages and stages in life. The City can expect a 1-3 percent increase in middle housing in the areas that do not currently allow these housing types. Removing the barriers to middle housing will help encourage more units, resulting in bringing the city closer to meeting the needed housing goals.

This criterion is found to be satisfied.

2. *Comments from applicable referral agencies regarding applicable statutes or regulations.*

Findings

The proposal was distributed to internal and external agencies for review and comment in preparation for a Land Development meeting held on April 6,

2022. Planning staff received official “no comments” from the Medford Building Department and Medford Water Commission.

The Medford Public Works Department requested the addition of language related to public improvements and sewer capacity. Currently, public improvements are required for three or more units. However, this is also the minimum threshold for Type II or higher land use reviews. HB 2001 does not allow land use review to be any different for up to four units than for single family detached structures. The Code has been updated to clarify that three units or more require public improvements, not just developments under the Type II or higher review. Proposed language has been added to address this concern. In addition, a statement has been added related to sewer capacity for middle housing. Note: The Advisory Committee was presented draft language related to sewer capacity and the committee requested Planning Department staff remove it before more detailed discussions occurred with Public Works staff.

Medford Fire Department has requested additional regulations related to access and extended driveways for middle housing. Staff is working with the Fire Department to address these issues.

Legal staff has also been involved in answering questions and providing guidance on the proposed code language.

Conclusions

Meetings, e-mails, and discussions have occurred regarding the proposal. Modifications have been made to the text based on the feedback received.

This criterion is found to be satisfied.

3. *Public comments.*

Findings

An advisory committee was formed for the purpose of reviewing the proposed changes. The committee was made up of surveyors, developers, builders, land use consultants, housing advocates, health care managers, school officials, attorneys, and members of senior organizations. The committee met seven times between October 2021 and March 2022. Although many of the changes are state-mandated, the committee provided valuable input. The committee reviewed options and made recommendations related to whether or not to go forward with design standards for middle housing. They also suggested how to make the changes more understandable with helpful diagrams and clearer

word choices. In addition to state required changes, they provided input on other staff proposed code changes.

The proposal was e-mailed to the Planning Department's Proposed Code Amendment Interested Parties list which consists of local land use planners, surveyors, engineers, and other engaged citizens. No comments have been received to date by members of that group.

The amendment is posted on the Planning Department's Planning Projects webpage on the City's website where the public can view a copy of the draft proposal.

Study sessions were held with the City Council, Planning Commission, Site Plan & Architectural Commission, and the Housing Advisory Commission.

Staff presented this topic to two community groups: SO Health-E (October 2021) and the Southern Oregon Land Use Leadership Initiative (LULI) in April 2022, providing an overview of the legislation and how Medford is seeking to comply with the law.

Conclusions

Comments have been received at advisory committee meetings and study sessions regarding the proposed amendment. Additional opportunities to provide input have been provided to Medford citizens including testifying at the public hearings.

This criterion is found to be satisfied.

4. Applicable governmental agreements.

Findings

There are no known governmental agreements that relate to this amendment.

Conclusions

This criterion is found to be not applicable as no known governmental agreements are impacted by this proposal.

Additional Findings & Conclusions

Oregon Administrative Rule (OAR) 660-046-0030 requires local governments include findings demonstrating programs, economic incentives, and methods to increase the affordability of middle housing through ordinances or policies that include, but are not limited to the following strategies below. In 2018, Medford developed a list of 36

regulatory and economic incentive strategies to promote housing construction. The items below have either been adopted or are being worked on. In addition, to the 2018 list, the City in 2021 also drafted, a Housing Production Strategy that outlines other strategies that are proposed to be considered.

1) Waiving or deferring system development charges.

Findings

The Medford City Council approved Ordinance #2018-097 on August 2, 2018, creating a system development charges deferral program for the City of Medford. The program allows the system development charges associated with new construction to be deferred at the time of the building permit and allow the payment to be made at the time of sale or certificate of occupancy instead.

Medford also began a program to reduce the system development charges for accessory dwelling units (ADU) in 2020 (Ordinance #2020-139). From December 2020 through June 2022, the total system development charges were waived for new accessory dwelling units built based upon two stipulations: 1) the ADU would not be used for short-term rentals and 2) yearly reports would be filled out from the property owner providing information to the City related to rent charges. In addition, the City assisted property owners with paying the balance of the SDC fees through the City's Housing Opportunity Fund (HOF). The City is currently working on getting an extension of this program. Also, this program included the development of permit ready ADU plans that property owners could use helping to save on design costs and permit review fees.

Conclusion

The City of Medford has a program in place for deferring system development charges. This allows the fees to be paid at the time of sale or at occupancy of a building, helping facilitate the construction of more housing. In addition, the City is currently working on extending a program to cut system development fees in half for accessory dwelling units.

This criterion is satisfied.

2) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481.

Findings

On January, 2022 and March 31, 2022, staff presented the Medford City Council with information on a tax exemption program, consistent with MUPT (Multiple Unit Housing Property Tax Exemption) under ORS 307.654. This program would help to promote more affordable housing choices to meet the needs of the residents of the City. The City is considering a pilot program to begin this year.

Conclusion

Although the City does not currently offer a tax exemption program, one is under current consideration. This criterion is met.

3) *Assessing a construction excise tax under ORS 320.192 and ORS 320.195.*

Findings

The City of Medford approved Ordinance #2018-015 on February 15, 2018, related to the adoption of a construction excise tax. The excise tax is calculated at one-third of one percent on the value of residential, commercial, and industrial improvements. This fee is attached to all new building permits with exemptions for uses such as schools and medical. The fees provide funding to the Housing Opportunity Fund (HOF) for affordable housing in Medford and is distributed for affordable housing projects through the City's Housing Advisory Commission.

Conclusions

In 2018, the City adopted a construction excise tax to help fund affordable housing projects. This criterion is met.

RECOMMENDED ACTION

Based upon the findings and conclusions that all of the approval criteria are either satisfied or not applicable, forward a favorable recommendation for adoption of DCA-22-006 to the City Council per the staff report dated April 21, 2022, including Exhibits A through D.

EXHIBITS

- A Proposed amendment
- B Planning Commission Study Session Minutes for March 28, 2022
- C Site Plan & Architectural Commission Minutes for April 1, 2022
- D Medford Fire Department Comments received on April 15, 2022

PLANNING COMMISSION AGENDA: APRIL 28, 2022

HB 2001 Development Code Amendment

Text in **bold** font is new (other than existing section headings)

Text with ~~strikethrough~~ is proposed for removal

Three asterisks (***) indicate existing text has been omitted because it will remain unchanged

Yellow highlighted sections indicate HB 2001 required changes

ARTICLE I

General Provisions

* * *

10.012 Definitions, Specific.

When used in this chapter, the following terms shall have the meanings as herein ascribed:

* * *

Cottage Unit. A single-family dwelling unit ~~or two attached units~~ located within a cottage cluster development.

Cottage Cluster Development. A grouping of four ~~or more to twelve~~ cottage units **with a maximum building footprint of 900 square feet or less per dwelling unit and an overall maximum floor area of 1,200 square feet** developed around a common open space area.

* * *

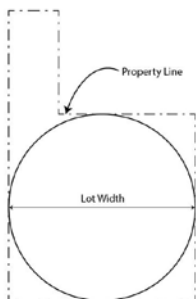
Duplex dwellings. Two ~~(2)~~ attached dwelling units that form one ~~(1)~~ **one** structure, either on an individual tax lot or with each unit on a separate tax lot. **A quadplex located in the SFR-2, SFR-4, SFR-6 or SFR-10 zones may be detached or attached dwelling units.**

* * *

Dwelling unit. Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation ~~for not more than one family~~. A dwelling unit may be further described as either attached or detached, and single-family or multiple-family.

* * *

Lot width. ~~The perpendicular bisect of the lot depth measurement.~~ **The diameter of the largest circle that can be inscribed within the property lines of a lot.**



* * *

Middle Housing. Housing types that include duplexes, triplexes, quadplexes, cottage clusters, and townhouses as related to Oregon Administrative Rules 660-046-000 through 660-046-3370 or as amended.

* * *

Multiple-family, multiplex, or apartment dwelling. Attached dwelling units in one or more structures, but having at least ~~three~~ **five** or more dwelling units per structure.

* * *

Quadplex. Four attached dwelling units on a lot or parcel. A quadplex located in the SFR-4, SFR-6 or SFR-10 zones may be any configuration of four detached or attached dwelling units.

* * *

Rear Loaded. Dwelling units with all vehicular access and off-street parking located in back of the lot or parcel.

Townhouse/rowhouse dwelling. Attached dwelling units in one or more structures, but having at least three or more dwelling units per structure. A townhouse dwelling can be distinguished from an apartment or multi-plex dwelling because each townhouse dwelling occupies an individual tax lot, consists of interior space from ground to roof, and has direct access to individual private outdoor space. **A dwelling unit that is part of a row of two or more attached dwelling units, where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent dwelling unit.**

* * *

Triplex. Three attached dwelling units on a lot or parcel. A triplex in the SFR-4, SFR-6, or SFR-10 zones may be any configuration of three detached or attached dwelling units.

* * *

ARTICLE II Procedural Requirements

* * *

10.108 Land Use Review Procedure Types.

Table 10.108-1 identifies the procedural type, applicable standards, and approving authority for each type of land use review as well as whether the 120-day rule in Section 10.104(4) is applicable. Each procedural type is subject to specific due process and administrative requirements of this chapter.

Table 10.108-1. Land Use Review Procedures

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Annexation	IV	Urbanization, 10.216	City Council	No
Appeal of Final PUD Plan Decision	I	10.140(6)(c)	Planning Commission	No

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Appeal of Minor Historic Review Decision	I	10.140(6)(d)	LHPC	No
Appeal of Type II Decision	III	10.140(7)	Planning Commission	Yes
Appeal of Type III Decision	IV	10.140(8)	City Council	Yes
Appeal of Type IV Decision	IV	10.140(9)	LUBA	No
Comprehensive Plan Amendment, Major	IV	Review & Amendment, 10.220	City Council	No
Comprehensive Plan Amendment, Minor	IV	Review & Amendment, 10.222	City Council	No
Conditional Use Permit	III	10.184	Planning Commission	Yes
Cottage Cluster Development (4 dwelling units total)	I	10.818A	Planning Director	No
Cottage Cluster Development (5 or more dwelling units and 3 net acres or less	III II	10.200; 10.818A	SPAC Planning Director	Yes
Cottage Cluster Development (5 or more dwelling units and more than 3 net acres)	III	10.200; 10.818A	SPAC	Yes
De Minimis Revision(s) to an Approved PUD Plan	I	10.198	Planning Director	No
Exception	III	10.186	PC/LHPC/SPAC	Yes
Final PUD Plan	I	10.196	Planning Director	No
Final Plat, Subdivision or Partition	I	10.160	Planning Director	No

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
General Land Use Map Amendment, Major	IV	GLUP, Review & Amendment, 10.220	City Council	No
General Land Use Map Amendment, Minor	IV	GLUP, Review & Amendment, 10.222	City Council	No
Historic	III	10.188	LHPC	Yes
Land Development Code Amendment	IV	10.218	City Council	No
Manufactured Dwelling Park 9 net acres or less in size, SFR-10 zone	II	10.880-10.896	Planning Director	Yes
Manufactured Dwelling Park, SFR-6 and MFR-15 zones	III	10.880-10.897	Planning Commission	Yes
Manufactured Dwelling Park – over 9 net acres in size, SFR-10 zone	III	10.880-10.897	Planning Commission	Yes
Major Modification to an Approved Park Development Review	III	10.185(3)(a)	Planning Commission	Yes
Major Modification to a Site Plan & Architectural Review Approval	III	10.200(8)(a)	SPAC	Yes
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(8)(b)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(4)(a)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	10.184(5)(b)	Planning Director	No
Minor Modification to an Approved Park	I	10.185(3)(b)	Planning Director	No

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Development Review				
Nonconformities	I	10.032 – 10.036	Planning Director	No
Non-Temporary Shelters (Use of Existing Building)	III	10.184; 10.819(A)	Planning Commission	Yes
Non-Temporary Shelters (New Construction)	III	10.184; 10.819 (A)	Planning Commission	Yes
Temporary Shelters as Accessory Uses	III	10.184; 10.819(A)	Planning Commission	Yes
Temporary Shelters in Commercial/Industrial Zones	III	10.184; 10.819(A)	Planning Commission	Yes
Portable Storage Container	II	10.840(4)(f)	Planning Director	Yes
Park Development Review	III	10.185	Planning Commission	Yes
Pre-Application	I	10.156	Not Applicable	No
Preliminary PUD Plan	III	10.190 – 10.198	Planning Commission	Yes
Property Line Adjustment	I	10.158	Planning Director	No
PUD Plan Revision(s)	III	10.198	Planning Commission	Yes
PUD Plan Termination	III	10.198	Planning Commission	Yes
Riparian Corridors, Reduction or Deviation	I	10.927	Planning Director	No
Sign Permit	I	10.1000 – 10.1810	Planning Director	No
Site Plan and Architectural Review (SPAR) – Type II	II	10.200	Planning Director	Yes
Site Plan and Architectural Review	III	10.200	SPAC	Yes

Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Tentative Plat, Pad Lot Development	II	10.171	Planning Director	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
Tentative Plat, Subdivision	III	10.202	Planning Commission	Yes
Transportation Facility Development	IV	10.226	City Council	No
Urban Growth Boundary Amendment, Major	IV	Urbanization, 10.220	City Council	No
Urban Growth Boundary Amendment, Minor	IV	Urbanization, 10.222	City Council	No
Urbanization Plan	IV	10.220(2)(d)	City Council	No
Vacation of Public Right-of-Way	IV	10.228	City Council	No
Validation of a Unit of Land	II	10.176A	Planning Director	Yes
Wireless Communication Facilities in Public Right-of-Way	I	10.824(7)	Planning Director	Yes
Zone Change, Major	IV	Review & Amendment, 10.220	City Council	No
Zone Change, Minor	III	10.204	Planning Commission	Yes

10.110 Designation and Duties of Approving Authorities.

* * *

(17) Planning Director Authority. The Planning Director is hereby designated as the approving authority for Type I and II land use reviews as well as issuance of the Development Permit. This includes the following land use reviews:

Land Use Review

Cottage Cluster, Type I

De Minimis Revision(s) to Approved PUD Plan Final PUD Plan

Final Plat, Pad Lot Development, Partition, and
 Subdivision Major Modifications to Site Plan and
 Architectural Review Minor Historic Review
 Minor Modification to Conditional Use Permit
 Manufactured Dwelling Park/Mobile Home Park- Type II
 Minor Modification to a Park Development
 Review
 Minor Modification to Site Plan and Architectural Review
 Nonconformities
 Pre-Application
 Property Line Adjustment
 Riparian Corridor Reduction or
 Deviation Sign Permit
 Site Plan and Architectural Review (SPAR) – Type II
 Tentative Plat, Pad Lot Development
 Tentative Plat, Partition
 Wireless Communication Facilities in Public Right-of-Way

* * *

10.142 Type I Land Use Actions.

Type I land use actions comprise the following land use reviews:

Type I Land Use Actions

Cottage Cluster, Type I

De Minimis Revision(s) to an Approved PUD Plan
 Final PUD Plan
 Final Plat, Pad Lot Development, Partition and
 Subdivision Minor Historic Review
 Minor Modification to Conditional Use
 Permit Minor Modification to a Park
 Development Review
 Minor Modification to a Site Plan and Architectural
 Review Nonconformities
 Pre-Application
 Property Line Adjustment
 Removal of Public Utility Easement
 (PUE) Riparian Corridor Reduction
 or Deviation Sign Permit
 Wireless Communication Facilities in Public Right-of-Way

* * *

10.168 Type II Land Use Actions.

(1) Type II actions comprise the following land use reviews:

Land Use Actions

Cottage Cluster, Type II

Partition, Tentative Plat

Pad Lot Development,

Tentative Plat Validation of a

Unit of Land

Portable Storage Containers

Major Modifications to a Site Plan and Architectural Review

Site Plan and Architectural Review (SPAR)

* * *

10.171 Pad Lot Development, Tentative Plat

(1) Application. The land division associated with a pad lot development is a Type II administrative decision with notice and the Planning Director is the approving authority. ~~If a pad lot development includes a cottage cluster development it shall be reviewed as a Type III quasi-judicial decision, and shall meet the requirements identified in Section 10.818A.~~ Final plat for pad lot development is a Type I ministerial action which complies with the requirements established at the time of tentative plat approval, and the requirements set forth in Section 10.162 (2-5).

(2) *Application for Pad Lot Development Tentative Plat.* The application for each proposed pad lot development tentative plat shall be filed with the Planning Department.

(3) *Form of Tentative Plat and Accompanying Data.* The tentative plat shall comply with the requirements of 10.202(3).

(4) *Pad Lot Development Tentative Plat Approval Criteria.* The Planning Director shall not approve any tentative plat for a pad lot development unless the Director can determine that the proposed land division, together with the provisions for its design and improvement, meet the following:

- (a) Is consistent with the standards as outlined in Section 10.703 and as required in the underlying zoning district.
- (b) Is consistent with the Comprehensive Plan, any other specific plans applicable to the proposed land division, including Neighborhood Circulation Plans, and all applicable development standards set forth in Articles IV and V of Chapter 10;
- (c) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (d) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name any other subdivision in the City of Medford; except for the words “town”, “city”, “place”, “court”, “addition”, or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;**

(de) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the approving authority determines it is in the public interest to modify the street pattern;

(ef) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;

(fg) Will not cause an unmitigated land use conflict between the land partition and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

* * *

10.175A Site Plan and Architectural Review (SPAR) – Type II

(1) Purpose of Site Plan and Architectural Review – Type II. The Site Plan and Architectural Review Type II process is established to assure compliance with the standards and criteria set forth in this chapter for the development of property as applied to the improvement of individual lots or parcels of land as required by this code. The distinction of a Type II Site Plan and Architectural Review, from a Type III, is needed to provide a more expedited land use review for certain multi-family uses in the City as identified below. The SPAR – Type II land use review considers consistency with section 10.717 of the MLDC, site planning and general placement of related facilities as identified in 10.200 and throughout the Medford Municipal Code.

(2) Site Plan and Architectural Review – Type II Required. A SPAR – Type II shall be used when reviewing land uses proposing multi-family development, in place of the SPAC Type-III, when the following conditions apply:

(a) Is a multi-family development of three (3) net acres or less; ~~and~~ **or**

(b) Is a cottage cluster development of five or more dwelling units on three (3) net acres or less; and

~~(cb)~~ The proposed land use does not require a Type III or Type IV land use review in conjunction with the multi-family development such as, but not limited to, an Exception, Historic Review or Land Division.

(3) Site Plan and Architectural Review approval shall be required prior to the application for a building permit.

(4) Site Plan and Architectural Review Approval Criteria. See Section 10.200. **In addition, for cottage clusters see Section 10.818A.**

10.182 Type III Land Use Actions.

(1) Type III actions comprise the following land use reviews:

Land Use Action

Conditional Use Permit

Cottage Cluster, Type III

Exception

Historic Review
Park Development Review
Preliminary PUD Plan
Site Plan and Architectural Commission (SPAC) Review
Subdivision Tentative Plat
Zone Change

* * *

10.190 Planned Unit Development (PUD) – Application and Approval Provisions.

(1) *Purpose and Intent of PUDs.* The PUD approach permits flexibility to allow creative and imaginative urban development that would otherwise not be possible under the strict requirements of this Code. The intent is to promote more efficient use of urban land and urban services while protecting natural features, creating common open space, promoting the development of transit-oriented design along designated transit corridors and within designated transit-oriented development (TOD) areas, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.

The provisions listed in Oregon Administrative Rule (OAR) 660-046-0010 to OAR 660-046-0235 related to the construction of middle housing (triplexes, quadplexes, townhouses, and cottage clusters) within the single family zones is not required outright in Planned Unit Developments over 20 acres approved before July 1, 2022, except for the provision to allow duplexes on undeveloped lots in the SFR-2, SFR-4, SFR-6, and SFR-10 zones.

10.200 Site Plan and Architectural Review

* * *

(3) Exemptions from the Site Plan and Architectural Review, SPAR – Type II & SPAC – Type III, Requirement.

(a) An exemption from Site Plan and Architectural Commission review does not exempt the use or development from compliance with the applicable standards of this chapter, including but not limited to access, parking, riparian protection, and landscaping. Exemptions under this section do not apply to uses subject to a conditional use permit or park development review or major modification thereof.

(b) The following uses or developments do not require Site Plan and Architectural Review.

(i) Parking lots and parking lot additions, when not associated with building construction required to be reviewed by the Site Plan and Architectural Commission, except any parking lot or parking lot additions located within a Historic Overlay requires Historic Review. (Effective Dec. 1, 2013.)

(ii) Construction of a new building if it does not increase motor vehicle trip generation by more than 10 average daily trips, unless within a Historic Overlay, in which case, Historic Review is required for all new construction. (Effective Dec. 1, 2013.)

(iii) A building addition similar to the existing building in architectural style and exterior building materials and that is no more than a 20 percent or 2,500 square-foot increase in gross floor area, whichever is less, unless within a Historic Overlay, in which case, Historic Review is required for all building additions and exterior alterations. (Effective Dec. 1, 2013.)

(iv) Detached single-family residential development on a lot within a final platted land division or on an otherwise legally created lot, unless within a Cottage Cluster Development **of five or more dwelling units** pursuant to Sections **10.108-1 and 10.818A**, or within a Historic Overlay, in which case, SPAC review or Historic Review, respectively, is required for all single-family residential development. (Effective Dec. 1, 2013.)

(v) Solar Photovoltaic/Solarvoltaic energy systems, as defined in ORS 757.360, except when located on historic landmarks or within historic districts, in which case the review authority shall be the Landmarks and Historic Preservation Commission.

(vi) ~~One duplex dwelling divided by a lot line or on a single, vacant lot within a final platted land division or~~ **Middle housing types of four units or less** on an otherwise legally created lot, unless within a Historic Overlay, in which case, Historic Review is required.

(vii) Airport accessory structure(s) including hangars, aircraft storage, maintenance facilities, warehouse storage, and office buildings to be located on airport property within the secured fence area (as shown on the Medford Zoning Map) not intended for public use.

(4) Site Plan and Architectural Review approval and a development permit shall be required prior to the application for a building permit.

(5) Site Plan and Architectural Review Approval Criteria (Type II & III).

(a) The Site Plan and Architectural Commission, SPAC – Type III Review, shall approve a site plan and architectural review application for a commercial or industrial development, if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

(i) The proposed development is compatible with uses and development that exist on adjacent land, and

(ii) The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in Section 10.186.

(b) The approving authority shall approve a site plan and architectural review application for a residential development if the proposed development complies with the applicable provisions of all city ordinances, or if the Site Plan and Architectural Commission has approved either of the following:

- (i) Any Exceptions, as provided for in MLDC Section 10.186, which resolve(s) any instances of non-compliance with those provisions.
- (ii) Any Adjustments or Exceptions from the Special Development Standards for Multiple-Family Dwellings, as provided for in MLDC Section 10.715A through 10.717.
- (iii) Any Adjustments or Exceptions from the Development Standards for a Cottage Cluster Development as provided for in MLDC Sections **10.108-1 and** 10.818A.

* * *

ARTICLE III

Zoning Districts

10.306 Residential Land Use Classification.

The residential land use classification provides a wide range of residential density alternatives and dwelling types designed to provide for the housing needs of the community as identified in the “Housing Element” of the Comprehensive Plan. Each district is intended to provide for specific dwelling types and densities in a quality living environment, conforming to the Urban, Urban Medium, and Urban High Density Residential designations of the Comprehensive Plan. The maximum number of dwelling units (DU) per acre (the density factor or “gross density” as defined herein) can be increased in a Planned Unit Development per Section 10.192(7). Examples of minimum and maximum residential density calculations are provided in Article 5, Section 10.708. The residential land use classification is comprised of eight (8) zoning districts as specified in the following sections of this Article.

Oregon Administrative Rule (OAR) 660-046-0010 to OAR 660-046-0235 expands the ability to build middle housing (duplexes, triplexes, quadplexes, townhouses, and cottage clusters) within the single family zones. This requires the City to comply with housing legislation contained within the statute. The provisions listed in the statute override any conflicting Code requirement.

10.308 SFR-2, Single-Family Residential - 2 dwelling units per gross acre.

The density requirements and locational characteristics of this urban residential district are a function of topographic conditions, such as slopes of over fifteen percent (15%), and/or other environmental constraints,

such as soils, geology, and flooding, which restrict the carrying capacity of the land. This district provides for very low density, large lot single-family detached dwellings **and duplexes**, where such topographic conditions and environmental constraints occur.

In SFR-2, the minimum and maximum number of dwelling units (DU) permitted per gross acre, or fraction thereof, shall fall within the following range:

Minimum and Maximum Density Factor (df) 0.8 to 2.0 DU/gross acre

10.309 SFR-4, Single-Family Residential - 4 dwelling units per gross acre.

This urban residential district is representative of historical low density, large lot single-family development **as well as all middle housing types**. New SFR-4 zoning should be located in areas where slopes exceed five percent (5%), but are less than fifteen percent (15%) to prevent excessive grading.

In SFR-4, the maximum number of dwelling units (DU) permitted per gross acre, or fraction thereof, shall fall within the following range:

Minimum and Maximum Density Factor (df) 2.5 to 4.0 DU/gross acre

~~For duplexes, the minimum and maximum density factor 2.5 to 6.0 DU/gross acre~~

10.310-1 SFR-6 and SFR-10, Single-Family Residential - 6 or 10 dwelling units per gross acre.

These two urban residential districts provide for standard and higher density single-family detached dwellings, duplexes, **triplexes, quadplexes, townhouses, cottage cluster**, and mobile home parks.

In SFR-6, the maximum number of dwelling units (DU) permitted per gross acre, or fraction thereof, shall fall within the following range:

10.314 Permitted Uses in Residential Land Use Classification.

* * *

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
1. SINGLE-FAMILY RESIDENTIAL									

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
(a) Single-Family Detached Dwelling	P	P	P	P	P	Ps	Ps	Ps	10.710 & 10.826
(b) Zero Lot-Line Detached Dwelling	P	P	P	P	P	X	X	X	10.707
(c) Manufactured Home on Individual Lot	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.710, 10.821 (with ADU), 10.826 & 10.900
(d) Temporary Residence	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.840
(e) Residential Home (care, training, treatment) (5 or fewer residents)	P	P	P	P	P	P	P	P	
2. MULTIPLE- FAMILY RESIDENTIAL									
(a) Duplex Dwelling	X	X P	P	P	P	P	P	P	10.713 10.710, 10.820 & 10.821 (ADUs only)
(b) Duplex Dwelling- Corner Lot	X	X	P	P	Ps	Ps	Ps	Ps	10.713, 10.820 & 10.821 (ADUs only)
(b) Triplex, Quadplex	X	X	P	P	P	P	P	P	10.710
(c) Multiple-Family, Multiplex, or Apartment Dwelling (5 or more units)	X	X	X	X	P	P	P	P	10.714 10.710 10.716A
(d) Townhouse/Rowhouse Dwelling	X	X	X P	X P	P	P	P	X	10.712 & 10.821 (ADUs only)
3. SPECIAL RESIDENTIAL DEVELOPMENTS									

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
(a) Planned Unit Development	X	PD	PD	PD	PD	PD	PD	PD	10.190-198 & 10.412
(b) Mobile Home Park/Manufactured Dwelling Park	X	X	X	Cs	Ps* Cs**	Cs	X	X	10.860-896
(c) Cottage Cluster Development	X	X	P (corner lots only)	P	P	P	X	X	10.818A
4. ACCESSORY USES									
(a) Accessory Dwelling Unit (ADU)	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.821 & 10.826
(b) Guest House	P	P	P	P	P	X	X	X	
(c) Accessory Building or Use	P	P	P	P	P	Ps	Ps	Ps	10.838
(d) Child (Family) Day Care Home (16 or fewer children)	P P	P P	P P	P P	P P	P P	P P	P P	

*SFR-10 developments that are 9 net acres or less is a Type II review.

** SFR-10 developments that are over 9 net acres is a Type III review.

10.371 Scope and Applicability of Southeast (S-E) Overlay District Regulations.

(1) Application: The S-E Overlay District applies automatically upon annexation to the City of Medford to parcel(s) located within the Southeast Plan Area designated on the City of Medford General Land Use Plan Map. Land use and development within the S-E Overlay District shall conform to the S-E Overlay District regulations, in addition to all other applicable City regulations.

The provisions listed in Oregon Administrative Rule (OAR) 660-046-0010 to OAR 660-046-0235 related to the construction of middle housing (triplexes, quadplexes, townhouses, and cottage clusters) within the single family zones is not required outright in the SE Overlay, except for the provision to allow duplexes on undeveloped lots in the SFR-2, SFR-4, SFR-6, and SFR-10 zones.

ARTICLE IV

Public Improvement Standards and Criteria

* * *

10.425 Street Access and Dedication Requirements.

Prior to the issuance of a development permit, land shown on any development proposal and intended for vehicular use shall have access to a paved street. Land intended for vehicular and accessway use by the general public shall be offered for dedication. **Development which will result in three or more residential units on one tax lot, may be required to demonstrate adequate sanitary sewer capacity and required to construct public improvements including but not limited to street (i.e.; paving, curb and gutter, sidewalk and/or street lights), stormdrain and/or sanitary sewer improvements.**

* * *

10.492 Sanitary Sewer Design.

All sanitary sewer facilities shall be of a total gravity systems design installed in public or private street right-of-way or public easement to grades, standards, location, lengths and sizes, as approved by the Department of Environmental Quality and the City Engineer. **At the subdivision stage, the city may require a developer to identify the intended housing types for the purpose of infrastructure planning. The city may require a demonstration that there is sufficient sewer capacity to serve the proposed number of units. If there is not sufficient planned capacity from the subdivision process to accommodate the proposed number of units, the City may require a developer to remedy the deficiency before issuing any building permits. If a developer applies for a building permit for middle housing after final plat on a subdivision approved after July 1, 2022, where the intended housing type was not identified as middle housing, the city may require a developer to demonstrate there is sufficient infrastructure to serve the proposed middle housing units.**

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 & Middle Housing	MFR	COMMERCIAL	INDUSTRIAL
Less than 500 ADT***	10-12 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 & Middle Housing	MFR	COMMERCIAL	INDUSTRIAL
Less than 500 ADT***	12 to 24 ft. (Shared Approach Only)	18 to 36 ft.	18 to 24 ft.	24 to 36 ft.**
500 to 1,000 ADT***			18 to 36 ft.**	24 to 36 ft.**
Greater than 1,000 ADT***			18 to 36 ft.**	24 to 36 ft.**
Arterial	SFR & 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 Curb cut or

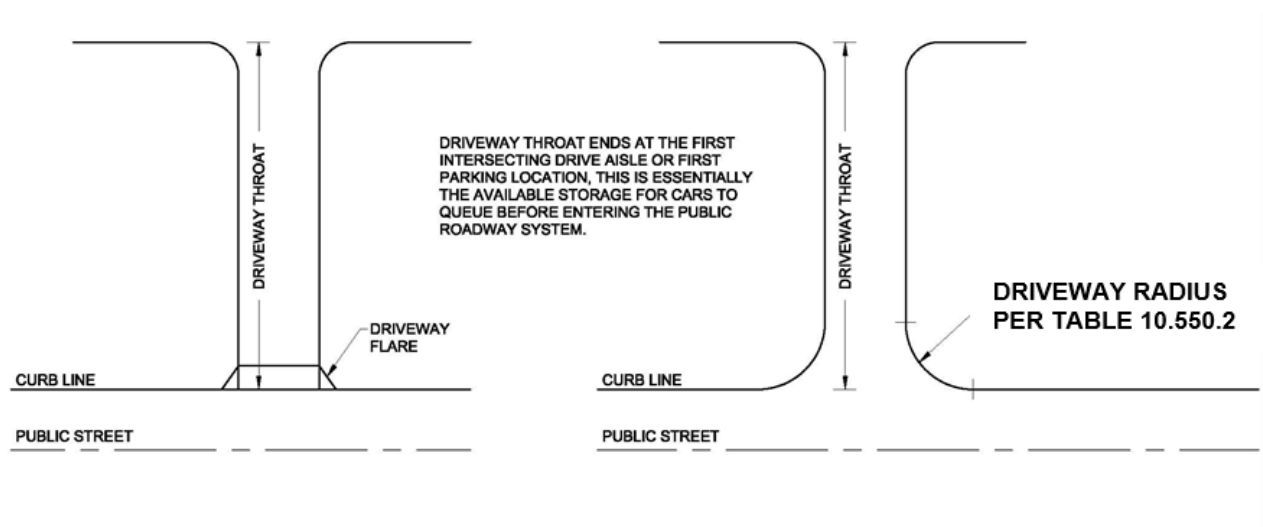
Street Classification	Land Use on Parcel to be Served by the Driveway*			
	SFR	MFR	COMMERCIAL	INDUSTRIAL
				20 ft. radius
Collector	Shared Access Curb cut		20 ft. radius	20 ft. radius
Arterial	No direct access unless no alternative exists, then 15 ft. radius.		25 ft. radius	25 ft. radius

*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. 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	30	35	40	45
DRIVEWAY SPACING	145 ft.	195 ft.	250 ft.	315 ft.	385 ft.

(ii) *Number of Driveways for each Separately Owned Tract.* Within the requirements set forth in (a)(i) above, 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.

ARTICLE V

Site Development Standards

10.702 Lot Area and Dimensions.

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

- (1) Within a planned unit development, a condominium project, as defined by ORS 100.005, or a pad lot development, as defined herein, the approving authority may permit lots and common areas to be of an area, width, frontage, or depth different from such prescribed minimum or maximum lot area or dimensions of the underlying zone.
- (2) For a condominium project, as defined by ORS 100.005, the minimum lot area and dimensions shall apply to the parent parcel only.
- (3) A new residential lot may exceed the maximum lot area only under the following circumstances:
 - (a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area **an oversize lot may be created to be no more than twice the maximum lot area for the subject zoning unless existing circumstances necessitate a larger configuration which can be approved at the discretion of the review authority;** or,
 - (b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.
- (4) **The creation of a new residential lot or parcel may reduce lot width by 10 feet to accommodate rear loaded developments. This requires access and parking to be taken from the non-street side the lot or parcel such as from an alley. A deed restriction or other document, as approved by the Legal**

Department, must be recorded prior to recording the final plat of a subdivision or partition on the property to require future access and parking to be rear loaded.

* * *

10.703 Pad Lot Development.

(1) *Purpose.* It is the purpose of this Section to provide a process for the creation of lots within a common area as specified below. This Section is not intended to provide relief from the strict standards elsewhere established in this Code.

(2) *Development Standards.* Pad lot developments shall include a parent parcel from which pad lots and common area are platted.

(a) A pad lot development shall be permitted for the following development types:

(i) Commercial and Industrial development, including mixed-use buildings, pursuant to Section 10.721

(ii) Duplex Dwellings (**attached by a common wall**) pursuant to ~~10.713~~**10.710**

(iii) Triplex and Quadplex Dwellings (attached by common walls) pursuant to 10.710

(iv) Multi-family Dwellings pursuant to ~~10.714~~ **10.710**

(v) Cottage Cluster Development pursuant to Section 10.818A.

(b) For non-residential uses, duplex dwellings, **triplex dwellings, quadplex dwellings**, multi-family dwellings and mixed use buildings only:

(i) All lot-lines created within the parent parcel shall be located along a common or exterior building wall, or within ten (10) feet of an exterior building wall. The approving authority shall allow a greater distance for special purposes due to development constraints related to environmental resources, existing structures and physical improvements.

* * *

(4) *Land Use Review.*

(a) Pad lot developments shall not be exempt from other applicable land use processes as established by the MLDC, including but not limited to:

(i) Cottage Cluster Development – Type **I, II, & III**

(ii) Exception – Type III

(iii) Historic Reviews – Type I, II & III

(iv) Site Plan and Architectural Review (SPAR) Type II

(v) Site Plan and Architectural Commission (SPAC) Review – Type III

* * *

10.707 Exceptions to Yard Requirements.

(1) *General Exceptions.* The following projections shall be permitted within the required yard area:

* * *

(e) An approving authority shall approve an encroachment into the required setbacks, as set forth in Article V, by up to twenty percent (20%), for setbacks of ten (10) feet or greater. Reductions shall not be permitted when the parcel is within the Wildfire Risk Area, when a structure is placed on slopes greater than 15%, or when the Hillside Ordinance applies. **The reduced setback shall not allow the encroachment of a structure within a recorded easement. The foundation or stem wall of the proposed structure shall be located a minimum of two feet from the edge of the easement.** The requested reduction shall be compliant with applicable building, fire and life-safety codes. These reductions shall be available at the option of the applicant for land use review or building permit review.

* * *

10.708 Residential Density.

* * *

(3) *General Exceptions to Residential Density Calculations.*

(a) *Multiple-Family Dwelling Units in Commercial Zoning Districts.* The minimum density factor shall be the same as the MFR-30 zoning district, found in Sections ~~10.709-10.710—10.713~~; there is no maximum density restriction.

(b) *Mixed-Use Buildings.* For mixed-use buildings as defined herein, in commercial zoning districts there shall be no minimum or maximum number of dwelling units required. In the Neighborhood Commercial (C-N) zoning district, dwelling units must be located in a mixed-use building.

(c) *Congregate Living Facilities.* For units in a congregate living facility that do not contain full kitchen or cooking facilities, each unit may be counted as 0.7 of a dwelling unit for purposes of calculating density. The living unit shall be counted as a full dwelling unit for purposes of calculating the parking requirement.

(d) *Parcels Under One (1) Gross Acre.* For parcels under one gross acre in size, the minimum density may be reduced by one unit without applying for an Exception.

(e) ***Middle Housing.*** Duplexes in the SFR-4, SFR-6, and SFR-10 zones are permitted on lots that meet the lot area range requirements in Section 10.713 without having to meet the minimum density. **Duplexes up to two units on a legal unit of land in the SFR-2 zone and all middle housing up to four units on a legal unit of land in the SFR-4, SFR-6, and SFR-10 zones are** permitted regardless of minimum density being met. Siting standards do apply. For parcels under one gross acres in size, the minimum density (over four units) may be reduced by two units for middle housing without applying for an Exception.

10.709 Residential **Land Division** ~~Site Development~~ Standards by Housing Type.

The following sections set forth the standards for the development of each permitted housing type by zoning district. ~~The following standards apply to the division of land within the various residential districts by housing type.~~ For cottage cluster standards, see Section 10.818A. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

See next page

Table 10.709 -1 Residential Zones – Land Division Standards

	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Min/Max Density (per gross acre)								
Detached SFR	Dividing land only allowed per Section 10.202(7)	0.8 – 2.0	2.5 – 4.0	4.0 – 6.0	6.0 – 10.0	X	X	X
Duplex		0.8 – 2.0	2.5 – 4.0	4.0 – 6.0	6.0 – 10.0	10.0 – 15.0	15.0 – 20.0	20.0 – 30.0
Townhouse		X	2.5 – 16.0	4.0 – 24.0	6.0 – 25.0	10.0 – 25.0	15.0 – 25.0	X
Triplex		X	2.5 – 4.0	4.0 – 6.0	6.0 – 10.0	10.0 – 15.0	15.0 – 20.0	20.0 – 30.0
Quadplex		X	2.5 – 4.0	4.0 – 6.0	6.0 – 10.0	10.0 – 15.0	15.0 – 20.0	20.0 – 30.0
Multi-Family (5+ attached units)		X	X	X	X	10.0 – 15.0	15.0 – 20.0	20.0 – 30.0
Cottage Cluster		X	4 min (no max)	4 min (no max)	6 min (no max)	10 min (no max)	X	X
Lot Area (square feet)								
Detached SFR	Dividing land only allowed per Section 10.202(7)	14,000 – 55,000	6,500 – 18,750	4,500 – 12,500	3,600 – 8,125	X	X	X
Duplex		14,000 – 55,000	6,500 – 18,750	4,500 – 12,500	3,600 – 8,125	5,400 – 12,500		
Townhouse		X	1,500 – 4,500	1,500 – 4,500	1,500 – 4,500	1,500 – 4,500	1,500 – 4,500	X
Triplex		X	5,000 – 18,750	5,000 – 12,500	5,000 – 8,125	4,000 min	5,000 min	8,000 min
Quadplex		X	7,000 – 18,750	7,000 – 12,500	7,000 – 8,125	4,000 min	5,000 min	8,000 min
Multi-Family (5+ attached units)		X	X	X	X	4,000 min	5,000 min	8,000 min
Cottage Cluster (4 units)		X	7,000 min	7,000 min	7,000 min	10,000 min	X	X
Cottage Cluster (5+ units)		X	10,000 min	10,000 min	7,000 min	10,000 min	X	X

Table 10.709 -1 Residential Zones – Land Division Standards

	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Minimum Interior Lot Width (feet)								
Detached SFR	Dividing land only allowed per Section 10.202(7)	80	60	50	40	X	X	X
Duplex		80	60	50	40	40		
Townhouse		X	20	20	20	20		X
Triplex		X	60	50	40	50		
Quadplex		X	60	50	40	60		
Multi-Family (5+ attached units)		X	X	X	X	60		
Cottage Cluster		X	60	60	60	60	X	X
Minimum Corner Lot Width (feet)								
Detached SFR	Dividing land only allowed per Section 10.202(7)	90	70	60	50	X	X	X
Duplex		90	70	60	50	50		
Townhouse		X	30	30	30	30		X
Triplex		X	70	60	50	60		
Quadplex		X	70	60	50	70		
Multi-Family (5+ attached units)		X	X	X	X	70		
Cottage Cluster		X	70	70	70	70	X	X
Minimum Lot Depth (feet)								
Detached SFR		90	90	90	90	X	X	X
Duplex		90	90	90	90	90		

Table 10.709 -1 Residential Zones – Land Division Standards

	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Townhouse		X	90	90	90	90	90	X
Triplex		X	90	90	90	90	90	
Quadplex		X	90	90	90	90	90	
Multi-Family (5+ attached units)		X	X	X	X	90		
Cottage Cluster								
Minimum Lot Frontage (feet)								
Detached SFR	Dividing land only allowed per Section 10.202(7)	30 20 for flag lots			X	X	X	X
Duplex		30 20 for flag lots						
Townhouse		X	20					X
Triplex		X	30 20 for flag lots					
Quadplex		X						
Multi-Family (5+ attached units)		X	X	30				30
Cottage Cluster		X	30				X	X

10.710 ~~Detached Single-Family Dwellings.~~ **Residential Site Development Standards by Housing Type.**

The following standards apply to the development of ~~detached single-family dwellings~~ **housing** within the various residential districts. A manufactured home is considered a detached single-family dwelling only if the requirements of Article V, Section 10.900 are met. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

~~Detached Single-Family Dwellings~~

~~One detached dwelling unit per lot.~~

Development Standards	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
Minimum and Maximum Density Factor Range (See 10.708)	NA	0.8 to 2.0 dwelling units per gross acre	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre
Lot Area Range (Square Feet)	Land divisions not permitted in this zone	14,000 to 55,000	6,500 to 18,750	4,500 to 12,500	3,600 to 8,125
Maximum Coverage Factor (See 10.706)	40%	40% of lot area	50% of lot area can exceed 50% when the building footprint is not more than 2,000 sq. ft.		50%
Minimum Interior Lot Width	NA	80 feet	60 feet	50 feet	40 feet
Minimum Corner Lot Width	NA	90 feet	70 feet	60 feet	50 feet
Minimum Lot Depth	NA	90 feet can count only half of an adjoining alley toward the lot depth			
Minimum Lot Frontage	NA	30 feet EXCEPT Flag Lots which shall be 20 feet			
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet. (See Garage Setback Diagram).				
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports				
Minimum Side Yard Building Setback (height rounded to the nearest whole number)	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27–30 feet building height				

Development Standards	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
	12 feet for 31 feet or taller building height				
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(3), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.				
Maximum Height (See 10.705)	35 feet				
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit				
A detached single family dwelling as a stand alone use is permitted in the Multiple Family Residential (MFR) zoning districts ONLY if the lot is nonconforming as to minimum lot area, width, or depth. A detached single family dwelling is permitted in the Industrial zones as a caretakers residence per Section 10.835.					
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.					

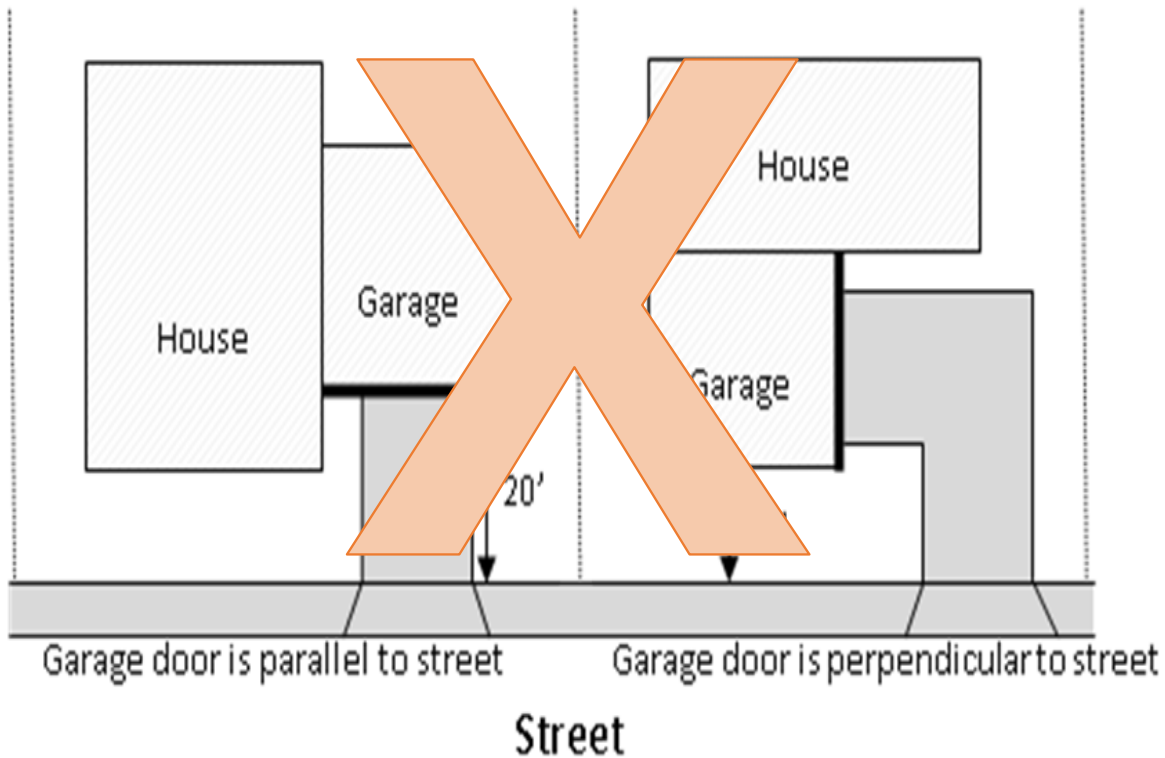


Table 10.710 -1 Residential Zones – Site Development Standards

Table 10.710 -1 Residential Zones – Site Development Standards								
	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Special Note		The minimum density (more than 2 units in SFR-2 and more than 4 units in SFR-4, SFR-6, and SFR-10) must be met for the development of all housing types, unless subject to the standards of Section 10.708 or otherwise approved.						
Detached SFR						If the lot is nonconforming as to the minimum lot area, width, or depth a single family home is permitted.		
Duplex		Any configuration of two attached or detached dwelling units are permitted on an individual lot or parcel.				Two detached dwelling units are permitted in lieu of an attached duplex on an individual lot when the maximum density is no more than 2 units.		
Townhouse								
Triplex			Any configuration of three detached or attached dwelling units are permitted on an individual lot or parcel.			Any configuration of allowed housing types are permitted subject to minimum/maximum density.		
Quadplex			Any configuration of four detached or attached dwelling units are permitted on an individual lot or parcel.					
Multi-Family (5+ attached units)								
Cottage Cluster			For cottage cluster developments, see Section 10.818A					
Lot Coverage (percentage)			Lot coverage may exceed the percentages below when the total building footprint of a detached SFR or duplex is not more than 2,000 square feet					
Detached SFR	50 percent	50 percent	50 percent	50 percent	50 percent	X	X	X
Duplex	X	50 percent	50 percent	50 percent	50 percent	50 percent	50 percent	
Townhouse	X	X	75 percent	75 percent	75 percent	75 percent	75 percent	X
Triplex	X	X	60 percent	60 percent	60 percent	60 percent	65 percent	70 percent
Quadplex	X	X	60 percent	60 percent	60 percent	60 percent	65 percent	70 percent
Multi-Family (5+ attached units)	X	X	X	X	X	60 percent	65 percent	70 percent
Cottage Cluster	X	X	No maximum lot coverage allowance					

Table 10.710 -1 Residential Zones – Site Development Standards

Table 10.710 -1 Residential Zones – Site Development Standards								
	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Minimum Front Yard Setback (feet)								
Detached SFR	15 feet Except the garage or carport must be 20 feet. If the garage door is perpendicular to the street, the minimum setback to the sidewall of the garage is 15 feet. (See garage setback diagram 10.710-2.)					X	X	X
Duplex	X	15 feet Except the garage or carport must be 20 feet. If the garage door is perpendicular to the street, the minimum setback to the sidewall of the garage is 15 feet. (See garage setback diagram 10.710-2.)						
Townhouse	X	X	15 feet Except the garage or carport must be 20 feet (See Section10.716B(6))					X
Triplex	X	X	15 feet Except the garage or carport must be 20 feet. (See Section 10.716B(4))			10 feet Except the garage or carport must be 20 feet. (See diagram 10.716B(4))		
Quadplex	X	X						
Multi-Family (5+ attached units)	X	X	X	X	X			
Cottage Cluster	X	X	10				X	X
Minimum Street Side Yard Setback								
Detached SFR	10 feet Except the garage or carport must be 20 feet. If the garage door is perpendicular to the street, the minimum setback to the sidewall of the garage is 10 feet. (See garage setback diagram 10.710-2.)					X	X	X
Duplex	X	10 feet Except the garage or carport must be 20 feet. If the garage door is perpendicular to the street, the minimum setback to the sidewall of the garage is 10 feet. (See garage setback diagram 10.710-2.)						
Townhouse	X	X	10 feet Except the garage or carport must be 20 feet. (See Section 10.716B(6))					X
Triplex	X	X	10 feet Except the garage or carport must be 20 feet. (See Section 10.716B(4))			10 feet Except the garage or carport must be 20 feet. (See Section 10.716(4))		
Quadplex	X	X	10 feet Except the garage or carport must be 20 feet. (See Section 10.716B(4))					

Table 10.710 -1 Residential Zones – Site Development Standards

	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Multi-Family (5+ attached units)	X	X	X	X	X			
Cottage Cluster	X	X	10				X	X
Minimum Side Yard Setback (feet)								
Detached SFR	Building Height Range Required Yard 0 – 18.49 feet 4 18.50 – 22.49 feet 6 22.50 – 26.49 feet 8 26.50 – 30.49 feet 10 30.50 – 35.0 feet 12					X	X	X
Duplex	X	Building Height Range Required Yard 0 – 18.49 feet 4 18.50 – 22.49 feet 6 22.50 – 26.49 feet 8 26.50 – 30.49 feet 10 30.50+ feet 12						
Townhouse	X	X	Building Height Range Required Yard 0 – 18.49 feet 4 18.50 – 22.49 feet 6 22.50 – 26.49 feet 8 26.50 – 30.49 feet 10 30.50+ feet 12					X
Triplex	X	X	Building Height Range Required Yard 0 – 18.49 feet 4 18.50 – 22.49 feet 6 22.50 – 26.49 feet 8 26.50 – 30.49 feet 10					
Quadplex	X	X	Building Height Range Required Yard 0 – 18.49 feet 4 18.50 – 22.49 feet 6 22.50 – 26.49 feet 8 26.50+ feet 10					

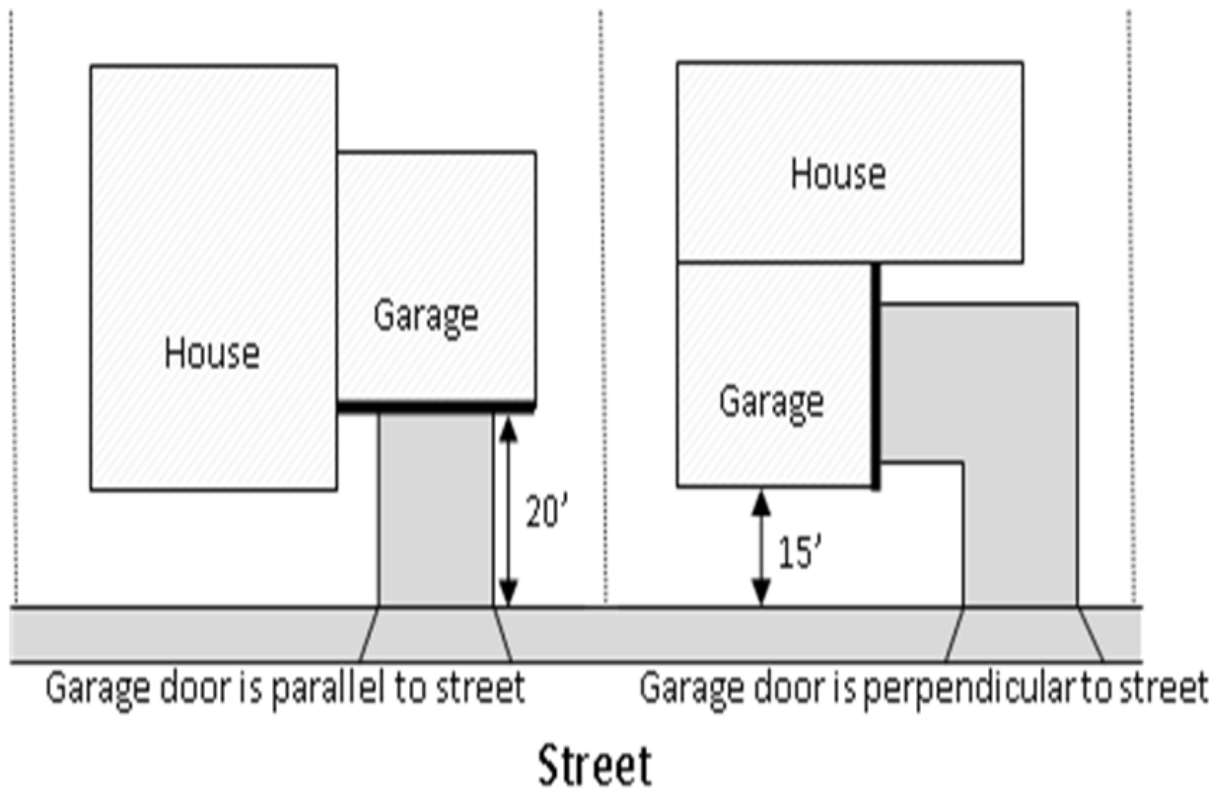
Table 10.710 -1 Residential Zones – Site Development Standards

Table 10.710 -1 Residential Zones – Site Development Standards								
	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
			30.50+ feet 12					
Multi-Family (5+ attached units)	X	X	X	X	X			
Cottage Cluster	X	X	5				X	X
Minimum Rear Yard Setback								
Detached SFR	Equal to the greater side yard setback as calculated in Section 10.705(C), not less than 4 feet. Exceptions: 1) If the rear property line abuts a street, the setback is 10 feet or 2) If the property slopes downward from the street, see Section 10.705(A)(1).					X	X	X
Duplex	X	Equal to the greater side yard setback as calculated in Section 10.705(C), not less than 4 feet. Exceptions: 1) If the rear property line abuts a street, the setback is 10 feet or 2) If the property slopes downward from the street, see Section 10.705(A)(1).						
Townhouse	X	X	Equal to the greater side yard setback as calculated in Section 10.705(C), not less than 4 feet. Exceptions: 1) If the rear property line abuts a street, the setback is 10 feet or 2) If the property slopes downward from the street, see Section 10.705(A)(1).					X
Triplex	X	X	Equal to the greater side yard setback as calculated in Section 10.705(C), not less than 4 feet. Exceptions: 1) If the rear property line abuts a street, the setback is 10 feet or 2) If the property slopes downward from the street, see Section 10.705(A)(1).			<u>Building Height Range</u>		<u>Required Yard</u>
Quadplex	X	X				0 – 18.49 feet		4
						18.50 – 22.49 feet		6
						22.50 – 26.49 feet		8
			26.50+ feet		10			
Multi-Family (5+ attached units)	X	X	X	X	X			
Cottage Cluster	X	X	5 (Except 4 for detached accessory buildings)				X	X
Bufferyard Setback (feet)								
All housing types	An 8-foot setback is required from a bufferyard to any doors on a dwelling unit							

Table 10.710 -1 Residential Zones – Site Development Standards

	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Maximum Height (feet)						Maximum building heights listed below are reduced to 35 feet for portions of a structure within 150 feet of the following residential zoning districts: SFR-00, SFR-2, SFR-4, SFR-6, SFR-10 (only SFR-00 properties with the UR General Land Use Plan designation)		
Detached SFR	35					X	X	X
Duplex	X	35	35			35	35	35
Townhouse	X	X				35	35	X
Triplex	X	X				45	45	55
Quadplex	X	X	35	35	35	45	45	55
Multi-Family (5+ attached units)	X	X	X	X	X	45	45	55
Cottage Cluster	X	X	25				X	X

Garage Setback Diagram 10.710-2



10.712 Townhouse Dwellings.

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

In addition to the site development standards specified in **Sections 10.709 and 10.710, herein**, townhouse development shall be identified as such on both the tentative and final plats for the project. Except when the tentative plat is in conjunction with a PUD, the tentative plat shall be accepted for review only after the project has received approval from the approving authority. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the city and recorded. The recorded CC&Rs shall provide:

- (1) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, including common portions of the buildings, such as foundations, roofs, common walls, etc., and share equitably in the cost of such upkeep.

- (2) An association for the purpose of governing the operation of the common interests.
- (3) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.
- (4) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.

Townhouse Dwellings

Three or more attached dwelling units, with each unit on a separate tax lot, occupying the interior space from ground to roof, and having direct access to individual private outdoor space.

Development Standards	SFR-10	MFR-15	MFR-20
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre
Lot Area Range (Square Feet)	3,250 to 8,125	2,500 to 4,500	1,800 to 3,000
Maximum Coverage Factor (See 10.706)	50%		
Minimum Interior Lot Width	25 feet	20 feet	
Minimum Corner Lot Width	35 feet	30 feet	
Minimum Lot Depth	90 feet	90 feet	
Minimum Lot Frontage	25 feet	20 feet	
Minimum Front Yard Building Setback	15 feet EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Side Yard Building Setback (side not attached to building); height rounded to the nearest whole number)	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27–30 feet building height 12 feet for 31 feet or taller building height		
Minimum Rear Yard Building Setback	10 feet	10 feet	
Maximum Height (See 10.705)	35 feet		
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit		

Development Standards	SFR-10	MFR-15	MFR-20
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.			

10.713 Duplex Dwellings.

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

Duplex Dwellings

Two attached dwelling units on an individual lot or divided by a lot line.

DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	A duplex is permitted on a lot if it meets the lot area ranges below.	A duplex is permitted on a lot if it meets the lot area ranges below.	A duplex is permitted on a lot if it meets the lot area ranges below.	One or more duplexes are permitted on a single site when density is met.		
Detached Dwellings	Two detached dwelling units are permitted in lieu of an attached duplex on an individual lot.			Two detached dwellings are permitted in lieu of an attached duplex on an individual lot when the maximum density is no more than 2 units.		
Lot Line Division	A duplex may be divided by a lot line if attached. If divided by a lot line, the lot area and lot width requirements are half of the minimum shown below except for corner lots which must have a minimum street side lot width of 40 feet.					
Minimum and Maximum Density Factor Range (See 10.708)	2.5 to 6.0 dwelling units per gross acre	4.0 to 9.0 dwelling units per gross acre	6.0 to 15.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Lot Area Range (Square Feet)	8,500 to 18,750	6,000 to 12,500	5,400 to 18,200	5,400 to 12,500		
Maximum Coverage Factor (See 10.706)	50%		50%			
Minimum Interior Lot Width	85 feet	60 feet	60 feet		60 feet	
Minimum Corner Lot Width	85 feet	70 feet	70 feet		70 feet	

DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Minimum Lot Depth	100 feet		90 feet			
Minimum Lot Frontage	30 feet					
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet (see Garage Setback Diagram in Section 10.710					
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports					
Minimum Side Yard Building Setback (height rounded to the nearest whole number)	4 feet for 0 – 18 feet building height 6 feet for 19 – 22 feet building height 8 feet for 23 – 26 feet building height 10 feet for 27 – 30 feet building height 12 feet for 31 feet or taller building height					
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(3), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.					
Maximum Height (See 10.705)	35 feet					
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit					
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.						

10.714 ~~Multiple Family Dwellings.~~

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

~~Multiple Family Dwellings~~

~~Three or more attached dwelling units.~~

Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	See sections 10.715A – 10.719 for Multiple Family Dwelling Special Development Standards			

Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Minimum Lot Area (Square Feet)	5,400	4,000	5,000	8,000
Maximum Coverage Factor (See 10.707)	50%	60%	65%	70%
Minimum Interior Lot Width	36 feet	55 feet	60 feet	
Minimum Corner Lot Width	90 feet			
Minimum Lot Depth	90 feet	85 feet		
Minimum Lot Frontage	30 feet			
Minimum Front Yard Setback	10 feet EXCEPT 20 feet IF vehicular access to the garage or carport is parallel to the street			
Minimum Street Side Yard Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports			
Minimum Side Yard Setback	8 feet	4 feet for 0-15 feet building height 6 feet for 16-22 feet building height		
Minimum Rear Yard Setback	8 feet	8 feet for 23-26 feet building height 10 feet for 27-30+ building height		
Maximum Height (See 10.705)	35 feet	45 feet		55 feet
Maximum Height Standard	EXCEPT 35 feet for the portions of a structure within 150 feet of the following residential zoning districts—SFR-00, SFR-2, SFR-4, SFR-6 and SFR-10 zone. When proposed development is adjacent to a lot with the SFR-00 zoning and the underlying General Land Use Plan designation of the lot is Commercial (CM), Service Commercial (SC), General Industrial (GI), Heavy Industrial (HI), Urban Medium Density Residential (UM) or Urban High Density Residential (UH) the above maximum building height restrictions shall not apply.			
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.				

10.716A Triplex, Quadplex, Townhouse and Multiple-Family Dwelling, Design Standards and Special Development Standards, Applicability.

(1) The requirements of Section 10.716B shall apply to attached Triplexes, Quadplexes, and Townhouses.

(24) The requirements of Sections 10.717 through 10.719 shall apply to all multiple-family dwellings consisting of ~~three~~ **five** or more attached dwelling units as per Section 10.71**04**.

(32) Unless otherwise specified, any applicant that affirmatively elects to deviate from these requirements shall be subject to the subjective standards provided for in MLDC Section 10.719.

10.716B Triplex, Quadplex, and Townhouse, Design Standards.

(1) **Front Door Orientation Standards.** The following front door orientation standards are required for lots and parcels with frontage onto a public or private street. The entrance must either:

- (a) Face the street (in the case of a corner lot, the front door must face at least one of the streets); or
- (b) Be at an angle of up to 45 degrees from the street; or
- (c) Face a common open space that abuts the street and is abutted by a dwelling on at least one side; or
- (d) Open onto a porch. The porch must extend outward, be at least 25 square feet in area and have at least one entrance facing the street or have a roof. A covered walkway or breezeway is not considered a porch.

(2) **Exemptions to Front Door Orientation Standards.**

- (a) Triplexes, quadplexes, and townhouses created by a conversion of an existing dwelling unit.
- (b) Any detached structure for which more than 50 percent of its street façade is separated from the street line by a dwelling.

(3) **Windows and Doors.** A minimum of 15 percent of the area of all street-facing facades must include windows and/or doors (this includes side loaded garages). Gabled areas and garage doors (in blue) and roofs (in white) are not included in the base wall calculation when determining the minimum 15 percent calculation for window and door areas. Facades separated from the street property line by a dwelling are exempt from meeting this standard.

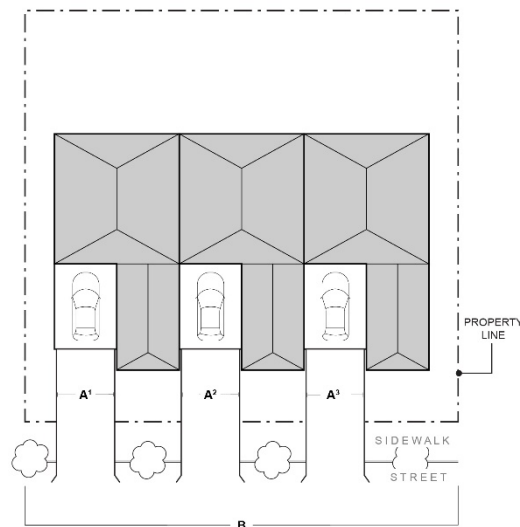


(4) Garages and Off-Street Parking Areas for Triplexes and Quadplexes. Garages and off-street parking areas shall not be located between a building and a public street (other than when located off an alley) except in compliance with the standards in subsections (a) and (b) below.

(a) The garage is separated from the street property line by a dwelling; or

(b) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed a total of 50 percent of the street frontage (See Figure – Width of Garages and Parking Areas)

Width of Garages and Parking Areas Figure 10.716B-1



(A) Garage and on-site parking and maneuvering areas

(B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

(5) Driveway Approaches for Triplexes and Quadplexes. Driveway approaches must comply with the standards in Section 10.550.

(6) Unit Definition for Townhouses. Each townhouse unit must include at least one of the following elements on at least one street-facing façade.

(a) A roof dormer a minimum of 4 feet in width, or

(b) A balcony a minimum of 2 feet in depth and 4 feet in width and accessible from an interior room, or

(c) A bay window that extends from the façade a minimum of 2 feet, or an oriel, or

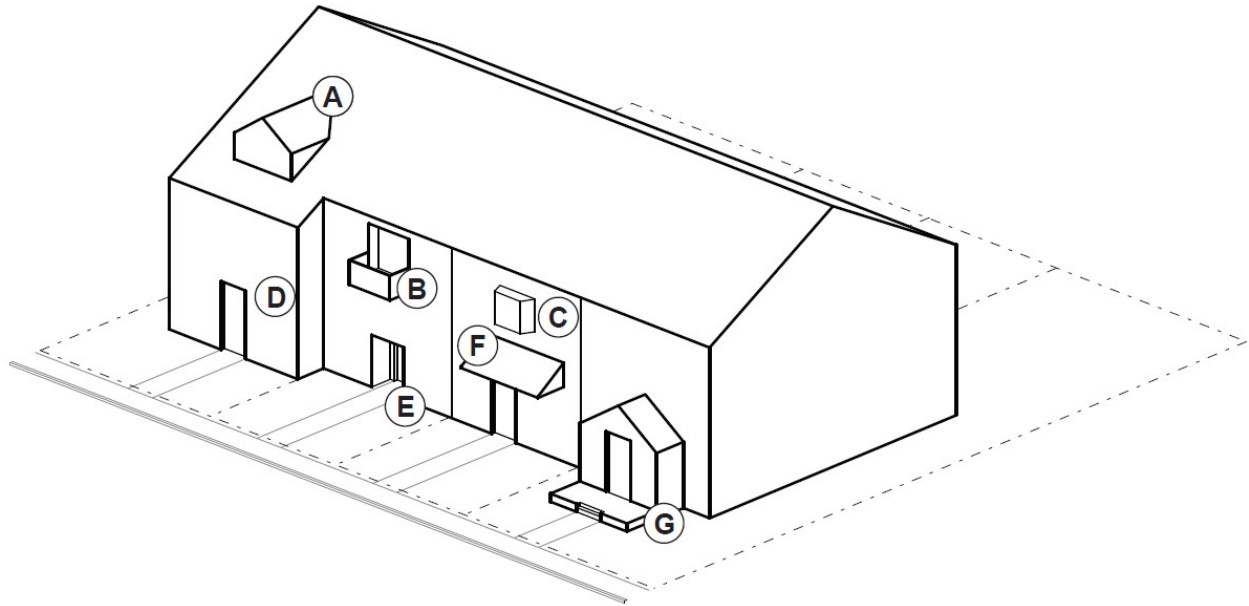
(d) An offset of the façade of a minimum of 2 feet in depth, either from the neighboring townhouse or within the façade of a single townhouse, or

(e) An entryway that is recessed a minimum of 3 feet, or

(f) A covered entryway with a minimum depth of 4 feet, or

(g) A porch at least 25 square feet in area and that has at least one entrance facing the street or have a roof.

Townhouse Unit Definition Examples

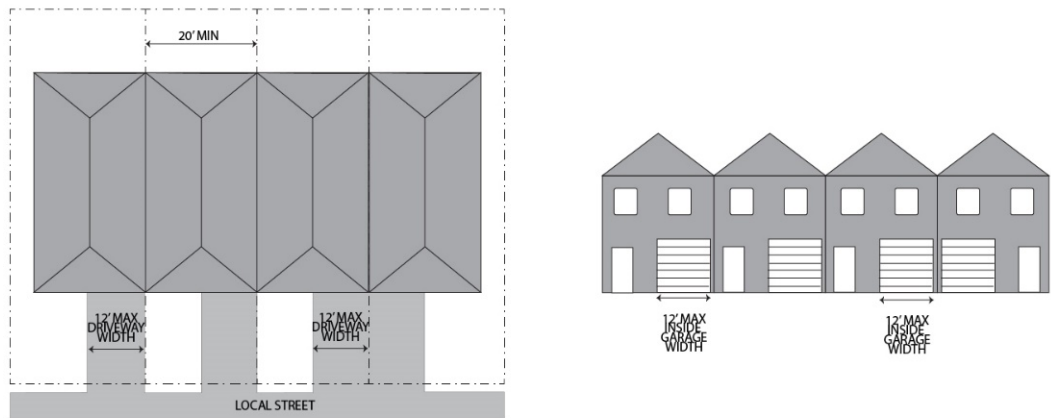


(6) Driveway Access and Parking for Townhouses. Townhouses with frontage on a public street shall meet the following standards:

(a) Garages on the front façade of a townhouse, off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (See Townhouses with Parking in Front Yard Figure):

- (i) Each townhouse lot has a street frontage of at least 20 feet on a local street.
- (ii) A maximum of one driveway approach is allowed for every townhouse. Driveway approaches and/or driveways may be shared.
- (iii) Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.
- (iv) The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.

Townhouses with Parking in Front Yard Figure

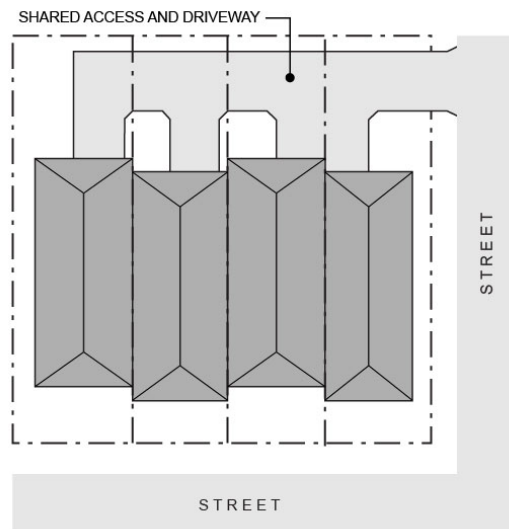


(b) The following standards apply to driveways and parking areas for townhouse projects that do not meet all of the standards in subsection (a).

(i) Off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard of a townhouse.

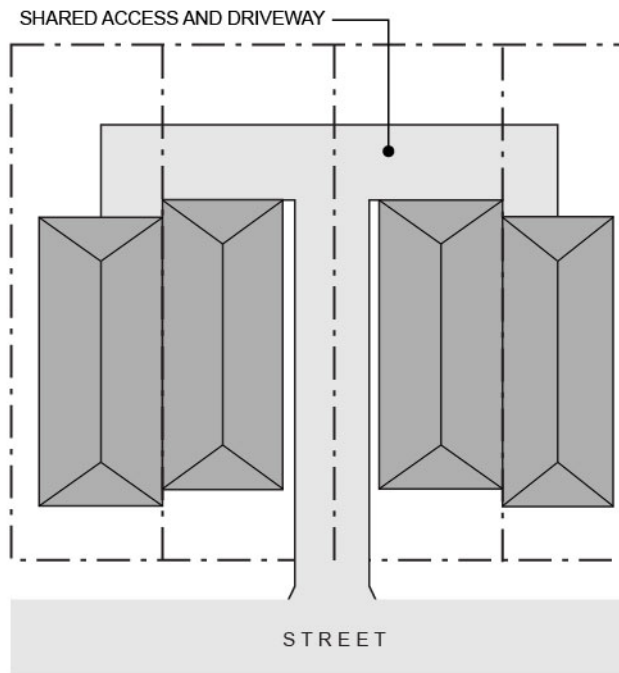
(ii) A townhouse project that includes a corner lot shall take access from a single driveway approach on the side of the corner lot. (See Townhouses on Corner Lot with Shared Access Figure)

Townhouses on Corner Lot with Shared Access Figure



(iii) Townhouse projects that do not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the areas directly between the front façade and front lot line of any of the townhouses. (See Townhouses with Consolidated Access Figure)

Townhouses with Consolidated Access Figure



(iv) A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access and emergency access.

(c) Townhouse projects in which all units take exclusive access from a rear public or private alley are exempt from compliance with subsection (b) above.

10.717 Multiple-Family Dwellings, Special Development Standards

(1) *Building Orientation and Entrances.*

- (a) Buildings shall be oriented to public streets and public street intersections.
- (b) Buildings located at intersections shall incorporate a corner building entrance.
- (c) For buildings located within 30 feet of a street, the main entrance(s) of ground floor units must face the street frontage. Main entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. Deviations from this standard are allowed as follows:
 - (i) On corner lots the main building entrance(s) may face either of the streets or be oriented to the corner.

(ii) For buildings with more than one entrance serving multiple units, only one entrance must meet this standard.

(iii) For buildings proposed to be perpendicular to public streets due to access requirements and/or dimensional constraints not created by the applicant, main entries may face up to 90 degrees away from the street provided both of the following apply:

(A) They are visible from the street.

(B) The building side facing the street shall contain windows occupying a minimum of 15% of the **area of the overall facade length** (See Section 10.716B(3)).

(2) *Building Mass and Façade.*

(a) Outside of the Central Business Overlay District, residential buildings located within 30 feet of a street shall be limited in length to 150 feet, and any other residential buildings on the site shall be limited in length to 200 feet. There is no maximum building length within the Central Business Overlay District.

(b) On buildings greater than three stories in height, all façades shall be divided into three elements (base, middle, and top) and visibly articulated to define each element.

(i) The building base consists of the lowermost floor or two floors. The building top consists of the uppermost floor or two floors. The building middle consists of the remainder of the façade between the base and the top.

(ii) The building base, middle, and top shall each be differentiated through horizontal articulation and/or a discernible change in materials.

(c) Street-facing façades shall contain windows covering a minimum of 15% of the **area of the façade** (See Section 10.716B(3)). ~~length on each floor level.~~

(3) *Building Articulation.*

(a) In order to preclude long expanses of uninterrupted wall surfaces, exterior elevations of buildings shall incorporate design features such as off-sets, projections, balconies, bays, windows, entries, porches, porticos, or similar elements. Rear and/or side elevations that are only visible from the interior of the site are not subject to these articulation requirements.

(i) Horizontal surface: at least two of the design features outlined above shall be incorporated along the horizontal face of the building, to be repeated at intervals of no more than 40 feet.

(ii) Vertical surface: at least two of the design features outlined above shall be incorporated along the vertical face of the building, to be repeated at intervals of no more than 30 feet.

(b) When off-sets and projections are used to fulfill articulation requirements, they shall vary from other wall surfaces by a minimum of 2 feet, and such changes in plane shall have a minimum width of 6 feet.

(c) Individual and common entries shall be articulated by roofs, awnings, or porticos that are a minimum of 6 feet wide and 4 feet deep.

(d) Windows shall be inset a minimum of 1.5 inches from the adjacent wall plane, or fully surrounded by trim in order to create the necessary minimum inset depth of 1.5 inches.

(4) *Building Materials.*

(a) The following primary building materials shall be utilized on a minimum of 65% of the street-facing façade:

- (i) Brick;
- (ii) Stone;
- (iii) Stucco;
- (iv) Flat metal composite panels;
- (v) Wood siding and wood simulation materials;
- (vi) Fiber reinforced cement siding or panels;
- (vii) Ceramic tile; and
- (viii) Transparent glass.

(b) The following building materials shall not be allowed on more than 35% of each individual facade:

- (i) Corrugated metal;
- (ii) Plain or split-faced concrete block;
- (iii) Plain concrete; and
- (iv) Spandrel glass.

(c) Vertical changes in wall cladding materials shall take place on inside corners. Horizontal changes in wall cladding materials shall take place at cornices, belt courses, and other such horizontal elements.

(d) The following building materials are prohibited:

- (i) Vinyl siding; and
- (ii) Plywood siding (e.g. T1-11).

(e) Fencing materials shall be durable, maintainable, and attractive. The following fencing materials are prohibited:

- (i) Plastic or vinyl fencing; and
- (ii) Chain link fencing.

(5) *Roof Forms.*

- (a) All sloped roofs shall have a minimum 4:12 pitch.
- (b) All sloped roofs shall have eaves projecting a minimum of 12 inches from the building wall.
- (c) All roofs with a slope of less than 4:12 pitch shall be articulated by a parapet wall projecting a minimum of 12 inches above the roof line, or be architecturally treated such as with a decorative cornice.

(6) *Vehicle Circulation and Parking.*

- (a) In order to strengthen the presence of buildings on the street, no parking ~~lots spaces~~ shall be located within any required front yard area, and no automobile circulation or parking ~~lots areas~~ shall be located between buildings and the street. Any proposed deviation from this standard shall be subject to a request for an Exception as outlined in Section 10.186, except when within the C-B Zoning Overlay. Applicants electing to deviate from this standard when within the C-B Zoning Overlay shall be subject to Section 10.719, Optional Adjustments of Special Development Standards, Review Criteria.

[Added Sec. 5, Ord. No. 2018-100, Sep. 6, 2018; Amd. Sec. 18, Ord. No. 2019-91, Aug. 1, 2019; Amd. Sec. 15, Ord. No. 2020-23, Feb. 20, 2020.]

10.721 Commercial and Industrial Site Development Standards.

The following standards apply to commercial and industrial development. See Article III, Sections 10.326 through 10.332 for detailed descriptions of each zoning district, and Section 10.337 for conditional, special, and permitted uses.

Commercial and Industrial Development

Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
Minimum & Maximum Area for Zoning District (Acres)	0.5 -3.0	None						
Residential Standards (See 10.837)	Dwelling units allowed subject to the minimum density standards for housing within the MFR-30 district; there is no maximum density. Site development standards shall follow the MFR-30 zone except for the maximum building height and setbacks, which shall follow the underlying commercial zoning in which the property is located. See section 10.837 for additional standards for the C-N zone.					N/A		
Minimum Lot Area	7,000	15,000			7,000	20,000	10,000	

Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
(Square Feet)								
Maximum Coverage Factor (See 10.706)	50%	60%		50%	60%	50%	90%	
Minimum Lot Width	70 feet							
Minimum Lot Depth	100 feet							
Minimum Lot Frontage	70 feet	30 feet	70 feet		30 feet	70 feet		
Minimum Front & Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports							
Minimum Side and Rear Yard Building Setback	None EXCEPT 1/2 foot for each foot in building height over 20 feet							
Maximum Building Height (See 10.705)	35 feet	85 feet EXCEPT 35 feet for the portions of a structure within 150 feet of a single family residential zoning district (See Note 4).						
Maximum Gross Floor Area Per Business (Square Feet) Except as noted in 10.337	5,000	None	50,000	None				
Permitted Outdoor Uses	See Note 1	See Note 2				See Note 3		

Note 1: All uses must be located completely within an enclosed building or behind a sight-obscuring fence.

Development Standards	C-N	C-S/P	C-C	C-R	C-H	I-L	I-G	I-H
Note 2: All uses, EXCEPT those customarily conducted outdoors, must be located completely within an enclosed building.								
Note 3: All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence.								
Note 4: When proposed development is adjacent to a lot with the SFR-00 zoning and the overlying General Land Use Plan designation of the lot is Commercial (CM), or Service Commercial (SC), Urban Medium Density Residential, or Urban High Density Residential the above building height restrictions shall not apply.								
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.								

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10.743 Off-Street Parking Standards.

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Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
Bank	4.0 spaces plus 5.0 spaces for drive-up window queue when permitted	4.5 spaces plus 5.0 spaces for drive-up window queue	5.4 spaces
Bowling Alley	4.0 spaces per lane plus 1.0 space per employee at largest shift	4.5 spaces per lane plus 1.0 space per employee at largest shift	5.4 spaces per lane plus 1.0 space per employee at largest shift
Cemetery	n/a	1.0 space per employee, plus 1.0 space per 4.4 visitors to the maximum occupancy of the chapel	1.0 space per employee, plus 1.0 space per 3.5 visitors to the maximum occupancy of the chapel
Church	1.0 space per 4.8 seats of maximum occupancy or 9.5 feet of bench length, whichever is greater	1.0 space per 4.4 seats of maximum occupancy or 9.0 feet of bench length, whichever is greater	1.0 space per 3.5 seats of maximum occupancy or 8.0 feet of bench length, whichever is greater
Commercial Use: less than 25,000 square feet	4.0 spaces	4.5 spaces	5.4 spaces
Commercial Use: between 25,000 and 50,000 square feet	3.6 spaces	4.0 spaces	5.0 spaces
Commercial Use: between	3.3 spaces	3.7 spaces	5.0 spaces

Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
50,000 and 100,000 square feet			
Commercial Use: more than 100,000 square feet	3.0 spaces	3.3 spaces	5.0 spaces
Community or Recreation Center	3.2 spaces or 1.0 space per 4.8 patrons at maximum occupancy, whichever is greater	3.6 spaces or 1.0 space per 4.4 patrons at maximum occupancy, whichever is greater	4.3 spaces or 1.0 space per 3.5 patrons at maximum occupancy, whichever is greater
Day Care, Child or Adult Care Center	0.8 space per teacher/employee on the largest shift, plus 1.0 space per 7.0 students	0.9 space per teacher/employee on the largest shift, plus 1.0 space per 6.5 students	1.1 spaces per teacher/employee on the largest shift, plus 1.0 space per 5 students
Emergency Shelter	1 space per 30.0 resident beds, plus 1.0 space per employee on the largest shift	1 space per 25.0 resident beds, plus 1.0 space per employee on the largest shift	1 space per 20.0 resident beds, plus 1.0 space per employee on the largest shift
Enclosed Mall (shops interconnected by enclosed walkways)	2.6 spaces	2.9 spaces	4.0 spaces
Furniture Store	2.0 spaces	2.3 spaces	3.0 spaces
Golf Courses	n/a	4.5 spaces per hole, plus 0.9 spaces for each employee on the largest shift, plus 70% of spaces otherwise required for accessory uses (e.g., bars, restaurants)	6.0 spaces per hole, plus 1.2 spaces for each employee on the largest shift, plus 75% of spaces otherwise required for accessory uses (e.g., bars, restaurants)
Golf Course, Miniature	n/a	1.4 spaces per hole	1.7 spaces per hole
Golf Driving Range	n/a	0.9 space per tee	1.2 spaces per tee
Hospitals	2.0 spaces per 3.6 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift	2.0 spaces per 3.3 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift	2.0 spaces per 2.6 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift
Hotel or Motel	1.0 space per room, plus 1.0 space per every 3.6 employees	1.0 space per room, plus 1.0 space per every 3.3 employees	1.0 space per room, plus 1.0 space per every 2.6 employees

Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
	on the largest shift, plus 1.0 space per 3.6 persons at the maximum occupancy of each public meeting and/or banquet room, plus 40% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)	on the largest shift, plus 1.0 space per 3.3 persons at the maximum occupancy of each public meeting and/or banquet room, plus 45% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)	on the largest work shift, plus 1.0 space per 2.6 persons at the maximum occupancy of each public meeting and/or banquet room, plus 55% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)
Industrial or Warehouse	n/a	1.0 space per employee on the largest shift, plus 0.2 space per 1,000 square feet of gross floor area	1.0 space per employee on the largest shift, plus 0.3 space per 1,000 square feet of gross floor area
Library or Museums	2.0 spaces or 1.0 space per 4.8 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 2.4 employees on the largest shift	2.3 spaces or 1.0 space per 4.4 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 2.2 employees on the largest shift	3 spaces or 1.0 space per 3.5 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 1.8 employees on the largest shift
Mini-Warehouse or Mini-Storage Facility	2.0 spaces per manager's residence, plus 1.0 space per 12 storage cubicles	2.0 spaces per manager's residence, plus 1.0 space per 11 storage cubicles	2.0 spaces per manager's residence, plus 1.0 space per 9 storage cubicles
Nursery, Plant	4.0 spaces	4.5 spaces	5.4 spaces
Office, General (under 4,000 square feet)	3.1 spaces	3.6 spaces	5.0 spaces
Office, General (over 4,000 square feet)	2.6 spaces	3.0 spaces	5.0 spaces
Office, Medical	4 spaces plus 1.0 space per doctor	4.5 spaces plus 1.0 space per doctor	5.4 spaces plus 1.0 space per doctor
Personal Service (such as spas, tattoo parlors, hair salons)	2.0 spaces per station	2.2 spaces per station	2.7 spaces per station
Private Club	1.0 space per 3.6 persons at maximum occupancy	1.0 space per 3.3 persons at maximum occupancy	1.0 space per 2.6 persons at maximum occupancy
Public Services (such as utility service yards)	1.0 space per 1.2 employees on the largest work shift, plus 1.0 space per company vehicle	1.0 space per 1.1 employees on the largest work shift, plus 1.0 space per company vehicle	1.0 space per .8 employees on the largest work shift, plus 1.0 space per company vehicle

Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
	normally stored on the premises	normally stored on the premises	normally stored on the premises
Recreation	1.0 space per 4.8 patrons at maximum occupancy	1.0 space per 4.4 patrons at maximum occupancy	1.0 space per 3.5 patrons at maximum occupancy
Recreation, Skating Rink (ice or roller)	2.6 spaces	3.0 spaces	3.6 spaces
Recreation, Swimming Facility	1.0 space per 90 square feet of gross water area plus 1.0 space per employee on the largest shift	1.0 space per 85 square feet of gross water area plus 1.0 space per employee on the largest shift	1.0 space per 65 square feet of gross water area plus 1.0 space per employee on the largest shift
Recreation, Tennis, Racquetball, or Handball Courts	3.2 spaces per court plus 1.0 space per employee on the largest shift	3.6 spaces per court plus 1.0 space per employee on the largest shift	4.5 spaces per court plus 1.0 space per employee on the largest shift
Recreational Vehicle Park	1.2 spaces per RV site, plus 1.0 space per 1.2 employees on the largest shift	1.4 spaces per RV site, plus 1.0 space per 1.1 employees on the largest shift	1.7 spaces per RV site, plus 1.0 space per employee on the largest shift
Repair Services, except vehicle	2.6 spaces	3.0 spaces	3.6 spaces
Residential, Duplex	1 space per dwelling unit	2 1 spaces per dwelling unit	n/a
Residential, Group Living (nursing homes or similar special needs housing)	1.0 space per 7.0 resident beds, plus 1.0 space per employee on the largest shift	1.0 space per 6.5 resident beds, plus 1.0 space per employee on the largest shift	1.0 space per 5.5 resident beds, plus 1.0 space per employee on the largest shift
Residential, Multiple Family	1 space per dwelling unit	1.5 spaces per dwelling unit 1 space per unit for studio & 1 bedroom 1.5 spaces per unit for 2 or more bedrooms	n/a
Residential, Quadplex	4 total spaces	4 total spaces	n/a
Residential, Retirement or Congregate Housing	0.4 spaces per dwelling unit plus 1.0 space per 1.2 employees on the maximum shift	0.45 spaces per dwelling unit plus 1.1 space per employee on the maximum shift	0.6 spaces per dwelling unit plus 1.0 space per employee on the maximum shift
Residential, Single Family	2 spaces per dwelling unit	2 spaces per dwelling unit	n/a

Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
Residential, Townhouse	1 space per dwelling unit	2 1 spaces per dwelling unit	n/a
Residential, Triplex	3 spaces total	3 spaces total	n/a
Restaurant, Standard	8.0 spaces	9.0 spaces	11.0 spaces
Restaurant (with drive thru)	11.0 spaces plus 5.0 spaces for drive-up window queue	12.0 spaces plus 5.0 spaces for drive-up window queue	14.0 spaces
Road Service or Towing	4.0 spaces	4.5 spaces	5.4 spaces
School, College, University, Vocational, or other Educational Courses	1.0 space per 3.6 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period	1.0 space per 3.3 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period	1.0 space per 2.6 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period
School, Elementary Kindergarten – 8th	1.0 space per teacher and staff plus 1.0 space per 2.4 classrooms	1.0 space per teacher and staff plus 1.0 space per 2.2 classrooms	1.0 space per teacher and staff plus 1.0 space per 1.8 classrooms
School, Secondary (9th – 12th	1.0 space per teacher and staff plus 1.0 space per 6 non-bused students	1.0 space per teacher and staff plus 1.0 space per 5.5 non-bused students	1.0 space per teacher and staff member plus 1 space per 4.4 non-bused students
Taverns, Dance Halls, Night Clubs, and Lounges	16.0 spaces	18.0 spaces	22.0 spaces
Temporary Shelter*	1 space per 30.0 resident beds, plus 1.0 space per employee on the largest shift	1 space per 25.0 resident beds, plus 1.0 space per employee on the largest shift	1 space per 20.0 resident beds, plus 1.0 space per employee on the largest shift
Theater or Auditoriums, indoor or outdoor	1.0 space per 3.6 patrons	1.0 space per 3.3 patrons	1.0 space per 2.6 patrons
Vehicle Sales	0.5 spaces	0.6 spaces	1.0 spaces
Vehicle Repair and Maintenance	2.0 spaces	2.2 spaces	3 spaces
Veterinary Office or Animal Hospital	2.4 spaces per doctor plus 1.0 space per other employee on the largest shift	2.7 spaces per doctor plus 1.0 space per other employee on the largest shift	3.3 spaces per doctor plus 1.0 space per other employee on the largest shift

* A single asterisk indicates that minimum parking standards may be exempt for a particular use, by the approving authority, if adequate parking can be demonstrated to already exist.

** The Downtown Parking District is bound by Fourth Street on the north, Tenth Street on the south, Bear Creek on east, and the railroad right-of-way on the west.

10.746 General Design Requirements for Parking.

With the exception of storage of trailered items and recreational vehicles at single-family residences, all parking, loading, driveway, and vehicle maneuvering areas, including but not limited to, wheeled-vehicle sales lots, truck trailer parking areas, and on-site single-family residential driveways etc., shall be paved and improved pursuant to the following minimum design requirements of this section.

The design provisions of this section are applicable to all new parking facilities, parking lot expansions, and to areas where existing parking facilities are excavated and re-installed. A pre-existing parking lot that is legally nonconforming to a standard in subsections 10.746(3), (4), (9), or (10) and is improved with a surface pavement overlay only, without excavation of existing pavement, may remain nonconforming to that particular standard(s). All other provisions of this section are applicable to resurfaced parking lots.

(1) *Surfacing.* All surfacing shall be consistent with Section 9.550 of the City Code. Residential development may reduce the concrete standard to a four (4) inch minimum thickness.

Extended ~~single-family~~ residential driveways shall be a minimum of ~~twelve ten (10)~~ feet in width. **Extended residential driveways serving more than one unit shall not allow parking within the driveway that prevents access to other units.**

* * *

(10) *Parking, Required Yard.* Parking and loading spaces and their maneuvering area shall not be located in a required yard, except as follows:

(a) In a SFR or MFR zone, parking lots with more than three ~~(3)~~ spaces that do not back directly into the street may encroach to within ten ~~(1)~~ feet of a street right-of-way. **five feet into the front yard setback (a 10-foot setback from the right-of-way must be maintained).**

(b) When creating a common driveway with an adjacent parcel.

(c) ~~At a single-family residence in a SFR zone, paving may be located within a required side or rear yard.~~ **In the SFR zone, paving may be located within a required side or rear yard for up to four units.**

(d) Paved driveways **for four residential units or less**, located in a required front yard, street side yard, or rear yard off of an alley may be counted toward the off-street parking requirement for the lot or parcel. The paved area shall meet the dimensional requirements for a parking space and shall not be located

within a public right-of-way.

* * *

(12) *Aisles.* Except for single or two family dwellings, groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

For parking off an alley, the alley can count toward the required 24-foot backup space.

10.747 General Provisions, Bicycle Parking.

The bicycle parking and storage provisions are intended to provide bicycle parking facilities to accommodate bicycle travel and encourage additional bicycle trips.

Bicycle parking facilities shall be either lockable enclosures in which the bicycle is stored or stationary racks which accommodate bicyclist's locks securing the frame and both wheels. Bicycle racks or lockers shall be securely anchored to the surface or to a structure.

If 10 or more bicycle parking spaces are required, then at least 50% of the bicycle parking spaces shall be covered. For the purposes of this section, covered parking may include placement underneath an awning, eave or other overhang or other facility as determined by the approving authority that protects the bicycle from direct exposure to the elements.

Bicycle parking shall be separated from motor vehicle parking and maneuvering areas by a barrier or sufficient distance to prevent damage to parked bicycles.

Any building expansion, or any new construction (excluding **four units or less on a legal unit of land** ~~two-family and three-family dwellings~~), or new parking facilities, including parking lot expansions, shall bring the property into conformance with the Bicycle Parking and Storage Regulations.

When required by this code, the site development plan shall include a bicycle parking plan, drawn to scale and submitted with the development permit application. The plan shall show all those elements necessary to indicate that the requirements of this code are being fulfilled.

10.748 Bicycle Parking Standards.

Bicycle parking spaces shall be provided in accordance with the following:

Commercial: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Industrial: 20% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Office: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Institutional: 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number.

Residential, multiple-family: One space per unit (4 5 units or more).

Residential, retirement or congregate housing: .05 space per unit; 4 space minimum, regardless of number of units.

Schools: 4 spaces per classroom.

Transit centers/park and ride lots: 10% of the number of spaces provided for automobiles.

10.780 Landscape and Irrigation Requirements.

* * *

(3) *Applicability.*

(a) The provisions of this section are applicable to all landscaping areas within commercial, industrial, institutional, or multiple-family developments and open space/landscaping tracts within all subdivisions, including single family residential.

(i) Except as provided in subsection 10.780(3)(a)(ii), provisions of this section are not applicable to:

(A) Single-family lots.

(B) Duplex lots.

(C) **Triplex lots.**

(D) Quadplex lots.

(~~E~~) Individual townhome lots.

(~~F~~) Public Parks

(~~G~~) Future development sites, unless irrigated landscaping is placed thereon. When irrigated landscaping is provided upon a future development site, all provisions of this section shall apply.

* * *

(7) *Landscaping Design Standards.*

* * *

(e) *High Water Use Landscape Element Limitations.*

(i) The total landscaping area of a development site, including areas located within adjacent public right-of-way planter strips, shall not exceed the following percentage of high water use landscape elements, as defined herein:

(A) Single-family residential **and middle housing** open space/landscaping tract = 40%

(B) Multiple-family residential = 40%

(C) Commercial/office = 30%

(D) Institutional = 30%

(E) Industrial = 20%

* * *

10.818A Cottage Cluster Development.

(1) *Purpose.* The purpose of this section is to establish standards for Cottage Cluster Developments, and to encourage innovation and variety in housing types and site planning as a response to changing household sizes and demographics, as well as to ensure compatibility with surrounding neighborhoods.

(2) *Applicability.* Cottage Cluster Developments are permitted in the SFR-4 (~~on corner lots only~~), SFR-6, SFR-10, and MFR-15 zoning districts. Where the regulations of this section are not specific, the standards of the underlying zoning district shall apply.

(3) *Process and Application.* Cottage Cluster Developments shall be subject to **procedural requirements in Section 10.108 (Table 10.108-1) and the applicable Development Standards below.** ~~Site Plan and Architectural Review pursuant to Section 10.200.~~ **The application for a Cottage Cluster Development of a maximum of four dwelling units shall be reviewed through the building permit process.** The application for a Cottage Cluster Development **of five or more units** shall contain all of the plans and documents specified for Site Plan and Architectural Review in Section 10.200(10) **and the Development Standards below. If any Cottage Cluster Development elects to make optional adjustments as specified in Section 10.818A(5), then the proposal shall be reviewed as a Site Plan and Architectural Review Type III process.**

(4) *Development Standards.*

(a) ~~*Minimum Lot Size and Dimensions. Area.*~~ ~~The minimum lot area of the parent parcel in the SFR-4 zone shall be 15,000 square feet. In all other permitted zones it shall be 10,000 square feet.~~ **Cottage clusters serving a maximum of four dwelling units shall have a minimum lot size of 7,000 square feet.** Cottage clusters serving five or more dwelling units shall have a minimum lot area of 10,000 square feet in the SFR-4, SFR-6, SFR-10, and MFR-15 zones.

(b) *Pad Lot Development.* Pursuant to the provisions of Section 10.703, the lot may be subdivided for the creation of individual cottage unit lots within the common area.

(c) *Density.* **There is no maximum density.** ~~A Cottage Cluster Development may reach a maximum of two times the maximum density permitted in the underlying zoning district.~~

(d) *Maximum Lot Coverage Factor.* **There are no lot or parcel coverage standards for Cottage Cluster Developments.** ~~Lot coverage for a Cottage Cluster Development shall not exceed 60% of the parent parcel.~~

(e) *Number of Units.* A Cottage Cluster Development shall contain a minimum of four (4) cottages. **and a maximum of twelve (12) units arranged in a cluster. A Cottage Cluster Development may contain more than one cluster.**

(f) *Cottage Unit Size.* Cottage units shall not exceed **a maximum building footprint of 900 square feet per dwelling unit and** an overall maximum floor area of 1,200 square feet.

(i) Spaces with a ceiling height of six feet or less, measured to the exterior walls, such as a second floor area under the slope of a roof, are not included in the total floor area.

~~(ii) A maximum of two cottage units may be attached as one structure.~~

(g) *Building Height.* The maximum building height is **25** feet. Building height shall be calculated pursuant to Section 10.705.

(h) *Minimum Setbacks.* Building setbacks for a Cottage Cluster Development are measured from the exterior property lines of the parent parcel. Cottage units and common buildings shall be setback a minimum of **10** feet from the front property line, and a minimum of 5 feet from side and rear property lines. Detached garage or carport structures shall be setback a minimum of 4 feet from side and rear property lines.

(i) *Building Separation.* Cottage units shall be separated by a minimum of 6 feet between eaves. Structures other than cottages shall meet minimum Building Code separation requirements.

(j) *Parking.* All parking for a Cottage Cluster Development shall be located on-site and shall meet the following minimum standards:

(i) 1 parking space **per dwelling unit.** ~~for studio or 1 bedroom cottages; and, 1.5 spaces for cottages with 2 or more bedrooms.~~

(ii) Parking may be located within an enclosed garage, carport, or unenclosed parking space.

(iii) Parking areas and/or structures shall be located behind or to the side of the residential area(s) and open space.

- (iv) A minimum of 20 feet shall be provided for maneuvering and backing movements. This may be reduced to no less than 10 feet for a one-way vehicle circulation pattern.
- (v) A one space parking reduction is permitted for each cottage unit if the property is located within ½ mile radius of a transit stop or ½ mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path, or a neighborhood bikeway.
- (k) *Required Common Open Space.* Common open space is intended to be a shared amenity amongst all residents of a Cottage Cluster Development. Common open space shall be provided as follows:
 - (i) A minimum of 400 square feet of central common open space per unit shall be provided.
 - (ii) Common open space should be contiguous, but no more than two separate common spaces permitted.
 - (iii) Common open space areas shall have a minimum width dimension of 20 feet.
 - (iv) At least 50 percent of the cottages shall be oriented around and have their main entrance facing the common open space.
 - (v) Each cottage shall be connected to the common open space by a pedestrian walkway.
 - (vi) Areas such as utility vaults, exterior setbacks and common parking areas and driveways are not counted in the common open space requirements.
 - (vii) Common open space may contain a drainage swale area, provided the area is usable open space.
 - (viii) The common open space areas shall be constructed and landscaped prior to completion of 75% of the units in the development.
 - (ix) The common open space shall be recorded as a perpetual open space to benefit all residents of the cottage cluster development prior to filing a final plat or prior to obtaining a building permit.
- (l) *Private Open Space.* The provision of private open space adjacent to each cottage is encouraged, but not required.
- (m) *Porches.* Each cottage unit shall have an attached, covered porch with a minimum area of 60 square feet and a minimum dimension of 6 feet on any side.
- (n) *Common Buildings.* Common buildings are intended as a shared amenity for the use of the cottage cluster development residents and to help promote a sense of community. They may include multi-purpose entertainment space, a small kitchen, library, guest suite, or other similar amenities. Community buildings shall not exceed 1,200 square feet of total floor area.
- (o) *Accessory Buildings.* Accessory buildings for common usage (e.g. garden/tool sheds) are permitted

in the common open space area(s) if clearly incidental in size and use. Other types of accessory buildings, except for garages and carports, are prohibited.

(p) *Existing Dwellings*. An existing single-family dwelling located on a Cottage Cluster Development site may be incorporated into the development as a residence or community building, and may be non-conforming to standards; however, non-conformities may not be increased. ~~and the non-conforming dwelling shall be included in the maximum permitted cottage density.~~

* * *

10.821 Accessory Dwelling Unit (ADU).

For the purposes of this Chapter, a single-family dwelling with an accessory dwelling unit (ADU), as defined herein, shall not be considered a duplex or multiple-family dwelling. ADUs are defined as either:

Accessory Dwelling Unit - Attached (ADU-A). An ADU-A is attached to the primary dwelling unit by a shared wall or as an additional story above or below the primary dwelling unit.

Accessory Dwelling Unit - Detached (ADU-D). An ADU-D shares no common walls with the primary dwelling or the ADU-A.

(1) *ADU General Standards*. The following standards apply to all ADUs and shall be required. They are as follows:

(a) ADUs shall not be counted in residential density calculations. **In the single family zones, the total amount of units on one unit of land, including ADUs, shall not exceed four units.**

(b) An ADU within the Historic Preservation Overlay shall be subject to applicable reviews as identified in this Code.

(c) A development's Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.

(2) *ADU Development Standards*. In addition to other applicable standards of this code, ADUs shall comply with the following development standards:

(a) ADUs shall comply with maximum lot coverage and setback requirements applicable to the parcel containing the primary dwelling.

(i) Lot coverage, as determined by the subjects parcel's zoning may be exceeded by up to 10%. The additional coverage allowance is exclusively for the ADU and shall not be used for any other structures.

(b) One ADU shall be allowed per dwelling unit and only in conjunction with the following dwelling unit type(s):

- (i) A detached single-family dwelling
- (ii) An attached single-family dwelling, divided by a lot line, including:
 - (A) duplexes
 - (B) townhouses
- (iii) A manufactured dwelling located on an individual lot

The dwelling unit types identified shall be considered the “primary dwelling.” Under no circumstance will more than one ADU associated with each primary dwelling be permitted.

(c) The ADU may be created through conversion of an existing structure or construction of a new structure that is either attached to the primary dwelling or detached. Existing structures may be nonconforming, meeting the standards of 10.032-10.037 and subject to approval by the Building Official and the Planning Director.

(d) The maximum gross habitable floor area (GHFA) of the ADU shall not exceed 75 percent of the GHFA of the primary dwelling, or 900 square feet, whichever is less.

(e) Conversion of existing space within the primary dwelling to an Attached ADU (ADU-A) shall not be subject to the provision of 10.821(2)(d). When deviating from 10.821(2)(d) the ADU-A shall not exceed 50 percent of the GHFA of the primary dwelling.

(f) A primary dwelling shall adhere to the parking standards in Table 10.743-1. No additional parking shall be required for an ADU. When existing primary dwellings do not meet the standards of Table 10.743-1 a reduction of the required off-street parking shall not exceed one space if one of the below conditions is met:

- (i) The subject parcel is within the Central Business (CB) Overlay or other established Transit Oriented Districts (TODs) as established by the Transportation System Plan (TSP); or
- (ii) The subject parcel is within a quarter (1/4) mile radius of a transit stop; or
- (iii) The subject parcel is within a half (1/2) mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path or a neighborhood bikeway; or
- (iv) The subject parcel has at least 24 feet of lot frontage with on-street parking available, excluding any area considered to be a part of the driveway width/throat; or
- (v) The subject parcel is unable to comply with off-street parking standards due to existing structures built prior to January 1, 2019.

(g) When alley access is available, the ADU shall take vehicle access from the alleyway, unless off-street parking need not be constructed to comply with other provisions of this Code.

* * *

10.837 Dwelling Units in Commercial Districts.

Dwelling Units shall be allowed in all commercial districts subject to the following:

- (1) Minimum density standards for the MFR-30 district, per section ~~10.708~~**10.709**.
- (2) Site development standards shall follow those for the underlying zone.
- (3) The multi-family development standards contained in Sections 10.715A through 10.719.
- (4) In addition, a single family dwelling units shall be allowed in all commercial districts when attached to or in conjunction with a commercial use and approved by the applicable approving authority.
- (5) *C-N Zoning District*. Residential development shall be in a mixed-use building or in conjunction with a commercial use.

PLANNING COMMISSION STUDY SESSION MINUTES



March 28, 2022

12:00 P.M.

Zoom Webinar, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:00 p.m. in Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
Rachel Bennett
Larry Beskow
Bill Mansfield
E.J. McManus (arrived at 12:02 p.m.)
Jared Pulver
John Quinn

Staff Present

Matt Brinkley, Planning Director
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Katie Zerkel, Deputy City Attorney
Terri Richards, Recording Secretary
Sarah Sousa, Planner III

Commissioners Absent

David Culbertson, Vice-Chair, Excused Absence
Jeff Thomas, Excused Absence

10. Roll Call

20. Discussion

20.1 DCA-22-013 HB 2001 Amendment

Carla Paladino, Principal Planner reported that House Bill 2001 (HB 2001) was adopted by the Oregon Legislative in August of 2019. The bill requires larger cities in Oregon to allow for middle housing in zones that allow single family homes.

Today, staff is seeking Planning Commission comments and changes on the draft code changes. April 11, 2022 has been reserved for an additional study session if needed due to the size and different pieces. Staff proposed the first Planning Commission hearing on April 28, 2022 seeking a formal recommendation; with a second hearing in May if needed. June 30, 2022 the City Council must adopt new local regulations or Model code becomes effective until local laws are established.

Ms. Paladino and Sarah Sousa, Planner III has worked with Advisory Committees starting in October 2021 creating the draft presented today. There will likely be changes going through the study session process with City Council, Site Plan and Architectural Commission and Housing Advisory Commission.

Missing Middle Housing is a transformative concept that highlights the need for diverse, affordable housing choices in sustainable walkable places according to Dan Parolek, Opticos Design, Inc. Middle housing types are duplexes, triplexes, quadplexes, townhouses and cottage clusters.

HB 2001 requirements are in all single family residential zones that permit detached residential units. Duplexes required for cities 10,000 to 25,000 population. All middle housing types are required for cities greater than 25,000 population. State developed a Model Code that jurisdictions can adopt or create equal or less strict standards.

HB 2001 does not apply to lands outside the urban growth boundary. Lots or parcels not zoned for residential use (commercial, industrial, etc.). Unincorporated lands with an interim zoning designation (City's SFR-00) or that lack urban services.

Generally, cities cannot impose siting standards in excess of what is required for detached single family dwellings such as: Minimum lot or parcel size (width, depth, and frontage area), density, setbacks, building heights and parking (law outlines provisions).

HB 2001 allows for design standards. The Advisory Committee decided not to regulate duplexes but decided to regulate triplexes, quadplexes and townhouses based on the Model code as guidance.

New terms under definitions are middle housing, quadplex, rear loaded and triplex. The current code has regulations but needs to be updated for cottage cluster, lot width and townhouse.

The land use process as the state requires a maximum of 4 units on a legal lot or parcel must be reviewed through Building Permit Review. Multifamily of five or more dwelling units will remain a Type II or III process. Cottage clusters will include Type I, II, or III process.

Chair McKechnie recommended stating a maximum of 4 units on a legal lot or parcel must be reviewed only through Building Permit Review.

The current code has specific tables for different housing types. Staff created a land division table and a site development table. Changes include increased maximum density for townhomes four times or 25 whichever is less. Maximum lot area for detached single family residential and duplex is 12,500 square feet in the SFR-4, SFR-6, and SFR-10 zones. Triplexes and quadplexes have a minimum lot size of 5,000 and 7,000 square feet respectively. Modified lot width standards. Reduced lot depths from typical 100 or 90 feet to below.

Commissioner Beskow asked, is the lot width measured by the largest inscribed circle? Ms. Paladino replied yes.

The site development table allows duplex, triplex and quadplex attached or detached configuration. Increased townhouse lot coverage from 50 to 80 percent. Townhouse front yard setback decreased from 15 to 10 feet, but staff is looking into this provision (may revise back to 15 feet).

Design standards for triplexes, quadplexes and townhomes include front door orientation and windows and doors. Garages and off-street parking placement. Driveway approaches (triplexes and quadplexes only) no more than half the lot width. There are additional requirements for townhomes. Unit definition part of their facade (one per unit) roof, balcony, bay window or oriel, façade offset, entryway, covered entryway and porch. There are specific requirements for driveway access and parking. The minimum lot width for townhouse lots is 20 feet. The driveway and garage door maximum width is 12 feet.

Off-street parking standards will be changed. Revised multifamily (5 or more units) based on number of bedrooms. Quadplexes based on size of parcel (4 spaces). Triplexes based on size of parcel (3 spaces). Townhouses has one per dwelling unit. These are minimum requirements by the state. The City cannot require more.

Cottage clusters minimum lot size is 7,000 square feet. No maximum density. Building height increased from 20 feet to 25 feet. One parking space per unit. Open space requirement is being reduced from 400 square feet to 200 square feet per unit.

Chair McKechnie recommended dimensional specifics on the additional design standards for townhomes. Ms. Paladino responded that the code talks about the dimensional standards. She referred him to pages 44 and 45 of the agenda packet.

Chair McKechnie likes the graphic as to what area in front is and is not counted. Need to make sure 15 percent of the window because one can take the size of the window offered and calculate without having to go into the thickness of the frame to figure out whether or not the glazing complies. Ms. Paladino responded that the code talks about the window not glazing.

Commissioner Beskow asked, does this affect Planned Unit Developments? Ms. Paladino believes a developer could propose these standards. Planning Unit Developments and the Southeast Plan needs to be reviewed to make sure it is being complied with appropriately. Ms. Sousa commented that the Planned Unit Developments are existing. There may be things in place that might prohibit some middle housing as talked about before. As far as design standards these would apply.

Commissioner Beskow asked, as subdivisions go forward will this require CC&Rs look differently than they have been looking? Ms. Paladino replied yes. Anything created after August 2019 date would not be allowed to have restrictions on middle housing.

Commissioner Beskow asked, what has been the discussion regarding facility adequacy concerns? Ms. Paladino reported that staff has had several meetings with Public Works. There was language that would give Public Works the ability for additional capacity needs such as sanitary sewer but the Advisory Committee did not like the language. The Masterplan had just been adopted for sanitary sewer.

Commissioner Quinn typed in the chat that he would be interested to know what other Oregon localities are doing in response as well as what other localities in California are doing with this similar legislation here. Ms. Paladino responded that Grants Pass is also under these Oregon requirements. They have drafted their language and may be finished with adopting their code. Staff does have a copy of their language if interested in seeing it. Bend and Wilsonville has also adopted the requirements. All the large cities are coming online taking on some of these requirements. Staff has looked at Bend's code closely because it was better than what the state provided. They went less with their parking requirements than what the state required. Ms. Paladino had not looked at any California codes specifically.

Matt Brinkley, Planning Director asked, does HB 2001 allow areas that were already masterplan before enacting the bill to be exempt? Ms. Paladino thinks that duplexes will have to be required but she would like the Legal Department to review that issue.

Chair McKechnie state that some of the things they have seen with duplexes is that the intention of those is to split the lot with two units together. Would the way staff is imagining it be one owner for the two sides and rent out one versus two units together with a lot split? Ms. Paladino stated that there is a companion legislation that the Planning Commission will see on April 11, 2022 Senate Bill 458 that is specifically for land divisions related to middle housing types. It will allow separation and sell separately. Providing homeownership is still an important function. Chair McKechnie asked, if the lots were split would the minimum lot size still apply? Ms. Paladino thinks Senate Bill 458 will say that is not the new rule.

Commissioner Pulver advocated for this to come back for a second study session. He also asked, what was the approach of the Committee and staff regarding amending the code? Was it do what needs to be done to comply or more broad? Ms. Paladino responded with, trying to comply. There are other code changes that are not specific to HB 2001 that need to be updated.

Commissioner Pulver asked, does staff feel this reflects what they are hoping for? Ms. Paladino replied it gets them to meeting the state law. She does not know if everyone was in favor of the changes.

Commissioner Pulver asked, if CC&Rs were in place for single family residential lots prior to August 2019 would it hold water? Ms. Paladino responded that it would hold water as far as they want to take it legally. The state has been silent on that. They gave guidance that they would not enforce prior

ones. Homeowner associations can regulate the way they want. Anything new created cannot restrict middle housing in the CC&Rs.

Commissioner Pulver asked, is it correct that triplexes and quadplexes could be attached or detached? Ms. Paladino replied yes.

Commissioner Pulver asked, is the cottage cluster size for review consistent with the current code? Ms. Paladino responded that if it was multi-acre with five or more cottages that would still go through the Site Plan and Architectural Commission review process. Less than three net acres would be a Type II more than three net acres would be a Type III Site Plan and Architectural Commission review process.

It seems to Commissioner Pulver an eight foot driveway is small. Is that a concrete issue or what? Ms. Paladino responded that twelve feet is the maximum on a townhouse but could be reduced for a triplex or quadplex. Currently the access standard is a minimum twelve foot driveway approach. The state rules lessen that to eight. Staff wants to be consistent.

Commissioner Pulver stated that the way the rule reads that if it is a legally created SFR lot the City has to accommodate middle housing. The restrictions are they have to comply with setbacks, architectural standards, height limitations, etc. Do they self-regulate? There is going to be irate citizens if a neighborhood is SFR and a developer builds a quadplex. The protection for the citizens is that the quadplex needs to conform to the rules being put in place. Is that a fair generalization? Ms. Paladino believes that is a fair generalization. She and Ms. Sousa want to meet with Legal staff to confirm thoughts of that exact question which is if the minimum lot size for a quadplex is 7,000 square feet and if a developer, in an SFR zone has a bare lot of 5,000 square feet, they likely cannot build a quadplex because they do not meet the minimum. They could likely build a triplex because that minimum lot size is 5,000 square feet. They need to implement the new rule appropriately.

Commissioner Beskow commented that the flare width on a driveway is six feet on each side for ADA standards. Should there be some dimensions in between the driveways because the minimum is twelve feet between each driveway? Ms. Paladino will look at that more closely regarding flares. They are not removing the flares for that requirement.

Ms. Paladino asked, does the Commission want staff to send the changes through email as soon as possible or send them out in the next agenda packet. Staff will highlight the changes so the Commissioners can compare the packets. Chair McKechnie thinks that would be helpful. Is the next study session Monday, April 11, 2022 and does that include the companion bills? Ms. Paladino responded that staff will bring HB 2001 back with scenarios. There will be a separate topic on Senate Bill 8 and Senate Bill 458. Senate Bill 458 is the land division companion to the middle housing. Senate Bill 8 is regarding affordable housing and the state is allowing other density provisions and locations where zone changes are not required.

Commissioner Bennett asked, regarding CC&Rs, is the City anticipating issues with compliance or things that would run counter to the code amendment even though they were enacted after HB 2001 passed? Is the City prepared to address it? Mr. Brinkley commented that Senate Bill 1051 prohibited the enforceability of CC&Rs that prohibited ADUs. Restrictive language could be included in the CC&Rs. If the City did not catch it, another developer could take the lot that was created with the subdivision that is subject to the CC&Rs, provided the lot meets the minimum size for middle housing, a building permit could be pulled. The CC&Rs would not be enforceable. The City would not get involved. Katie Zerkel, Deputy City Attorney stated that the City reviews the CC&Rs to make sure the City is not the enforcing agent. It is a contract between the private parties. If the City were to miss this it would be between the developer of the new lot and the state law would override the CC&Rs. She does not anticipate an overwhelming impact with the changes.

30. Adjournment

30.1 The meeting was adjourned at approximately 12:47 p.m.

Submitted by:



Terri L. Richards

Recording Secretary

SITE PLAN & ARCHITECTURAL COMMISSION STUDY SESSION MINUTES



From Study Session on April 1, 2022

The study session of the Site Plan and Architectural Commission was called to order at approximately 12:00 p.m. in the Medford Room, City Hall, on the above date with the following members and staff in attendance:

Commissioners Present

Jim Akery
Sam Bickel
Dave Culbertson, Acting Chair
Bob Neathamer
Marcy Pierce
Elle Powell

Staff Present

Kelly Evans, Assistant Planning Director
Katie Zerkel, Deputy City Attorney
Carla Paladino, Principal Planner
Sarah Sousa, Planner IV

Commissioners Absent

Jeff Bender
Bill Chmelir
Paul Ingledew

Roll Call.

Subject: House Bill 2001 Draft Code Amendment

Sarah Sousa, Planner IV, gave a PowerPoint presentation on the HB 2001 Code Amendment. For key points and what was discussed, see attached PowerPoint presentation.

There were some general discussion and questions from the commissioners.

The meeting was adjourned at approximately 12:54 p.m.

Submitted by:

Debbie Strigle
Recording Secretary

From: [Tanner R. Fairrington](#)
To: [Sarah K. Sousa](#)
Cc: [Carla G. Paladino](#); [Chase A. Browning](#); [Katie M. Zerkel](#)
Subject: FW: 4/6/22 LD Meeting
Date: Friday, April 15, 2022 1:53:04 PM

Sarah,

Below are some suggested revisions to DCA 22-006, pending feedback from legal. Our primary goal is access which should not be cost prohibitive. We can live with limited access and alternate access surface types such as gravel or decomposed granite as long as it will support our apparatus.

Here is some draft code language as a starting point:

- Definitions:
 - Fire Hose Access: Access for firefighters to deploy a fire hose from a fire truck to the exterior portions of buildings. Firehose access shall a minimum of 3 ft. wide and shall be unobstructed.
 - Limited Emergency Vehicle Access Road: Vehicle access road for Middle housing that provides a minimum clear width of 12 ft, a vertical clearance of 13 ft 6 in, a minimum drivable width of 10 ft, and is capable of supporting 50,000 lbs. Access roadway section and surface shall be of an approved type. Gates shall be a minimum of 10 ft in clear width.
- Access for middle housing shall be provided as follows:
 - Limited Emergency Vehicle Access Road not provided. When a Limited Emergency Vehicle Access Road is not provided:
 - Fire Hose Access shall be provided within 300 ft. from the right of way to the exterior portions of buildings.
 - An approved sign shall be provided indicating the location of Fire Hose Access
 - Limited Emergency Vehicle Access Road provided. When a Limited Emergency Vehicle Access Road is provided:
 - A Limited Emergency Vehicle Access Road shall be provided within 150 ft of all portions of building exteriors. A turnaround is required for Limited Emergency Vehicle Access Road that are greater than 200 ft in length.
 - Gates shall be minimum of 15 ft from the right of way to provide adequate space for turning.
 - Required turnarounds shall be provided per Figure(s) X (Will provide)
 - A sign shall be provided near the right of way indicating the location of the Limited Emergency Vehicle Access Road
- A deed declaration (or access and maintenance easement?) shall be provided for Middle Housing indicating the location of Fire Hose Access and Limited Vehicle Access and requiring each to be maintained free of obstructions.
- Additional dwelling units shall not be added where in conflict with the fire code for approved (developments? Lots?) where access requirements were less restrictive per the Oregon Fire Code based on number of dwelling units proposed (e.g. single access for 30 single family dwelling units or less).

Side note from Tanner: Should we/can we start flagging lots in developments where future additional dwelling units will cause a fire code violation. For example, a development is created in 2018 with a single access and 28 lots. If 2 lots add ADU's bringing the total number of dwellings on that access to 30 dwelling units, no additional dwelling units are allowed? Can we legally do this based on 2001? If not, for an existing subdivision with 30 single family homes dwelling units on a single access, can each home add an ADU or middle housing allowing a fire code violation?

Thank you,

Tanner Fairrington, P.E. | *Deputy Fire Marshal*
City of Medford, Oregon | *Medford Fire Department*
200 S. Ivy Street, Rm. #180, Medford, OR 97501
Ph: 541-774-2318
[Website](#) | [Facebook](#) | [Twitter](#)

From: Tanner R. Fairrington
Sent: Wednesday, April 6, 2022 8:05 AM
To: Sarah K. Sousa <Sarah.Sousa@cityofmedford.org>
Subject: 4/6/22 LD Meeting

Hey Sarah,

Medford Fire Comments for the subject LD meeting and project are attached.

Thank you,

Tanner Fairrington, P.E. | *Deputy Fire Marshal*
City of Medford, Oregon | *Medford Fire Department*
200 S. Ivy Street, Rm. #180, Medford, OR 97501
Ph: 541-774-2318
[Website](#) | [Facebook](#) | [Twitter](#)

STAFF REPORT

for a type-III quasi-judicial decision: **PUD Revision, Land Division, Exception**

Project Coker Butte Business Park PUD–Revision
Applicant: Coker Butte Properties, LLC & Table Rock Holdings, LLC;
Agent: CSA Planning, Ltd

File no. PUD-22-075 / LDS-22-076 / E-22-077

To Planning Commission *for 4/28/2022 hearing*

From Dustin Severs, Planner III

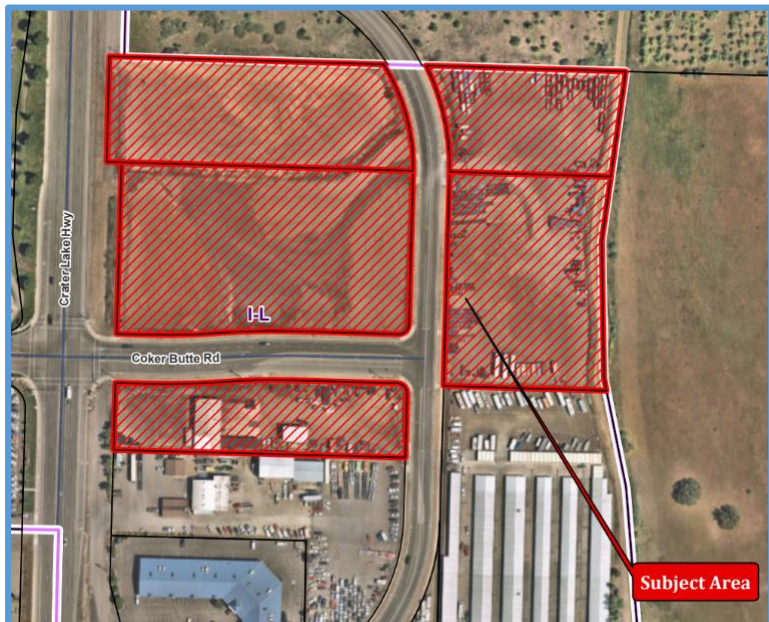
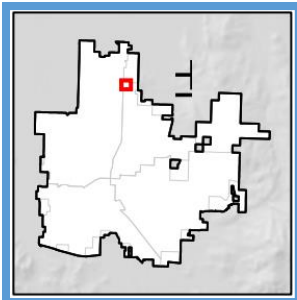
Reviewer Kelly Evans, Assistant Planning Director

Date April 21, 2022

BACKGROUND

Proposal

Consideration of a revised Preliminary PUD Plan, along with a tentative plat and an Exception request, for the Coker Butte Business Park Planned Unit Development (PUD). The PUD is contained within five contiguous parcels totaling approximately 14.5 acres (15.6 gross acres). The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. The PUD is zoned I-L (Light industrial) and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. (371W05 TL 1000, 1001, 1002, 1003, 1100).



Subject Site Characteristics

Zoning	I-L
GLUP	CM Commercial
Overlay	AC Airport Area of Concern RZ Restricted Zoning PD Planned Development
Use(s)	Rogue Disposal & Recycling (TL 1003, 1002, and 1100) Vacant (1001 and 1000)

Surrounding Site Characteristics

<i>North</i>	Zone: Jackson County Exclusive Farm Use (EFU) Uses: Vacant land
<i>South</i>	Zone: I-L Uses: Elite Collision Repair, Dick's Towing, Lock N Key Mini Storage
<i>East</i>	Zone: Jackson County Exclusive Farm Use (EFU) Uses: Seasonal livestock grazing; two dwellings
<i>West</i>	Zone: I-L

Related Projects

PUD-17-023	Approval of the Coker Butte Business Park PUD
PUD-20-141	Revision of the Coker Butte Business Park PUD

Applicable Criteria

MLDC 10.190(4): PUD Criteria

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(a) The proposed PUD:

- (i) preserves an important natural feature of the land; or*
- (ii) includes a mixture of residential and commercial land uses; or*
- (iii) includes a mixture of housing types in residential areas; or*

- (iv) *includes open space, common areas, or other elements intended for common use or ownership; or*
 - (v) *is otherwise required by the Medford Land Development Code.*
- (b) *The proposed PUD complies with the applicable requirements of this Code, or*
 - (i) *the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and*
 - (ii) *the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
 - (iii) *the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*
- (c) *The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:*
 - (i) *Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.*
 - (ii) *Public Facilities Strategy pursuant to ORS 197.768 as amended.*
 - (iii) *Limited Service Area adopted as part of the Medford Comprehensive Plan.*
- (d) *The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.*
- (e) *If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(2)(g)(iii), the applicant shall alternatively demonstrate that either:*
 - (i) *Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
 - (ii) *By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*
 - (A) *Public sanitary sewerage collection and treatment facilities.*
 - (B) *Public domestic water distribution and treatment facilities.*
 - (C) *Storm drainage facilities.*
 - (D) *Public streets.*

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new

development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

(f) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(2)(g)(iii), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

(g) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(2), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

MLDC 10.202 – Land Division Approval Criteria

(5) Land Division Approval Criteria. The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

- (a) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;*
- (b) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (c) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*
- (d) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;*
- (e) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*

- (f) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

MLDC 10.186(2) Exception Criteria

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (a) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.*
- (b) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*
- (c) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*
- (d) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.*

Approving Authority

Pursuant to MDLC 10.110(4), the Planning Commission is the approving authority for Type III Planned Unit Developments (PUD), land divisions, and Exceptions.

Corporate Names

The subject property is separately owned by Coker Butte Properties LLC (TL 1000, 1002 and 1100) and Table Rock Holdings LLC (TL 1001 & 1003). The Oregon Secretary of State business registry website lists Coker Butte Properties LLC as a registered business located at 8001 Table Rock Rd in White City, Oregon, and Richard A Stark as

the registered agent; Table Rock Holdings is also listed as located at 8001 Table Rock Rd in White City, Oregon, and Eric R. Stark is listed as the registered agent.

Ownership, Description and Acreage of Subject Property

Sources: Jackson County Assessor; CSA Planning, Ltd. (GIS Division)

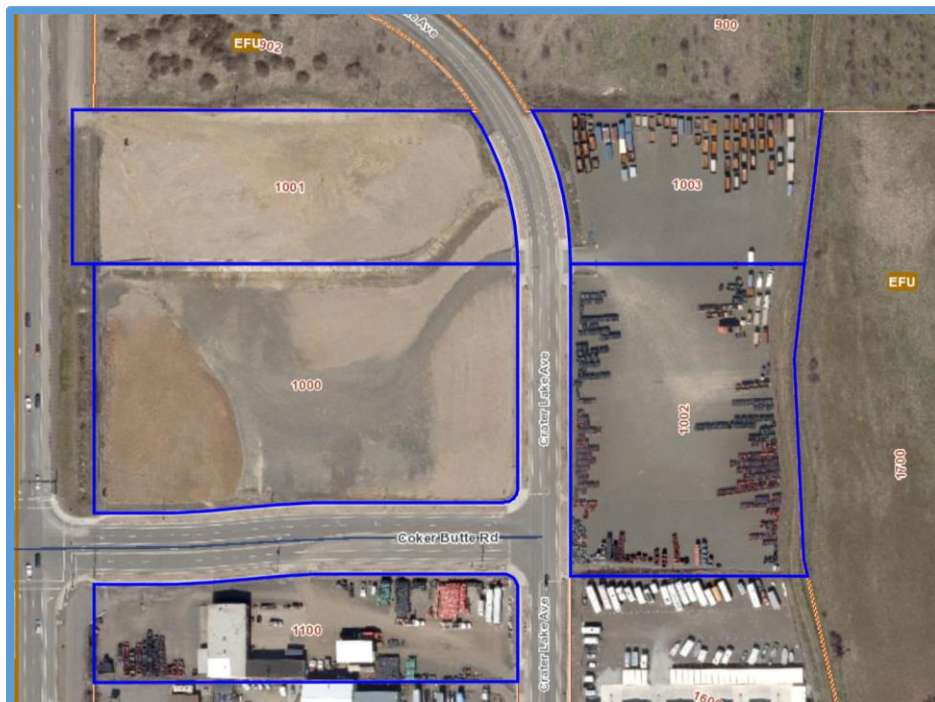
Property Ownership	Tax Lot	Acreage
TRACT A	Total	7.80
Coker Butte Properties LLC	1000	4.60
Coker Butte Properties LLC	1002	3.20
TRACT B	Total	4.72
Table Rock Holdings LLC	1001	2.96
Table Rock Holdings LLC	1003	1.76
TRACT C		
Coker Butte Properties LLC	1100	1.98
TOTAL		14.50

ISSUES AND ANALYSIS

Project Summary

Current Site Layout

The subject site is composed of five parcels totaling 14.5 acres. The site is traversed by two higher order streets, which effectively divide the property into three distinct



quadrants: a north quadrant encompassing tax lots 1000 and 1001, located north of Coker Butte Road; a south quadrant encompassing tax lot 1100, located south of Coker Butte Road; and an east quadrant encompassing tax lots 1002 and 1003, located east of Crater Lake Avenue.

The three quadrants are divided north/south by Coker Butte Road, classified as a Major Arterial street; and divided east/west by Crater Lake Avenue, classified as a Major Collector street. The entire site is located east of Crater Lake Highway 62, fronting the site along its westerly boundary. This road was previously classified as a state highway under the jurisdiction of the Oregon Department of Transportation (ODOT), but has been transferred to the jurisdiction of the City, and is now classified as a Major Arterial street.

The site's northerly and easterly boundaries are located on the edge of the City's corporate limits, and abuts Jackson County land zoned EFU. Both of these areas, however, are within the Urban Growth Boundary. The County EFU land abutting the site's northerly boundary has a GLUP designation of Commercial (CM), while the County EFU land abutting the site's easterly boundary has a GLUP map designation of Urban Residential (UR).

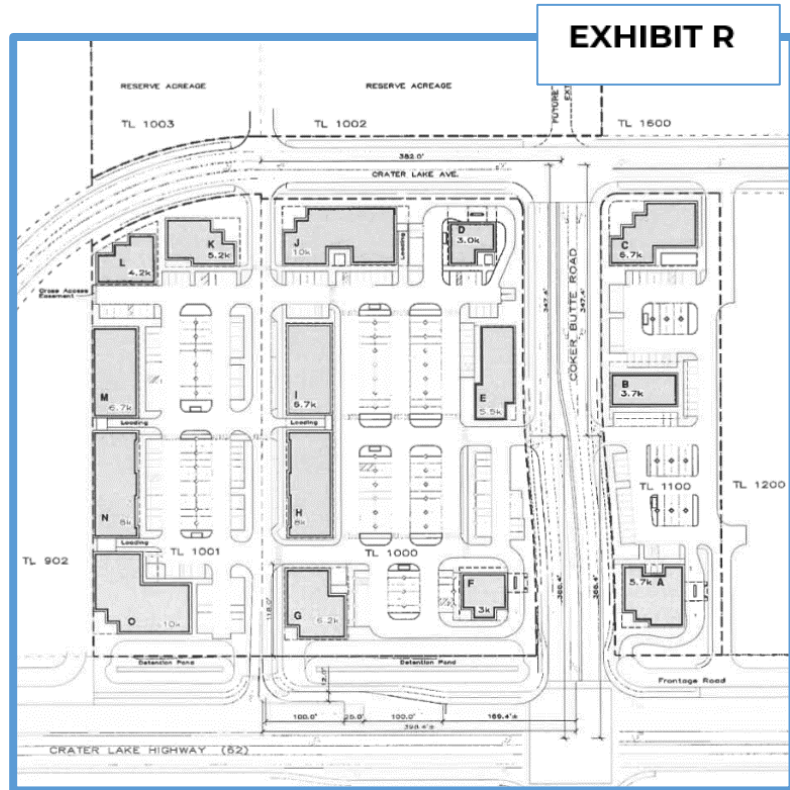
The applicant's submitted findings (Exhibit B) state that tax lots 1002 and 1003 are currently used by Rogue Disposal & Recycling for the storage and maintenance of dumpsters and other garbage receptacle equipment in connection with its business, tax lot 1100 has an existing building used by Rogue Disposal, and tax lots 1000 and 1001 are currently vacant.

Site History

FILE #	DATE	DESCRIPTION
A-06-276	September 2006	TL 1001 and 1003 annexed (TL 1000, 1100, and 1002 were annexed in 1984)
CP-08-121	September 2008	GLUP map amendment from UR to GI
ZC-07-272	February 2008	Zone change of TL 1000, 1002, and 1100 from I-G (General Industrial) to the I-L zone; establishment of trip cap
CP-13-032	November 2014	GLUP map amendment from GI to CM (City initiated)
PUD-17-023	August 2017	Approval of Preliminary PUD Plan for the Coker Butte Business Park PUD
PUD-20-141	August 2020	Approval of first PUD revision for the Coker Butte Business Park PUD

PUD-17-023

The Coker Butte Business Park received Preliminary PUD approval on August 10, 2017 (PUD-17-023). The approved Preliminary PUD Plan (Exhibit R, shown on right) included 92,600 square feet of built space in 15 buildings on 9.54 acres. The remaining 4.96 acres, located east of Crater Lake Avenue (Tax Lots 1002 and 1003), was approved as Reserve Acreage. The applicant contemplated the PUD to be developed in phases; however, no precise phasing boundaries were shown on the approved Preliminary PUD Plan.



The approval of the Coker Butte PUD also included the approval of a modified standard, pursuant to MLDC 10.192(B), for two additional driveway accesses to serve the development.

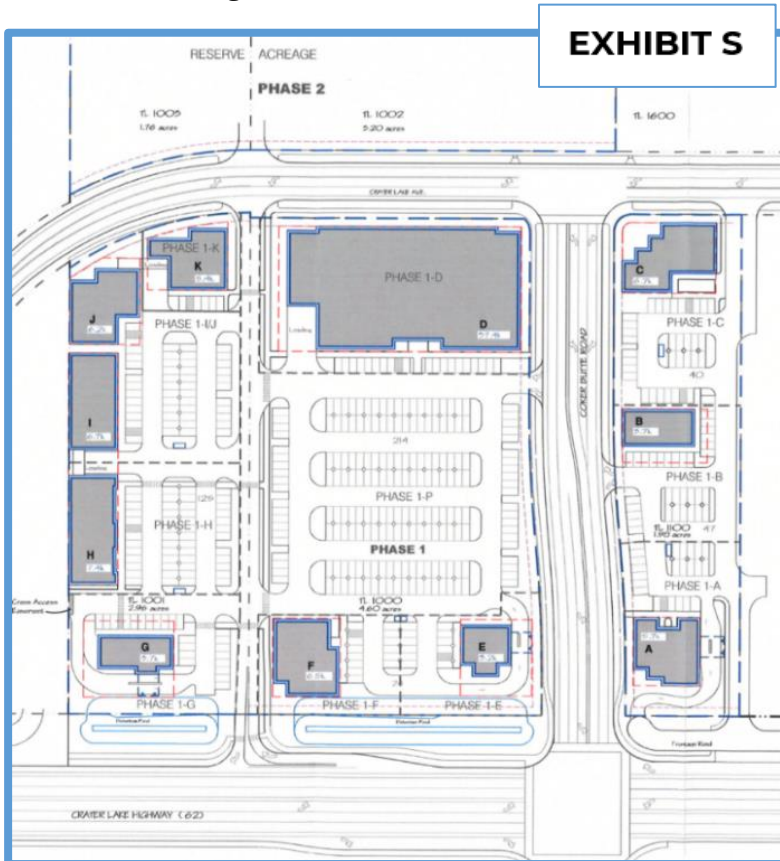
The PUD was also approved for uses not permitted in the site's underlying I-L zone. Pursuant to MLDC 10.192(2)(g)(iii), uses not permitted in the underlying zone may be permitted and approved to occupy up to 20% of the gross area of a PUD; however, if any portion of the use(s) is nearer than 200 feet from the exterior PUD boundary, said use(s) shall be considered to be a conditional use and may be approved subject to compliance with the conditional use permit criteria in Section 10.184(3). The approval of PUD-17-023 included the finding that Light Industrial uses shall be allowed to be developed on the site, but limited to the those specific uses expressly approved by the Planning Commission based on the determination that said uses are of equal or less intensity to those uses allowed in commercial zoning districts permitted in the Commercial (CM) GLUP. The applicant provided a list of prohibited uses within the PUD, and the list was adopted by the Commission.

Both an Agricultural Impact Assessment (AIA) and a Limited Traffic Analysis were submitted with PUD-17-023, and included in the approval.

PUD-20-141

A revision to the Coker Butte Business Park PUD was approved in August 2020 (PUD-20-143). The revisions included the following:

- The consolidation of several smaller buildings into one large building, as well as revising the square footage of some of the remaining buildings.
- The PUD divided into phases.
- The approval for the PUD to include individual parcels in addition to pad lots.



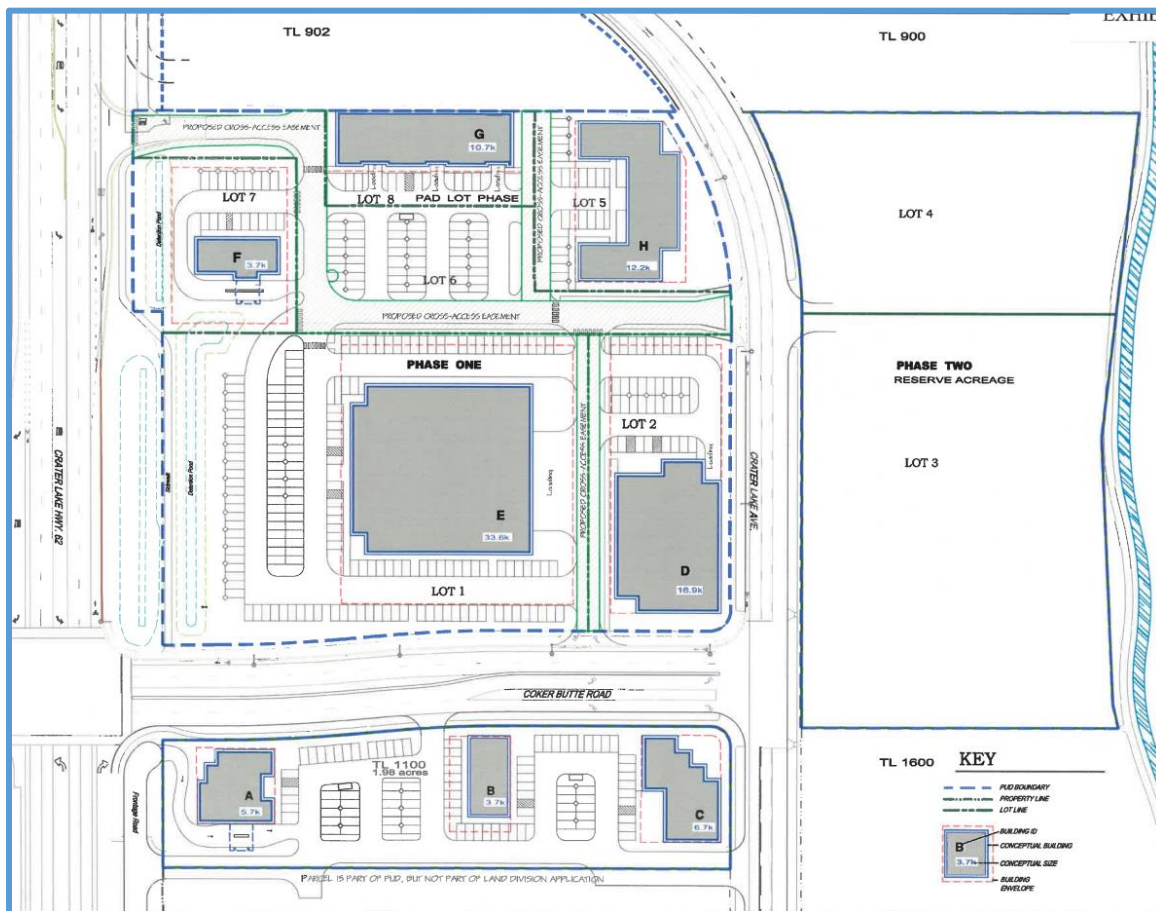
Since the approval of the Coker Butte Business Park PUD—both PUD-17-023 and PUD-20-141—no part of the development has received Final PUD Plan approval.

Current Proposal

With the subject request, the applicant is requesting to revise the previously approved Preliminary PUD Plan (PUD-20-141). The proposed revisions/requests include the following:

- Reconfigure conceptual buildings and parking locations on the site.
- Move the approved access driveway from Crater Lake Highway 62 northward, to allow for a southbound left-in turn in addition to the currently approved right-in and right-out movements.
- Move the approved access driveway to Tax Lot 1000 on Coker Butte Road 50 feet east to align with new lot line.
- Subdivide the parcels north of Coker Butte Road.
- Exception to the street design and associated frontage improvement requirements along Crater Lake Highway.

Revised Preliminary PUD Plan (Exhibit I)



Preliminary PUD (PUD-22-075)

Aside from the proposed subdivision and Exception request, the applicant is requesting three revisions to the Preliminary PUD Plan previously approved per PUD-20-141.

First, the applicant is proposing to combine several smaller buildings and revise the square footage of some of the remaining buildings. The applicant point outs that the total square footage on the site remains the same as approved, so as not to change the traffic generation. The applicant's findings include a table, which identifies the adjustments to the buildings' square footage, as shown below:

Space intentionally left blank

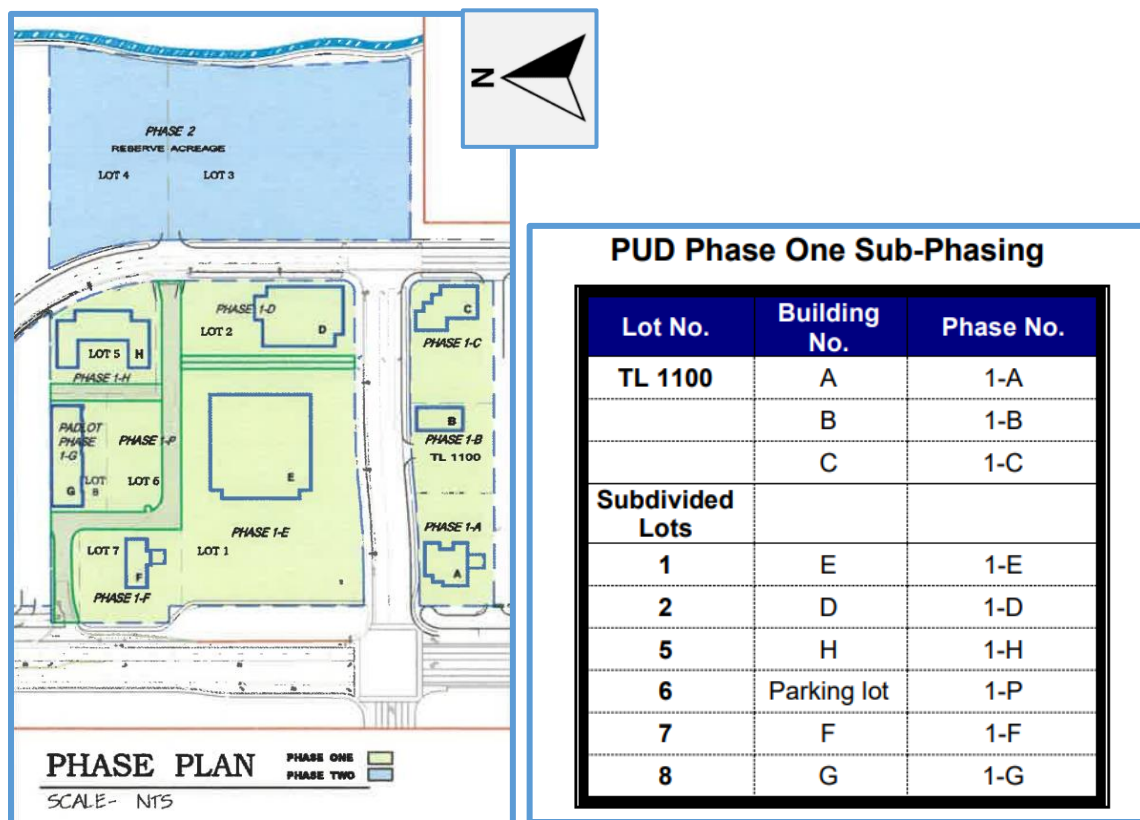
Adjustment to PUD Building Square Footage				
PUD BUILDING SQUARE FOOTAGE				
2020 PUD ID	Proposed Size	Revised 2021 PUD ID	Revised Size	Notes
A, B, C	16,100	A, B, C	16,100	No changes on TL 1100
D	37,400	D	16,900	Building size reduced
E	3,200	E	33,600	Buildings E & F combined into a single large building
F	6,500			Combined with E
G	3,700	F	3,700	No changes
H	8,000	G	10,600	Buildings G & H combined into a single building
I	6,700			Combined with G
J	10,000	H	12,200	Buildings J & K combined into a single building
K	5,200			Combined with H
TOTAL	92,600		92,600	No change to total square footage within the PUD

The buildings identified on the revised Preliminary PUD Plan are all conceptual (no architectural plans have been submitted), and will require approval through the Site Plan and Architectural Commission (SPAC) prior to the applicant applying for building permits through the Building Safety Department. In their submitted findings, the applicant has stipulated that final building designs will be submitted for review by SPAC.

The second proposed revision to the approved Preliminary PUD Plan is a request to relocate the access off of Crater Lake Highway. The Applicant is proposing to relocate the approved Highway 62 access northward. As stated in their submitted findings, the relocation of the access will provide sufficient distance from the Coker Butte Road intersection to allow the addition of a southbound left-in to the approved right-in and right-out movements.

Finally, the applicant is requesting to relocate the right-in/right-out driveway off of Coker Butte Road. The proposed change will simply move the access driveway shown to Parcel 1000 fifty feet east in order to align with the new line created with the proposed subdivision.

As stated in the applicant's findings, the overall PUD phasing will remain as previously approved. The PUD is generally divided in two phases: Phase I includes all the parcels located west of Crater Lake Avenue—TL 1001, 1000, and 100—along with several sub-phases. Phase 2 consists of the two parcels east of Crater Lake Avenue—TL 1002 and 1003—and will remain as reserve acreage for future development. In their submitted findings, the applicant has provided both a phasing plan, as well as a table outlining the location of the proposed buildings within the sub-phases (both shown below).



Access and Circulation

Public Works received a Transportation Impact Analysis (TIA) from Southern Oregon Transportation Engineering LLC, dated November 5, 2021, titled "Coker Butte Business Park PUD Addendum" (Exhibit M). The addendum is to modify the previously approved right-in right-out (RIRO) driveway on Crater Lake Hwy to include left-in (RIROLI) and relocate its proposed location to the north property line.

The TIA studied the intersections adjoining the site and the driveways providing site access. The study found that the RIROLI driveway would improve delay and queuing at study area intersections with no increase in actual queuing for the southbound left turn on Crater Lake Hwy.

In their submitted report (Exhibit N), Public Works recommends the following conditions of approval for this project:

The developer shall construct a RIROLI median at the proposed driveway on Crater Lake Highway, located approximately 595 feet north of Coker Butte Road (measured centerline to centerline). The median design shall be submitted as part of the public improvement plans for the project.

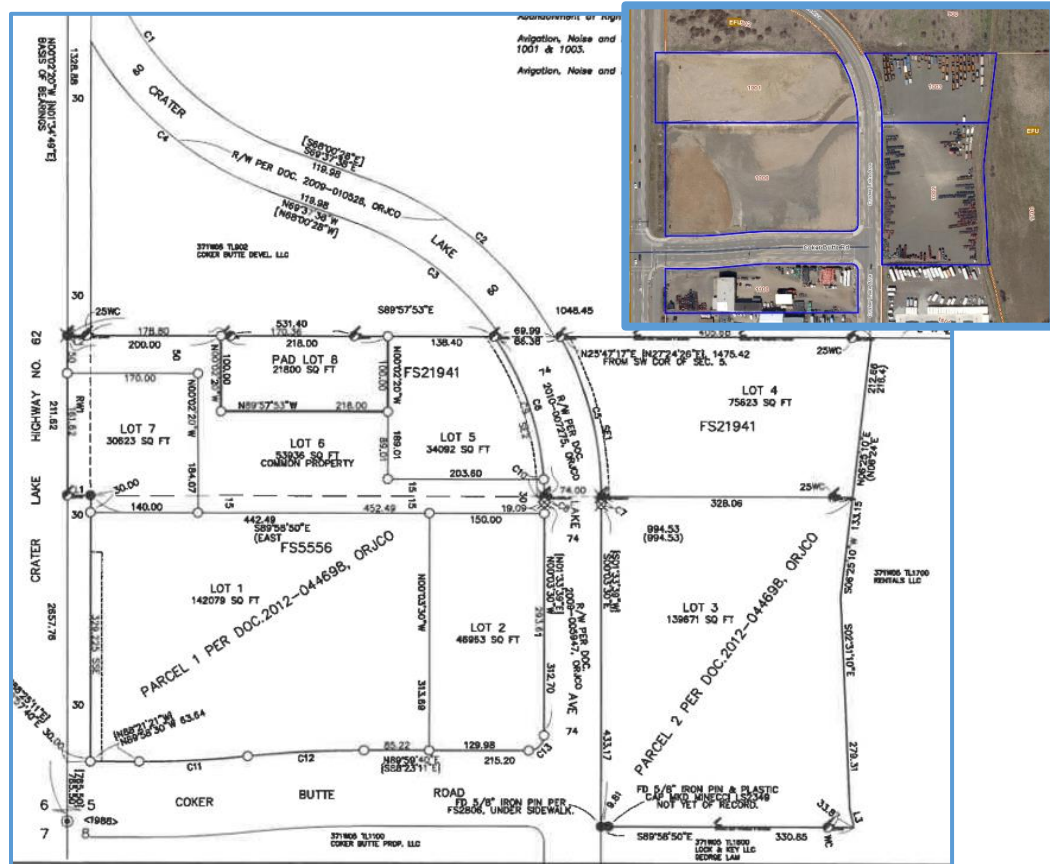
In accordance with the approval for PUD-17-023, the entire PUD is conditioned with a trip cap of 415 peak hour trips. Per Public Works' staff report, the applicant will be

required to submit trip accountings with each individual building permit showing that the proposed new buildings will not cause the trip generation to exceed 415 peak hour trips. The 415 peak hour trip cap on the PUD was based on a previously existing trip cap, per ZC-07-272, on tax lots 1000, 1002, and 1100 and unrestricted light industrial (I-L) zoning on tax lots 1001 and 1003.

Tentative Plat (LDS-22-076)

This revision to the Coker Butte Business Park PUD includes a request for a tentative subdivision plat. The Applicant is proposing to subdivide the PUD in order to separate the portions of the parcels that were divided by the realigned Coker Butte Road and to create the initial lots for PUD Phase 1. The proposed subdivision name is PNW Park, a name which will require approval by the Jackson County Surveyor's Office.

Proposed Tentative Plat for PNW Park (Exhibit L)



The Tentative Plat will create eight lots. Lots 1, 2, 3, 4, 5, and 7 are proposed as standard lots, while Lot 8 is proposed as a Pad Lot. Lot 6 is proposed as a common area lot, which will serve as common circulation for lots 1, 2, 5, 7, and 8 and will also

provide common parking for the Pad Lot 8 and overflow common parking for Lots 5 and 7.

While the PUD is proposed in phases, the tentative plat is not. TL 1100—located south of Coker Butte Road, and identified as part of phase 1, sub-phases A, B, and C—is included in the PUD Plan, but is not a part of the PNW Park tentative plat. The plat does include the two parcels east of Crater Lake Avenue (TL 1002 and 1003) — identified on the plat as Lots 3 and 4 — however, those parcels are identified as Reserve Acreage on the PUD Plan. In regards to Lots 3, the applicant’s findings include the following request:

Medford’s TSP Roadway Functional Classification Map shows the future extension east of Coker Butte Road along the southeast corner of the subject property. With the separation of Lot 3 from the rest of the subject property, Applicant will accept a PUD condition of approval tied to Lot 3 that requires a future dedication of right-of-way for Coker Butte Road through Lot 3 with related improvements as part of a future Site Plan Review for vertical construction on Lot 3.

Staff is not supportive of the request to delay the dedication of the Coker Butte right-of-way. In staff’s communications with the applicant’s agent, Jay Harland, Mr. Harland has agreed to revise the plat, showing TL 1002 (identified as Lot 3 on the proposed tentative plat) as reserve acreage. Pursuant to MLDC 10.708(3)(a), those portions of a project site not intended to be part of the development and can be separately developed at a later time may be designated as reserve acreage.

Site Development Table

I-L	Lot Area (square feet)	Min. Lot Width (Interior)	Min. lot Depth	Min. Lot Frontage
Required I-L	20,000 min.	70 feet min.	100 feet min.	70 feet min.
Lot 1	142,079	329.22	442.49	329.22 W 443.12 S
Lot 2	46,963	313.69	150	139.98 S 322.70 E
Lot 3	139,671	433.17	329.45	433.17 W
Lot 4	75,623	204	366.87	220.34 W
Lot 5	34,092	189.01	171	224.83 E
Lot 6	53,936	119.01	622.49	30'E 50 W *
Lot 7	30,623	184.07	170.00	221.63 W
Lot 8	21,800	100.00	218.00	Pad Lot – no frontage

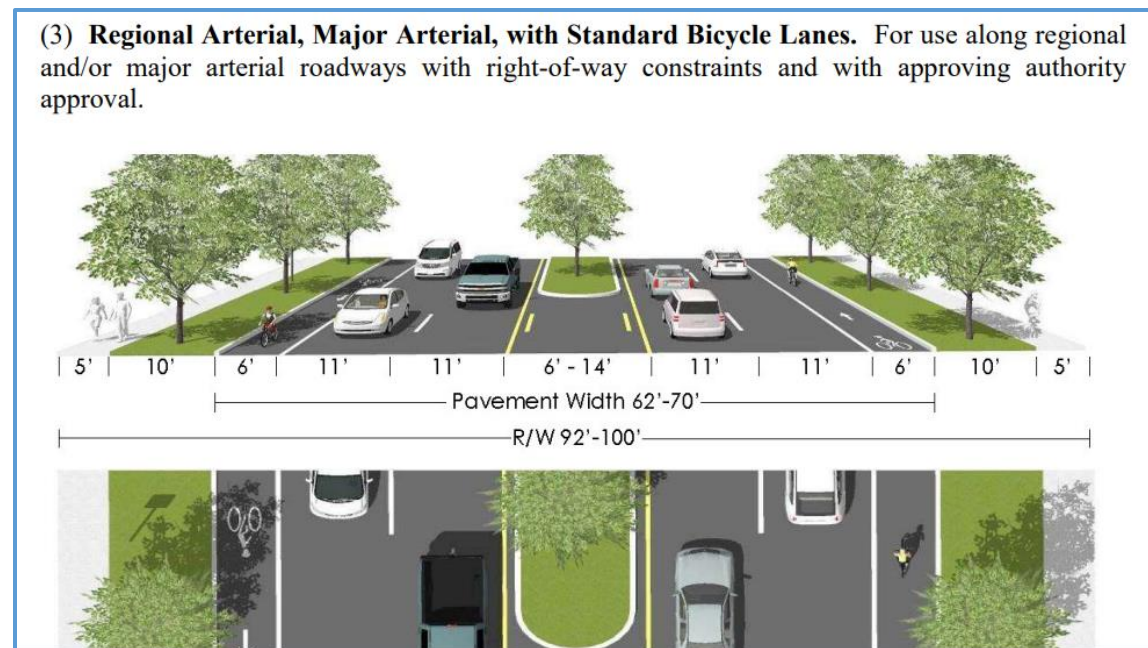
As shown in the Site Development Table above, it can be found that the eight proposed lots, as identified on the submitted plat, meet all the dimensional standards for lots in the I-L zoning district, as per MLDC 10.721.

* Lot 6 is proposed as a common area lot, which will serve as common circulation for lots 1, 2, 5, 7, and 8 and will also provide common parking for the Pad Lot 8 and overflow common parking for Lots 5 and 7. As such, the lot is not subject to the dimensional requirements, as outlined in MLDC 10.721.

Exception (E-22-077)

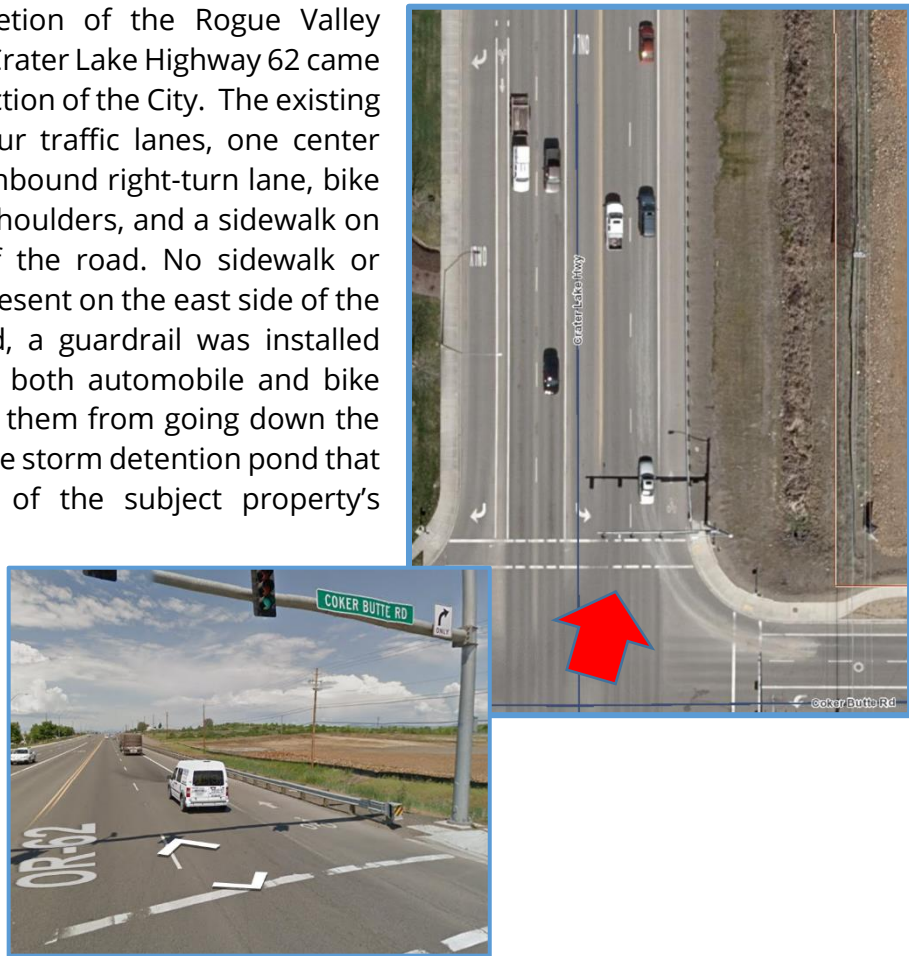
In addition to PUD revision and the subdivision plat, the applicant has submitted a separate request for an Exception. The Exception request pertains to the street design and associated frontage improvement requirements along the site's frontage with Crater Lake Highway, classified as a Major Arterial street, with the applicant proposing an alternative street design.

MLDC 10.428



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With the completion of the Rogue Valley expressway, *old* Crater Lake Highway 62 came under the jurisdiction of the City. The existing road includes four traffic lanes, one center turn lane, a southbound right-turn lane, bike lanes along the shoulders, and a sidewalk on the west side of the road. No sidewalk or planter strip is present on the east side of the roadway. Instead, a guardrail was installed for the safety of both automobile and bike traffic to prevent them from going down the bank into the large storm detention pond that runs along half of the subject property's frontage.



As outlined in their submitted findings, the applicant is requesting modifications to the street design of Crater Lake Highway along the site's frontage, as follows:

1. Installation of a curb in the area where the highway detention pond is located would interfere with the drainage from the highway. Therefore, the Applicant proposes to omit installation of the curb, planter strip and sidewalk along the Lot 1/Phase 1-E portion the subject property.
2. Instead of a sidewalk near the curb, the Applicant proposes installing a 5-foot wide sidewalk to the east of the highway detention pond on an easement on the subject property between it and the new site detention pond. This sidewalk would run north from the northeastern corner of the Hwy 62 and Coker Butte Road intersection.
3. Once north of the highway detention pond, the sidewalk will curve back nearer the highway on Lot 7/Phase 1-F and will have a 10-foot planter strip between it and the guard rail.
4. Curb and gutter will be installed starting with the right drop lane for the relocated access driveway near the northern boundary of the subject property.

In regards to the proposed modifications, the staff report submitted by the Public Works Department (Exhibit N) states the following:

Public Works does not support the exception for not providing curb and gutter and we don't believe the exception process of Chapter 10 supports this type of request as well. Aside from the curb and gutter improvement, Public Works does not object to the proposed exception request in any other respect. If the exception request is approved, then the Crater Lake Highway improvements shall be completed as shown on the Preliminary PUD Plans showing the public sidewalk constructed on the east side of the existing drainage swale with the existing drainage swale retained as depicted on the plans. Curb and gutter will still be required to replace the existing guardrail along the Crater Lake Highway frontage unless a Design Exception is approved by the City Engineer through Public Works' Design Exception process.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits N-Q), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

RVSS (Exhibit Q)

The subject properties are within the RVSS service area. Per the report submitted by RVSS, there is a 10 inch main located on tax lots 1000 and 1100 adjacent to Crater Lake Highway, and tax lots 1001 and 1100 are currently served by 4 inch services connected to the 10 inch main. In their report, RVSS includes four conditions.

As a condition of approval, the applicant will be required to comply with all applicable requirements of RVSS.

Committee Comments

No comments were received from a committee, such as BPAC.

Neighbor Comments

None

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Findings and Conclusions

MLDC 10.190(4): Preliminary PUD Plan

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(a) The proposed PUD:

- (i) preserves an important natural feature of the land; or*
- (ii) includes a mixture of residential and commercial land uses; or*
- (iii) includes a mixture of housing types in residential areas; or*
- (iv) includes open space, common areas, or other elements intended for common use or ownership; or*
- (v) is otherwise required by the Medford Land Development Code.*

The proposed PUD includes a common area (e.g., parking, landscaping, etc.) that will come under common ownership.

This criterion is satisfied.

(b) The proposed PUD complies with the applicable requirements of this Code, or

- (i) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and*
- (ii) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
- (iii) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

The PUD does not comply with all applicable design standards set forth in Articles IV and V (in regards to access requirements); however, relief was granted with the PUD-17-023, pursuant to MLDC 10.192(2)(d), that can be found to be consistent with conditions i-iii.

This criterion is satisfied.

(c) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

- (i) Moratorium on Construction or Land Development pursuant to ORS 107.505 through 197.540, as amended..*
- (ii) Public Facilities Strategy pursuant to ORS 197.768 as amended.*
- (iii) Limited Service Area adopted as part of the Medford Comprehensive Plan.*

The property is not subject to a moratorium on construction or land development, Public Facilities Strategy, or a Limited Service Area.

This criterion is inapplicable.

(d) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

The PUD includes common elements (e.g., parking, landscaping, etc.) to be held under common ownership, and can be found to be appropriate for their intended use and function.

This criterion is satisfied.

(e) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(2)(g)(iii), the applicant shall alternatively demonstrate that either:

- (i) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
- (ii) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*
 - (A) Public sanitary sewerage collection and treatment facilities.*
 - (B) Public domestic water distribution and treatment facilities.*
 - (C) Storm drainage facilities.*
 - (D) Public streets.*

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the Comprehensive Plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

Per the agency comments submitted to staff (Exhibits N-Q), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

This criterion is satisfied.

(f) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(2)(g)(iii), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

The PUD Plan shows buildings which are located within 200 feet of the PUD boundary and abut property zoned County EFU; however, the County EFU land has the same Commercial GLUP designation as the subject property. When said property is

annexed into the City, it will be required to change its underlying zone to a commercial designation consistent with its GLUP designation. With the imposition of the conditions of approval, this criterion can be satisfied.

This criterion is satisfied.

(g) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(2), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

The PUD application includes other concurrent development permit applications—a land division and Exception application—and the applicant has provided findings addressing the substantive approval criteria for each of these land use applications.

This criterion is satisfied.

MLDC 10.202 – Land Division Approval Criteria

(a) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;

The Commission can find that the subdivision plat is consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V.

This criterion is satisfied.

(b) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;

The Commission can find that the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land;

This criterion is satisfied.

(c) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

The subdivision proposes a name (PNW Park), which will require approval by the Jackson County Surveyor's Office. With the imposition of the conditions of approval included in Exhibit A, this conditions can be satisfied.

This criterion can be satisfied.

- (d) *If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;*

The subdivision plat does not include the creation of streets or alley.

This criterion is inapplicable.

- (e) *If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*

The subdivision plat does not include streets or alleys to be held for private use.

This criterion is inapplicable.

- (f) *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

The PUD does abut agricultural land zoned EFU along both its northerly and easterly boundary. The County EFU land abutting the PUD to the north, however, has the same Commercial GLUP designation as the subject property. When said property is annexed into the City, it will be required to change its underlying zone to a commercial designation consistent with its GLUP designation. The County EFU land abutting the PUD to the east has a GLUP designation of Urban Residential (UR), and an agricultural impact analysis was submitted and approved with PUD-17-23, outlining the mitigation measures, as required per MLDC 10.801. No changes to the approved Agricultural Impact Assessment are proposed with the subject revision.

This criterion is satisfied.

MLDC 10.184(2): Exception Criteria

- (a) *The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.*

Based on the applicant's findings, the Commission can find that the proposed modified street design and associated public improvements along the site's frontage of Crater Lake Highway will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources.

This criterion is satisfied.

- (b) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*

Based on the applicant's findings, the Commission can find that the granting of the Exception will allow a modified street design and associated public improvements along the site's frontage of Crater Lake Highway, an approval which does not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

This criterion is satisfied.

- (c) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*

Based on the applicant's findings, the Commission can find that the site contains unique circumstances due to the presence of a large highway storm detention pond along half of the site's frontage with Crater Lake Highway, thereby warranting relief to relocate the sidewalk and planter strip to east side of the detention pond; however, it is staff's view that said circumstances do not preclude the applicant from constructing curb and gutter along the Crater Lake Highway frontage.

This criterion can be satisfied with the imposition of the conditions of approval included in Exhibit A.

- (d) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.*

Based on the applicant's findings, the Commission can find that the Exception request is not the result of an illegal act, as the storm pond was installed by the Oregon Department of Transportation to facilitate storm drainage of Crater Lake Highway.

This criterion is satisfied.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare Final Orders for approval of PUD-22-075, LDS-22-076, and E-22-077 per the staff report dated April 21, 2022, including:

- Exhibits A-S;
- The adoption of the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit B), and apply them as conditions;
- The approval of the Exception request for an alternative street design and associated frontage improvement requirements along the site's frontage with Crater Lake Highway shall be limited to the relocation of the sidewalk and planter strip to the east side of the detention pond. The public improvement plans submitted for the PUD shall include the construction of curb and gutter along the site's frontage with Crater Lake Highway.

EXHIBITS

- A Conditions of Approval, drafted April 21, 2022.
- B Applicant's Findings of Fact and Conclusions of Law, received February 17, 2022.
- C Demonstration of Compliance with Applicable Development Standards, received February 17, 2022.
- D Assessor's Map, received February 17, 2022.
- E Vicinity Map with Existing Uses on Aerial, received February 17, 2022.
- F GLUP Map, received February 17, 2022.
- G Zoning Map, received February 17, 2022.
- H Adopted North Medford Circulation Plan, received February 17, 2022.
- I Revised Preliminary PUD Plan, received February 17, 2022.
- J Revised Preliminary Landscape Plan, received February 17, 2022.
- K Civil Plans, received February 17, 2022.
- L Proposed Tentative Subdivision Plat, received February 17, 2022.
- M TIA Addendum (abridged), dated November 5, 2021.
- N Public Works Staff Report, received April 20, 2022.
- O Medford Water Commission report, received March 30, 2022.
- P Medford Fire Department Report, received March 30, 2022.
- Q Rogue Valley Sewer Services (RVSS), March 17, 2022.
- R Approved Preliminary PUD Plan per PUD-17-023, approved in August 2017.
- S Revised Preliminary PUD Plan per PUD-20-141, approved in August 2020.
Vicinity map

PLANNING COMMISSION AGENDA:

APRIL 28, 2022

EXHIBIT A

Coker Butte Business Park PUD
PUD-22-075 / LDS-22-076 / E-22-077
Conditions of Approval
April 21, 2022

All conditions of the previously approved Coker Butte Business Park PUD (PUD-17-023 & PUD-20-141) are still in effect, other than those modified by this revision request.

The Commission accepts the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit B), and applies them as conditions except as modified.

The approval of the Exception request for an alternative street design and associated frontage improvement requirements along the site's frontage with Crater Lake Highway shall be limited to the relocation of the sidewalk and planter strip to the east side of the detention pond. The public improvement plans submitted for the PUD shall include the construction of curb and gutter along the site's frontage with Crater Lake Highway.

CODE REQUIRED CONDITIONS

Prior to final PUD Plan approval for each applicable phase, the applicant shall:

1. Comply with all applicable conditions stipulated by the Public Works Department (Exhibit N).
2. Comply with all applicable conditions stipulated by the Medford Water Commission (Exhibit O).
3. Comply with all applicable requirements of the Medford Fire Department (Exhibit P).
4. Comply with all applicable conditions stipulated by RVSS (Exhibit Q).

Prior to Final Plat approval, the applicant shall:

5. Obtain approval of the subdivision name through the Jackson County Surveyor's Office.
6. Submit a revised plat, showing TL 1002 identified as reserve acreage, pursuant to MLDC 10.708(3)(a).
7. Comply with all applicable conditions stipulated by the Public Works Department (Exhibit N).
8. Comply with all applicable conditions stipulated by the Medford Water Commission (Exhibit O).
9. Comply with all applicable requirements of the Medford Fire Department (Exhibit P).
10. Comply with all applicable conditions stipulated by RVSS (Exhibit Q).



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

IN THE MATTER OF AN APPLICATION)
TO REVISE AN APPROVED INDUSTRIAL)
PLANNED UNIT DEVELOPMENT ON 5)
TAX LOTS AND REQUEST A TENTATIVE)
SUBDIVISION PLAT. THE APPLICATION)
ALSO INCLUDES AN EXCEPTION TO)
STREET STANDARDS TO ADDRESS)
STREET STANDARDS AND THE)
ASSOCIATED IMPROVEMENTS BEING)
REQUIRED FOR THE FRONTAGE ON)
OLD CRATER LAKE HIGHWAY. THE PUD)
IS LOCATED ON THE NORTH AND)
SOUTH SIDES OF COKER BUTTE ROAD,)
THE EAST AND WEST SIDES OF)
CRATER LAKE AVENUE AND)
FRONTING UPON CRATER LAKE)
HIGHWAY 62 WITHIN AND ABUTTING)
THE CORPORATE LIMITS OF THE CITY)
OF MEDFORD.)

Owner/Applicant:)
Coker Butte Properties, LLC and Table Rock)
Holdings, LLC)

Agent: CSA Planning, Ltd.)

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Applicant's Exhibit 2

I

**NATURE AND SCOPE OF APPLICATION
PUD PROJECT RATIONALE**

The Applicants, Coker Butte Properties, LLC and Table Rock Holdings, LLC, seek a minor revision to the *Coker Butte Business Park* Planned Unit Development (PUD) and a Tentative Subdivision Plat for the PUD. The PUD is approved to be developed in Phases, but the Tentative Subdivision Plat requires no phasing. The approved PUD land is located on the east side of the *Old Crater Lake Highway 62* at its intersection with Coker Butte Road. The PUD property has 14.5 acres comprised of three parcels with five tax lots. The project is unique in that it exists in three quadrants divided by arterial and collector streets, while also fronting upon *Old Crater Lake Highway 62*. The initial PUD approval was issued in 2017. The PUD was amended on August 13, 2020, *see Planning File No. PUD-20-141*.



**EXHIBIT
B**

Through this PUD revision the Applicant proposes to:

- A. Reconfigure conceptual buildings and parking locations on the site.
- B. Move the approved the access driveway from *Old* Crater Lake Highway 62 northward, to allow for a southbound left-in turn in addition to the currently approved right-in and right-out movements.
- C. Move the approved the access driveway to Tax Lot 1000 on Coker Butte Road 50 feet east to align with new lot line.
- D. Subdivide the two parcels north of Coker Butte Road.

None of the requested changes to the PUD are expected to result in additional impacts from the project on the surrounding area. The uses and total building square footage remains the same, so no changes to the traffic generation will occur from this amendment.

The existing two parcels north of Coker Butte Road were given four tax lot numbers, 1000, 1001, 1002, and 1003 on Map 37-1W-5, when Crater Lake Avenue was realigned and bisected these two parcels. The tentative subdivision plat completes the process of separating these into discrete and separate parcels. The existing parcel south of Coker Butte Road, identified as Tax Lot 1100, is included in the PUD but is not part of the Tentative Subdivision Plat. The Tentative Plat will create eight lots. Lots 1, 2, 3, 4, 5, and 7 are standard lots. Lot 8 is a Pad Lot. Lot 6 is a common area lot that will serve as common circulation for lots 1, 2, 5, 7, and 8 and will also provide common parking for the Pad Lot 8 and overflow common parking for Lots 5 and 7.

Medford's TSP Roadway Functional Classification Map shows the future extension east of Coker Butte Road along the southeast corner of the subject property. With the separation of Lot 3 from the rest of the subject property, Applicant will accept a PUD condition of approval tied to Lot 3 that requires a future dedication of right-of-way for Coker Butte Road through Lot 3 with related improvements as part of a future Site Plan Review for vertical construction on Lot 3¹.

The Application also requests an Exception to the street design and associated frontage improvement requirements for *Old* Crater Lake Highway. This street was part of jurisdictional exchange from ODOT and is constructed to ODOT highway standards. The existing right-of-way is much wider than even the widest maximum right-of-way for a City Regional Arterial. The street has no sidewalks on the east side and the grades of the eastern street edge drop steeply down to east to a stormwater detention facility which is why there is a guardrail at this location. Stormwater flows through the guardrail down into the detention pond. Granting the exception will allow the Applicant to construct a sidewalk that is east of the storm water facility which will serve as a large buffer for pedestrians from the high speed and volume traffic on *Old* Highway 62 and will maintain the guardrail configuration for vehicle and bicycle safety. See, Exhibit 3 and Findings in Section IV for further description of proposed modifications to the accommodate the existing conditions while providing equivalent facilities.

* * * * *

¹ Subject to SDC reimbursement (City credits) that are provided for higher order street construction and right-of-way dedications.

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant has submitted the following evidence with its application for Revision of an approved Preliminary PUD Plan:

- Exhibit 1.** Completed PUD, Subdivision and Exception application forms including a duly authorized Power of Attorney which authorizes CSA Planning, Ltd. to act procedurally on behalf of Applicants Coker Butte Properties, LLC and Table Rock Holdings, LLC
- Exhibit 2.** The proposed Findings of Fact and Conclusions of Law (this document) demonstrating how the revised Preliminary PUD Plan complies with the applicable substantive criteria of the MLDC
- Exhibit 3.** Demonstration of Compliance with Applicable Development Standards
- Exhibit 4.** Assessor's plat map T37S-R1W-Section 5 which depicts the subject properties
- Exhibit 5.** Vicinity Map with Existing Land Uses on Aerial Photograph
- Exhibit 6.** City of Medford GLUP Map
- Exhibit 7.** City of Medford Zoning Map shown on Aerial Photograph
- Exhibit 8.** Adopted North Medford Circulation Plan
- Exhibit 9.** PUD-20-141: Approved Preliminary PUD Plan
- Exhibit 10.** Applicants' Revised PUD Plans, which include:
 - A. PUD-1 Revised Preliminary PUD Plan
 - B. PUD-2 Revised Preliminary Landscape Plan
 - C. C1 Civil Grading Plan
 - D. C2 Civil Utility Plan
- Exhibit 11.** Tentative Subdivision Plat
- Exhibit 12.** Traffic Analysis Addendum, November 5, 2021, Southern Oregon Transportation Engineering.

* * * * *

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Preliminary PUD Plan and for Tentative Subdivision Plat must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria for the land use application are recited verbatim below and again in Section V where each is followed by the conclusions of law:

REVISION OF A PRELIMINARY PUD PLAN

MLDC10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Applicant for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

PRELIMINARY PUD PLAN CRITERIA

MLDC10.190 Planned Unit Development (PUD) - Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan.

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(1) The proposed PUD:

- (a) preserves an important natural feature of the land; or
- (b) includes a mixture of residential and commercial land uses; or
- (c) includes a mixture of housing types in residential areas; or

- (d) includes open space, common areas, or other elements intended for common use or ownership; or
 - (e) is otherwise required by the Medford Land Development Code.
 - (2) The proposed PUD complies with the applicable requirements of this Code, or
 - (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
 - (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
 - (3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.
 - (4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
 - (5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
 - (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
 - (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:
 - (i) Public sanitary sewerage collection and treatment facilities,
 - (ii) Public domestic water distribution and treatment facilities.
 - (iii) Storm drainage facilities.
 - (iv) Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.
 - (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.
 - (7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.
- (E) Conditions of Preliminary PUD Plan Approval.
- If the Planning Commission approves a Preliminary PUD Plan, in addition to conditions of approval authorized under Section 10.200(F), it may attach conditions to the Preliminary PUD Plan approval which are determined to be reasonably necessary to ensure:
- (1) The Final PUD Plan will be substantially consistent with the approved Preliminary PUD Plan and specifications related thereto.

- (2) Development of the PUD will be consistent with the approved Final PUD Plan and specifications related thereto. To ensure satisfactory completion of a PUD in compliance with the approved plans, the Planning Commission may require the developer to enter into an agreement with the City as specified under Section 10.200(I).
- (3) The PUD will comply with the Comprehensive Plan, the Medford Municipal Code and all provisions of this Code except the specific provisions for which there are approved modifications.
- (4) There are appropriate safeguards to protect the public health, safety and general welfare.
- (5) There will be ongoing compliance with the standards and criteria in this Section.
- (6) To guarantee that streets, public facilities and utilities can be appropriately extended from one PUD phase to each successive future phase in accordance with the approved Preliminary PUD Plan, the City may require the conveyance of easements or other assurances.

* * * * *

EXCEPTION

MLDC 10.186 Exception.

(A) Exception, Purpose.

The purpose of this section is to empower the approving authority to vary or adapt the strict application of the public improvement and site development standards as contained in Article III, Sections 10.349 through 10.361, and 10.370 through 10.385, as well as Articles IV and V of this chapter. Exceptions may be appropriate for reasons of:

- (1) exceptional narrowness or shape of a parcel; or
- (2) exceptional topographic conditions; or
- (3) extraordinary and exceptional building restrictions on a piece of property; or
- (4) if strict applications of the public improvement or site development standards in the above-referenced Articles would result in peculiar, exceptional, and undue hardship on the owner.

(B) Criteria for an Exception.

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

* * * * *

SUBDIVISION TENTATIVE PLAT

MLDC 10.202 Subdivision Tentative Plat

- (5) *Land Division Approval Criteria.* The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:
- (a) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;
 - (b) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
 - (c) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
 - (d) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;
 - (e) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
 - (f) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

* * * * *

SITE DEVELOPMENT STANDARDS

MLDC 10.703 Pad Lot Development

- (5) *Planned Unit Developments (PUD).* Pad lot developments considered as a part of a PUD (see sections 10.190-10.198) shall not be subject to the standards of 10.703.

* * * * *

IV

FINDINGS OF FACT

Applicants have offered and the Planning Commission has accepted the following facts and find them to be true with respect to this matter:

- 1. Property Location and Jurisdiction:** The property is located east of Highway 62, Crater Lake Highway, and west the Hopkins Canal, on both sides of Coker Butte Road and Crater Lake Avenue. The land has been annexed to and is inside the corporate limits of the City of Medford and its UGB. As such, land use activities are subject to the laws and regulations of the City of Medford, including the Medford Land Development Code (MLDC) within which is the PUD Ordinance comprised of MLDC Section 10.190 through 10.198 to which the property is subject by virtue of the previous PUD approvals.
- 2. Subject Property Description, Ownership and Authorization:** The subject property is comprised of three tracts² and five tax lots on Map 37-1W-5. The three tracts are separately owned by Coker Butte Properties LLC and Table Rock Holdings LLC which below appear in this matter as “Applicants.” Tract A is comprised of Tax Lots 1000 and 1002. Tract B is comprised of Tax Lots 1001 and 1003. These tracts were divided by the reconfiguration of Crater Lake Avenue at Coker Butte Road. Tract C is comprised of Tax Lot 1100. The ownership and size of the various parcels and tracts is reported in below Table 1 and referred to variously hereinafter as the “subject property,” the “PUD” or “the Project.”

Table 1
Ownership, Description and Acreage of Subject Property

Sources: Jackson County Assessor; CSA Planning, Ltd. (GIS Division)

Property Ownership	Tax Lot	Acreage
TRACT A	Total	7.80
Coker Butte Properties LLC	1000	4.60
Coker Butte Properties LLC	1002	3.20
TRACT B	Total	4.72
Table Rock Holdings LLC	1001	2.96
Table Rock Holdings LLC	1003	1.76
TRACT C		
Coker Butte Properties LLC	1100	1.98
TOTAL		14.50

Tax Lots 1002 and 1003, located east of Crater Lake Avenue, comprise Phase 2 of this PUD, although no development of those 4.96 acres is currently proposed; this land is used for storage and transfer of empty dumpsters and other garbage receptacles equipment in connection with the Rogue Disposal and Recycling business; the PUD will be amended in

² Pursuant to definition in the MLDC the subject property (even though segregated by major streets) is considered a single tract.

the future when structural development of these areas take shape.

This application has been duly authorized by Applicants who have further authorized the application to be represented by CSA Planning, Ltd. and a Power of Attorney to that effect is included as part of Exhibit 1.

4. **Comprehensive Plan and Zoning Designations:** In 2008, the subject property was annexed to the City of Medford and rezoned from Jackson County's Light Industrial zone to Medford's Light Industrial (I-L) zone. A portion of the property is additionally denoted on the official zoning map as RZ, which signifies that a traffic Trip Cap³ was applied to Tax Lots 1000, 1002 and 1100 as part of an earlier land use action.

In 2016, the City concluded work on the Internal Study Area phase of its larger Urban Growth Boundary (UGB) amendment process. The same culminated in a legislative amendment to Medford's General Land Use Map (GLUP) that affected roughly 800 acres, including the subject property, which was changed to Commercial. The Commercial designation is not incompatible⁴ with the property's I-L zoning because the industrial uses contemplated for this Business Park PUD and those permitted in an I-L zone, by nearly all measures, are similar or *less* intensive than the broad range of retail and service commercial uses that are permitted under the Commercial GLUP designation.

5. **Existing Use of Subject Property:** Tax Lot 1000 is vacant. Tax Lot 1001 was once occupied by a dwelling that has been demolished. Tax Lot 1001 is now vacant.

Tax lots 1002 and 1003 have no structures and are currently being used by Rogue Disposal & Recycling, Inc. primarily for the storage of empty dumpsters and other garbage receptacles equipment in connection with its business. Tax Lot 1100 has an existing building that is used to maintain trash containers in serviceable condition for use by Rogue Disposal's customers. As the subject property develops in accord with this PUD plan, Rogue Disposal's uses and facilities may be relocated to a different site.

6. **Surrounding Area:** Applicant's Exhibit 5 has an aerial photograph which shows the location of existing land uses that surround the subject property and which constitute the surrounding area which is coincidental to the area entitled to notice under the MLDC:

North: The northern boundary of the subject property coincides with Medford's present corporate limits. Property immediately adjacent to the north is vacant, at a higher elevation than the majority of the subject property and served by Crater Lake Avenue and a highway frontage road. The property appears not to have been farmed for an extended period of time. It and the property beyond to the north is part of the MD-2 Urbanization Planning Area which was recently brought into the UGB.

³ A trip cap signifies that only a certain amount of traffic can be produced by a given tract of land. The same is typically imposed with an owner's consent at the time a property is rezoned. A trip cap can also (or in addition) be imposed when the GLUP designation of a property is changed. In this instance, the trip cap was imposed when the property was rezoned.

⁴ In 1975 the Oregon Supreme Court decision in *Baker v. City of Milwaukie*, 271 Or 500, 533 P2d 772 (1975) held that: " * * * a zoning ordinance which allows a more intensive use than that prescribed in the [comprehensive] plan must fail."

- East:** The easterly boundary of the subject property is collinear with Medford's present corporate limits. The subject property is also bordered on the east by Medford Irrigation District's Hopkins Canal maintenance road. The large tract east and beyond the canal is zoned Exclusive Farm Use (EFU) appears to be used for seasonal livestock grazing and has two dwellings. The tract is inside the UGB. To the southeast is a mini-storage and truck/trailer rental facility; truck and trailer parking are on the land in the city limits, directly across subject property Tax Lot 1100.
- South:** Land to the south contains a variety of light industrial and retail uses. The abutting parcel is headquarters for Dick's Towing, a local tow truck operator and contains multiple buildings and a large area used for parking and outdoor storage. Further to the south is a small commercial center and Blue Dog RV sales lot.
- West:** The subject property is bordered on the west by Highway 62. Across the highway are well-established and attractive new automobile dealerships which extend an appreciable distance to the north. There is a commercial truck sales and service facility further south on the west side of the highway.
7. **Topography:** The natural grade of the subject property is such that it gently slopes and drains from northeast to southwest. There is a more substantial grade change at/near the subject property's north boundary and along the south side of Crater Lake Avenue.
 8. **Hydrology:** No streams or jurisdictional wetlands have been identified on the property. Medford Irrigation's Hopkins canal runs adjacent to the eastern boundary of Tax Lots 1002 and 1003. A large storm detention area is present in the highway right-of-way along the western boundary of Tax Lot 1000 to handle the run-off from the highway. A two on-site detention areas are proposed adjacent to the highway pond to detain the project area stormwater; the stormwater facilities may be constructed in phases to detain stormwater in proportion changes in impervious area as the PUD builds out or it may be constructed all at once. If it is constructed in phases, the project engineer will provide a report for each phase to Public Works showing that the storm water facility constructed will detain required stormwater for the applicable phase.
 9. **Public Facilities and Services:** Applicant notes that none of changes proposed for this PUD will create an impact on public facilities and services different from the conditions present at the time of the current PUD approval.
 10. **Transportation:**
 - A. **Existing Trip Cap:** In 2008, the zoning on Tax Lots 1000, 1002 and 1100 was changed to Medford's Light Industrial (I-L) zone. A Traffic Impact Analysis was conducted for these properties at the time of rezoning and established a "trip cap" amounting to the lesser of 2,480 average daily trips (ADT) or 248 peak hour trips, a matter to which Applicant then agreed to stipulate and the same was made a condition of the zone change approval. Tax Lots 1001 and 1003 are similarly zoned I-L but have no trip cap.
 - B. **Road Classifications:** Medford's TSP Figure 1-2 designates Coker Butte Road as a Major Arterial and Crater Lake Avenue as a Major Collector. There are no lower order (non-arterial/collector) streets which adjoin or otherwise provide access to the property.

The subject property also abuts the east side of *Old* Crater Lake Highway 62. At the time of the original PUD review, Highway 62 was designated as a Statewide Expressway. The project was approved with the condition that the Applicant must wait to move forward with development of the requested Highway 62 access until jurisdiction was transferred to the City. Since the approval of the PUD, the new Oregon 62 Rogue Valley Expressway which bypasses the portion of Crater Lake Highway 62 that abuts the property, has been completed. This segment of Highway 62 has been transferred to the jurisdiction of the City of Medford. Applicant wishes to now construct the access (along with adjusting it northward to allow for the left-in movement) which will also allow the land division to be completed.

- C. **Old Crater Lake Highway Facility:** Old Crater Lake Highway 62 is no longer a state expressway, but the existing roadway does not fit under the existing Medford street standards. The largest standards street section is the Regional Expressway which has a width of only 100 feet versus the existing 155 to 185 feet of right-of-way of the old highway. The existing road includes four traffic lanes, one center turn lane, a southbound right-turn lane, two bike lanes along the shoulders, and a sidewalk on the west side of the road. No sidewalk or planter strip is present on the east side of the roadway. Instead, a guardrail is present for the safety of both automobile and bike traffic to prevent them from going down the bank into the large storm detention pond that runs along half of the subject property frontage. The Applicant is requesting an exception to the curb, planter strip and sidewalk requirement for Regional Arterials along the Old Crater Lake Highway 62 frontage. An alternate section is proposed that leaves the guardrail in place and relocates the sidewalk and planting to the east side of the highway detention pond. The Applicant's proposal for how to best provide equivalent facilities is further detailed under MLDC10.426 in the Exhibit 3 standards review. With the granting of this exception, the design will provide appropriate landscaping, safely accommodate pedestrian traffic and support continued use of the highway stormwater detention facility.

11. Prior PUD Approvals

- A. *PUD-17-023 Preliminary PUD Plan.* Coker Butte Business Park was approved under *PUD-17-023* on August 10, 2017. The approved Preliminary PUD plan included 92,600 square feet of built space in fifteen buildings on 9.54 acres. The remaining 4.96 acres, located east of Crater Lake Avenue, were set aside for future development. Common Areas for the development included off-street parking, site lighting, landscaping, drainage and stormwater detention facilities, signs and pedestrian appurtenances. Driveway access was approved from *Old* Crater Lake Highway, Coker Butter Road and Crater Lake Avenue Applicants conducted a neighborhood meeting in accordance with the requirements of the MLDC. The meeting was held at CSA Planning on December 7th, 2016.

Modified Standards Approved: As part of the original approval, the Planning Commission approved a deviation from the City's MLDC 10.550(3)(a)(1) standard to allow a driveway access to Hwy 62. In addition, the PUD was approved for uses that are not otherwise permitted in the I-L zone to occupy up to 20 percent of a PUD and approved the PUD for future pad lot subdivision. While this application relocates the

driveway access from Hwy 62 northwards, nothing in the proposed revision alters the rationale adopted by the Planning Commission approving the same.

- B. *PUD-20-141 Revised Preliminary PUD Plan*, Approved August 13, 2020. The approval reduced the number and reconfigured the location of buildings on the site while keeping the total square footage the same, added sub-phasing to Phase 1 of the PUD, and amended the Pad Lot condition to also allow for a mix of standard lot divisions of the property and Pad Lots.

12. Proposed Revisions to the PUD: The Applicants are requesting four revisions to the current PUD approval. These include:

- A. *A Revised Preliminary PUD Plan that combines several smaller buildings and revises the square footage of some of the remaining buildings, such that the total square footage on the site remains the same as approved.*

The number of buildings proposed onsite have been reduced from eleven to eight and the square footage of some buildings have been revised as follows:

Table 2.
Adjustment to PUD Building Square Footage

PUD BUILDING SQUARE FOOTAGE				
2020 PUD ID	Proposed Size	Revised 2021 PUD ID	Revised Size	Notes
A, B, C	16,100	A, B, C	16,100	No changes on TL 1100
D	37,400	D	16,900	Building size reduced
E	3,200	E	33,600	Buildings E & F combined into a single large building
F	6,500			Combined with E
G	3,700	F	3,700	No changes
H	8,000	G	10,600	Buildings G & H combined into a single building
I	6,700			Combined with G
J	10,000	H	12,200	Buildings J & K combined into a single building
K	5,200			Combined with H
TOTAL	92,600		92,600	No change to total square footage within the PUD

See, Revised Preliminary PUD Plan, Exhibit 10.A. As before, the Plan illustrates the revised locations of conceptual buildings on the PUD property. These conceptual building footprints are generic and the final configurations are expected to differ somewhat from those shown on the Preliminary PUD Plan as actual tenants are identified and the buildings are adjusted to suit their unique needs. To facilitate reasonable flexibility in ultimate building design, Applicant has shown Building Envelopes around each building. The Building Envelope is a simple tool intended to

confine and restrict the limits of any future building while permitting a degree of flexibility in building design. Applicant expects that final building designs will be reviewed by the Site Plan and Architectural Commission.

B. Relocation of the access from old Crater Lake Highway 62: The Applicant is proposing to relocate the approved Highway 62 access northward to provide sufficient distance from the Coker Butte Road intersection to allow addition of a southbound left-in to the approved right-in and right-out movements. Rationale for this access remains the same as in the original approval, only the location has been adjusted. *See*, Exhibits 10 and 12.

C. Relocation of the right-in/right-out driveway on Coker Butte:

Move the approved the access driveway to Tax Lot 1000 on Coker Butte Road 50 feet east to align with new lot line between Lots 1 and 2.

D. Subdivision of PUD parcels.

The Applicant is proposing to subdivide the PUD at this time to separate the portions of the parcels that were divided by the realigned Coker Butte Road and to create the initial lots for PUD Phase 1. The proposed subdivision name PNW Park.

**Table 3.
Lot Acreage**

CURRENT			PROPOSED	
Property	Tax Lot	Acreage ¹	Lot No.	Proposed Acreage ²
TRACT A	Total	7.80	1	3.26
	1000	4.60	2	1.08
			3	3.21
	1002	3.20	4	1.74
TRACT B	Total	4.72	5	.78
	1001	2.96	6	1.24
			7	.70
	1003	1.76	8	.50
TRACT C	Total	1.98		
	1100	1.98	1100	1.98
TOTAL		14.50		14.49

¹- Per Assessor

²- Per Surveyor

Findings regarding how each lot meets the standards are found in Exhibit 3, Section 10.271

- 13. PUD Phasing:** The overall PUD phasing will remain as previously approved. Phase 1 of the Coker Butte Business Park includes the area comprised of Lots 1, 2, 3, 6, 7 and 8, plus Tax Lot 1100. One building is proposed on each lot, except for Tax Lot 1100 which contains 3 buildings and 3 phases. Lot 8 is proposed as a pad lot and may ultimately end up being further divided into more than one pad lot once the buildings are specifically designed and tenants/owners are known. The central common parking area and entry

driveways on Lot 6 comprise a separate phase, Phase 1-P. Sub-phases within Phase 1 continue to be identified by building number.

Table 4.
PUD Phase One Sub-Phasing

Lot No.	Building No.	Phase No.
TL 1100	A	1-A
	B	1-B
	C	1-C
Subdivided Lots		
1	E	1-E
2	D	1-D
5	H	1-H
6	Parking lot	1-P
7	F	1-F
8	G	1-G

Phase 2, which includes Lots 3 and 4 east of Crater Lake Avenue, will remain as future development acreage for future expansion of the Business Park.

V

CONCLUSIONS OF LAW

The following conclusions of law are based upon the evidence enumerated in Section II and the findings of fact contained above in Section IV of this document and relate to the approval criteria for a Preliminary PUD Plan, Subdivision and Exclusion as set forth in Section III. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission:

REVISION OF A PRELIMINARY PUD PLAN

10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

PUD Revision Criterion 1

(1) Applicant for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

Conclusions of Law: The Planning Commission finds that the Applicants, who control 100% of the assessed value of the PUD property, have submitted the application and thereby request the Planning Director to deem the requested changes Minor. As such, only exhibits related to the specific revisions requested are attached to this application. The Planning Commission concludes that PUD Revision Criterion 1 is met.

* * * * *

PUD Revision Criterion 2

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

Conclusions of Law: The Applicants are not requesting any additional PUD procedures at this time. The Planning Commission concludes that PUD Revision Criterion 2 is therefore inapplicable.

* * * * *

PUD Revision Criterion 3

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

Conclusions of Law: The Planning Commission finds that the Evidence in Section II, Findings in Section IV and Conclusions of Law in Section V herein pertain solely to the proposed revisions. At this time no development has begun on the PUD property. Phase 2 of the PUD continues to be used as previously described for dumpster storage and will involve a PUD amendment in the future. Therefore, the changes proposed do not impact any existing development on-site. The Planning Commission concludes that PUD Revision Criterion 3 is met.

* * * * *

PRELIMINARY PUD PLAN CRITERIA

MLDC10.190 Planned Unit Development (PUD) - Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan.

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

PUD Criterion 1

(1) The proposed PUD:

- (a) preserves an important natural feature of the land; or
- (b) includes a mixture of residential and commercial land uses; or
- (c) includes a mixture of housing types in residential areas; or
- (d) includes open space, common areas, or other elements intended for common use or ownership; or
- (e) is otherwise required by the Medford Land Development Code.

Conclusions of Law: The Planning Commission concludes from the evidence including Applicant's explanation offered in Section I that this revision to the PUD retains common elements including off-street parking, site lighting, landscaping, drainage and stormwater detention facilities, signs and pedestrian appurtenances that will be held, managed and maintained by the future owners of land parcels on which individual buildings in the PUD are constructed. Lot 6 includes the primary common access drive and central shared parking lot. Therefore, it is concluded that the PUD, though reconfigured, will continue to include open space, common areas, or other elements intended for common ownership consistent with PUD Criterion 1(d). The five criteria within PUD Criterion 1 operate as alternatives, the compliance with any one of which serves to establish compliance with PUD Criterion 1 and the Planning Commission concludes that PUD Criterion 1 has been satisfied.

* * * * *

PUD Criterion 2

- (2) The proposed PUD complies with the applicable requirements of this Code, or
 - (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
 - (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV, the Planning Commission concludes that one of the revisions requested does impact the approved modification to allow a driveway on Hwy 62. The Planning Commission however finds that the relocation of the driveway does not change the underlying rationale for approval under the original PUD approval and therefore is not a substantial change. No changes are proposed to the other approved modifications and no new modifications are requested. Therefore, the Planning Commission concludes that this PUD application is consistent with PUD Criterion 2.

* * * * *

PUD Criterion 3

- (3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.

Conclusions of Law: The Planning Commission concludes the existing approved PUD was not found to be subject to any of the above and the facts have not changed since the original approval. Although portions of the property are subject to a Trip Cap, the same is neither a moratorium nor a Limited Service Area. Through the prior application, the Planning Commission found that the property can be developed as contemplated under the Trip Cap earlier imposed upon the property by the City. For these reasons, the Planning Commission concludes that the application and PUD is consistent with PUD Criterion 3.

* * * * *

PUD Criterion 4

- (4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

Discussion; Conclusions of Law: The Planning Commission concludes that the revisions to the proposed common elements (shown on the Revised Preliminary PUD plans in Exhibit 10) are appropriate with respect to location, size, shape and character. Based upon the PUD plans, common elements will provide for appropriate parking and maneuvering sufficient for the range of uses proposed for the site and consistent with City standards. The planned landscaping, which is consistent with City standards, is appropriate and used to define and shade the off-street parking areas. The common area lighting system, will provide a safe

nighttime environment and enhanced security. In conclusion, the Planning Commission concludes that the revised Preliminary PUD Plan remains consistent with PUD Criterion 4.

* * * * *

PUD Criterion 5

- (5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
- (a) Demands for the Category “A” public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
 - (b) By the time of development the property can be supplied with the following Category “A” public facilities in sufficient condition and capacity to support development of the proposed use:
 - (i) Public sanitary sewerage collection and treatment facilities,
 - (ii) Public domestic water distribution and treatment facilities.
 - (iii) Storm drainage facilities.
 - (iv) Public streets.

Determinations of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

Conclusions of Law: The approved Preliminary PUD Plan devotes up to twenty (20) percent of the PUD to uses that would not otherwise be allowed in the underlying I-L zone. Hence section (5) applies. Based upon the facts pertaining to the PUD revision requested herein, the Commission has determined that none of changes proposed in this application will create an impact on public facilities and services different from the conditions present at the time of the original PUD approval.

Therefore, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 5.

* * * * *

PUD Criterion 6

- (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

Conclusions of Law: The Planning Commission concludes that this Planned Unit Development was approved to devote 20 percent of the PUD area to uses not otherwise permitted in an I-L zone and was found to comply with the conditional use permit (CUP) criteria in MLDC 10.248, which states:

10.184 Conditional Use Permit

(C) Conditional Use Permit Approval Criteria.

- (1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.

- (a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.
- (b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

Discussion; Conclusions of Law: The Commission finds that none of the proposed revisions will add any additional conditional uses or increase impacts from the development beyond those that were approved previously. Therefore, the Planning Commission concludes that the project satisfies PUD Criterion 6.

* * * * *

PUD Criterion 7

- (7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Conclusions of Law: The Planning Commission finds that this application for Preliminary PUD Plan approval is accompanied by an application for subdivision. Findings demonstrating compliance with the substantive approval criteria are herein included. The Planning Commission therefore concludes that PUD Criterion 7 is met.

* * * * *

SUBDIVISION TENTATIVE PLAT CRITERIA

10.202 Subdivision Tentative Plat

(E) Land Division Approval Criteria.

The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

Subdivision Criterion 1

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;

Conclusions of Law: Consistency with the Comprehensive Plan: In *Bennett vs. City of Dallas* 17 Or LUBA 450, aff'd 96 Or App 645 (1989), the Oregon Court of Appeals held that quasi-judicial land use criteria that require compliance with a comprehensive plan do not automatically transform all plan Goals, Policies and Implementation Strategies into decisional criteria; only the Goals, Policies and Implementation Strategies that contain language that, read in context, were intended to function as decisional criteria are in fact criteria. Based upon its review of the Comprehensive Plan, the Planning Commission holds that the Comprehensive Plan contains no goals nor policies that by their language and context were intended to function as approval standards for the subject land division application.

Conclusions of Law; Applicable Specific Plans: The subject property is covered by a Neighborhood Circulation Plan — the adopted and acknowledged *North Medford Circulation Plan* A copy of the Adopted North Medford Circulation Plan is shown at Exhibit 8.

The Planning Commission finds based on the Evidence in Section II and the Findings in Section IV that the proposed subdivision meets applicable standards, and therefore concludes that Subdivision Criterion 1 is met.

* * * * *

Subdivision Criterion 2

- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that the proposed subdivision plan supports the development of the remaining property. In addition, they find that a cross access easement abuts the western boundary in two locations to provide access for future development of the adjacent property to the north. Thereby the Planning Commission concludes that Subdivision Criterion 2 is met.

* * * * *

Subdivision Criterion 3

- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that the name of the subdivision, PNW Park does not bear a name that has been used by previous subdivisions. The Planning Commission concludes Subdivision Criterion 3 is met.

* * * * *

Subdivision Criterion 4

- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that no new streets or alleys are proposed by the subdivision. The Planning Commission concludes Subdivision Criterion 4 is therefore inapplicable.

* * * * *

Subdivision Criterion 5

- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that no private streets or alleys are proposed by the subdivision. The Planning Commission concludes Subdivision Criterion 5 is therefore inapplicable.

* * * * *

Subdivision Criterion 6

- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Conclusions of Law: The Planning Commission finds based on the Evidence in Section II and the Findings in Section IV that the Planning Commission has already found the PUD to be in compliance and that no changes are proposed that would cause unmitigated land use conflicts. The Planning Commission concludes Criterion 6 is met.

* * * * *

EXCEPTION CRITERIA

(B) Criteria for an Exception.

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

Exception Criterion 1

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that relocating the required sidewalk and planting area to the east of the existing storm detention pond for a portion of the Hwy 62 frontage as described Exhibit 3 and the findings in Section IV meets the intent of the Regional Arterial street section by providing needed safe pedestrian connections, sufficient landscaping, and curb and gutter where it will not interfere with storm water collection. The Planning Commission concludes Exception Criterion 1 is met.

* * * * *

Exception Criterion 2

- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that granting of the exception does not permit establishment of an unpermitted use, the proposed exception does not effect in any way potential uses within the PUD. The Planning Commission concludes Exception Criterion 2 is met.

* * * * *

Exception Criterion 3

- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that the site contains unique circumstances due to the presence of a large highway storm detention pond along half of the Hwy 62 road frontage that precludes placement of the sidewalk and planter strip in the standard location for a Regional Arterial, and, that installation of which would prevent proper drainage of the roadway. The Planning Commission concludes Exception Criterion 3 is met.

* * * * *

Exception Criterion 4

- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV the Planning Commission finds that this circumstance is not the result of an illegal act as the storm pond was installed by the Oregon Department of Transportation to facilitate storm drainage of Hwy 62. The Planning Commission concludes Exception Criterion 4 is met.

* * * * *

VI

SUMMARY OF STIPULATIONS AGREED TO BY APPLICANT

The following summarizes the agreed to stipulations offered by Applicants in this matter. The stipulations will be adhered to by Applicant if made conditions attached to the approval of this application for Revised Preliminary PUD Plan.

Summary of Applicant Stipulations:

1. Applicant stipulates to continue to meet all conditions required and agreed to under the previous Preliminary PUD approvals except as amended herein.
2. Applicant stipulates that final building designs will be submitted for review by SPAC.
3. Applicant stipulates to construct the PUD Phase 1-P(Lot 6) interior cross-access drive no later than when the first final plat for any of the PUD Phases 1-D through 1-H is filed (Lots 1, 2, 5 – 8).
4. Applicant stipulates to construct PUD Phase 1-P(Lot 6) central parking lot prior to occupancy of the first vertical construction on either PUD Phase-1G OR Phase 1-H(Lots 7 and 8).

5. Applicant stipulates to construct the north-south driveway between PUD Phases 1-D and 1-E prior to occupancy of the first vertical construction on either of these two PUD phases (Lots 1 or 2).

VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for approving a Revised Preliminary PUD Plan and a Subdivision is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

Respectfully submitted on behalf of Applicant,

CSA Planning, Ltd.



Jay Harland
President

Dated: February 16, 2022

APPLICANT'S EXHIBIT 3

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Medford Land Development Code ("MLDC"). The relevant approval standards are recited verbatim below:

10.330 Light Industrial District, I-L

The I-L district provides land for warehouse, office, and low intensity industrial uses in areas near residential and commercial zones. It is intended for industrial uses which involve the lowest level of noise, vibration, air pollution, radiation, glare, or fire and explosive hazards. This district is not intended to be retail customer-oriented, and retailing shall be permitted as an accessory use only or as specifically allowed. Because of the locational character and proximity of the I-L district to residential lands, restrictive performance standards shall be imposed to limit the physical effects of industrial activities to levels as per the performance standards set forth in Article V.

Compliance with Standards: The subject property is zoned I-L. It also has an approved PUD that is allowed up to 20% of the PUD area to be used for uses that are not otherwise allowed in the I-L district. Proposed uses can and will comply.

* * * * *

10.426 Street Circulation Design and Connectivity

These standards are intended to assure that development will ultimately result in complete blocks bound by a network of public streets, and/or private streets constructed to City Standards open to public use, and/or interior access roads open to public use.

- (2) *Street Arrangement Suitability.* The approving authority shall approve or disapprove street arrangement. In determining the suitability of the proposed street arrangement, the approving authority shall take into consideration:
 - (a) Adopted neighborhood circulation plans where provided; and
 - (b) Safe, logical and convenient access to adjoining property consistent with existing and planned land uses; and
 - (c) Efficient, safe and convenient vehicular and pedestrian circulation along parallel and connecting streets; and
 - (d) Compatibility with existing natural features such as topography and trees; and
 - (e) City or state access management standards applicable to the site.
- (3) *Street Connectivity and Formation of Blocks Required.*
 - (a) Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.
 - (b) Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426(4)(b) below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.
 - (c) Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.
 - (d) Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.
- (4) *Maximum Block Length and Block Perimeter Length.*
 - (a) Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426(4)(b).



EXHIBIT
C

MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH Table 10.426-1		
Zone or District	Block Length	Block Perimeter Length
e. Regional Commercial and Industrial Zones	940'	3,760'

- (b) The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:
- (i) Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10.426(4)(a),
 - (ii) Environmental constraints including the presence of a wetland or other body of water,
 - (iii) The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426(4)(a)(v) above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet,
 - (iv) Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,
 - (v) ...
- (c) Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426(2) or (3) or (5).
- (d) When block perimeters exceed the standards in accordance with the 10.426(4)(b) above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.

Compliance with Standards: No new streets are proposed as part of the subdivision of the business park. The North Medford Neighborhood circulation plan shows the existing layout of Crater Lake Avenue and its relationship to Coker Butte Road and *Old* Crater Lake Hwy 62. No changes to the existing streets are proposed. The block length of Coker Butte Road between Crater Lake Avenue and *Old* Crater Lake Hwy 62 complies at 738 feet.

In the north-south direction, no intersections are present north or south of Coker Butte Road for over a half a mile. Highway access management rules will not allow additional new streets between Crater Lake Avenue and *Old* Crater Lake Hwy 62 in the intervening distance between Coker Butte Rd and Vilas Road to the north. Accessways are also not appropriate because pedestrian traffic is discouraged on Hwy 62. Therefore, none are proposed. Project complies based on section (4)(b)(iv) and its proximity to the state highway.

- (5) *Minimum Distance Between Intersections.* Streets intersecting other streets shall be directly opposite each other, or offset by at least 200 feet, except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned, or an existing offset of less than 200 feet is not practical to correct.

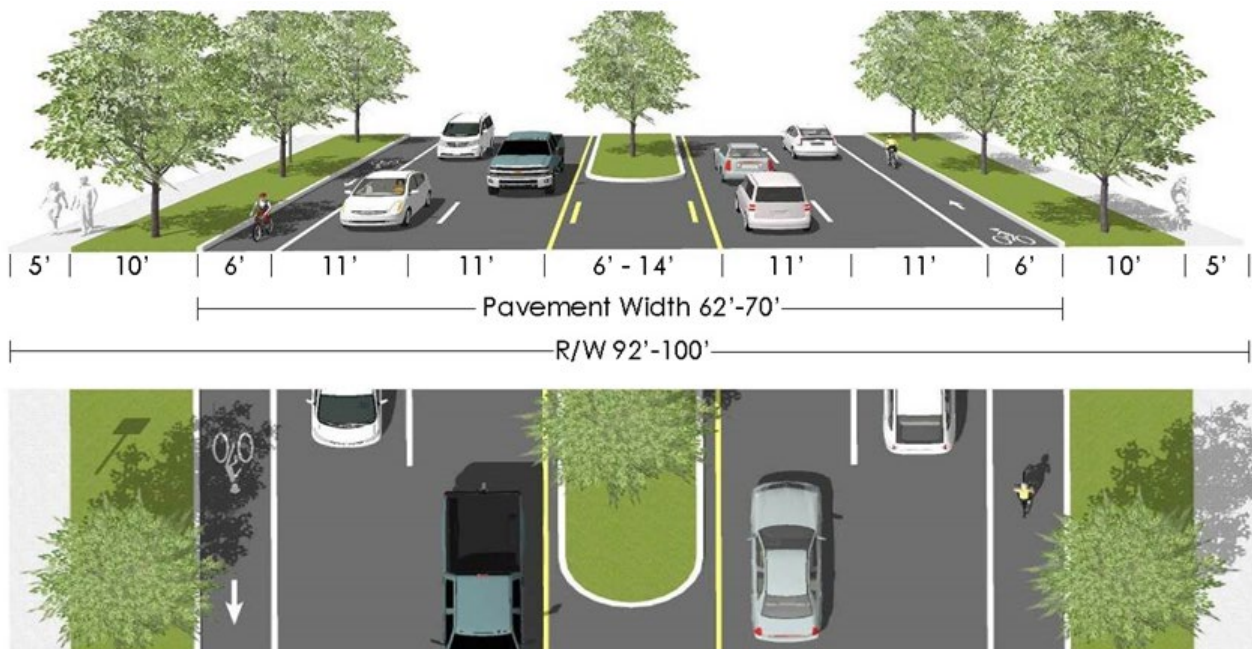
Compliance with Standards: All intersections are existing and are not offset. Intersections comply.

* * * * *

10.428 Higher-Order Street Classification

(1) *Regional Arterial and Major Arterial Description.* The Regional Arterial and Major Arterial classifications are primarily used for roadways with high traffic volumes and regional connections. Regional Arterials have the same cross-section as Major Arterials, but are intended to have greater access control to facilitate the movement of regional traffic. Both these classifications correspond to the Federal Highway Administration (FHWA) Other Principal Arterial classification. Arterials are higher-order facilities that are generally intended to connect to several collector roadways or provide links to higher order interstate or highway facilities. One-hundred feet of right-of-way is required for Major Arterials to allow construction of a five-lane roadway section, bicycle facilities, and detached sidewalks with a planter strip.

(1)(c) *Regional Arterial, Major Arterial, with Standard Bicycle Lanes.* For use along regional and/or major arterial roadways with right-of-way constraints and with approving authority approval.



Compliance with Standards: Old Crater Lake Hwy 62 was, until a recent jurisdictional transfer, a state expressway. The City of Medford does not have a highway or expressway street standard. The most similar Medford street standard is for Regional Arterials. Therefore this standard is used to ascertain what street frontage improvements are needed along the property frontage.

Currently there are no urban improvements along the eastern side of Hwy 62. The existing right-of-way of the old Crater Lake Hwy 62 ranges between 155 and 185 feet, far exceeding the required 100-foot right-of-way width for Regional Arterials. The paved section currently is approximately 85 feet wide, again wider than the maximum 70 feet required under the Regional Arterial Section. Similar to the Regional Arterial standard, the existing road section includes four traffic lanes, one center turn lane, a southbound right-turn lane, two bike lanes along the shoulders, and a curb—tight sidewalk on the west side of the road. No curb, planter strip or sidewalk is present on the east side of the roadway.

Typically required improvements to complete the road section would be to add curb, planter strip and sidewalk to complete the road section. However, the site contains unique circumstances due to

the presence of a large storm detention pond, located in the area between the eastern edge of the roadway and Lot 1/Phase 1-E portion the subject property, that constrains installation of a sidewalk and planting strip along that section of road. Currently there is a guard rail along separating the bike lane from the slope down to the pond. The guard rail then continues the full length of the subject property.

The Applicant is proposing through an Exception to be allowed the following modifications to the Regional Arterial street section:

1. Installation of a curb in in the area where the highway detention pond is located would interfere with the drainage from the highway. Therefore, the Applicant proposes to omit installation of the curb, planter strip and sidewalk along the Lot 1/Phase 1-E portion the subject property.
2. Instead of a sidewalk near the curb, the Applicant proposes installing a 5-foot wide sidewalk to the east of the highway detention pond on an easement on the subject property between it and the new site detention pond. This sidewalk would run north from the northeastern corner of the Hwy 62 and Coker Butte Road intersection.
3. Once north of the highway detention pond, the sidewalk will curve back nearer the highway on Lot 7/Phase 1-F and will have a 10-foot planter strip between it and the guard rail.
4. Curb and gutter will be installed starting with the right drop lane for the relocated access driveway near the northern boundary of the subject property.

These requested modifications provide facilities equivalent to the standards. *See*, Exhibit 10.A. and 10.C. The proposal adds appropriate facilities for pedestrians and landscaping to the otherwise adequate motor and bike facilities along the roadway. If the modifications are accepted, the project will comply with the standard.

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 Driveway
Collector	
500 to 1,000 ADT***	24 to 36 ft.
Arterial	
Greater than 1,000 ADT ***	24 to 36 ft.

*** 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.

Compliance with Standards: Proposed driveways can and will comply with the standards.

* * * * *

(3) Driveway Spacing and Locational Standards

a. Arterial and Collector Streets

- (1) 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 intersection 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.

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)	35	45
DRIVEWAY SPACING	250 ft.	385 ft.

- (2) Number of Driveways for each Separately Owned Tract. Within the requirements set forth in a. (1) above, 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.

- (3) Cross-Access Easement Required. 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. 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 preserve the capacity and safety of the transportation system.

Compliance with Standards: All streets adjacent to the subject properties are either collectors or arterials. Modifications allowing access onto Hwy 62, as well as additional access points on several tracts were approved as part of the original PUD approval. These access points listed below are to remain as approved in the original PUD approval. New Lot numbers take the place of the Tax Lot numbers:

- A full-movement access from Crater Lake Avenue provides access to Lots 2 and 5 (formerly Tax Lots 1000 and 1001) on the west and Lots 3 and 4 (formerly Tax Lots 1002 and 1003) on the east sides of Crater Lake Avenue.
- A right-in/right-out on Coker Butte and one on Crater Lake Avenue for Tax Lot 1100.

The following two approved access points are proposed to be adjusted. New Lot numbers take the place of the Tax Lot numbers:

- The shared right-in/right-out to Tax Lots 1000 and 1001 from old Crater Lake Hwy 62 is to be moved north to the northern boundary of Tax Lot 1001, on the new Lot 6, such that it is

located a safe distance from the intersection with Coker Butte Road to allow a left-in movement to be added without reducing the left-turn storage lane at the Coker Butte/Hwy 62 intersection. The distance from the center of the driveway to the nearest right-of-way line on Coker Butte Road is proposed to be approximately 545 feet. This proposed location has been reviewed by the City of Medford traffic engineer and the Applicant's traffic engineer and found to be acceptable. *See*, Exhibit 12.

- The right-in/right-out that provides access to Lots 1 and 2 (formerly Tax Lot 1000) from Coker Butte Road is being moved east to be centered on the proposed new lot line. The distance from the center of the driveway to the nearest right-of-way line on Crater Lake Ave is proposed to be approximately 150 feet. A future cross-access easement will be recorded upon construction of this access drive.

Cross access easements are proposed between all contiguous properties as well as two locations abutting the northern boundary to allow for future cross-access with the property to the north. *See*, Exhibit 10.A. Project complies.

* * * * *

10.721 Commercial and Industrial Site Development Standards

The following standards apply to commercial and industrial development. See Article III, Sections 10.326 through 10.332 for detailed descriptions of each zoning district, and Section 10.337 for conditional, special, and permitted uses.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT		
Standard	I-L	Compliance
MINIMUM & MAXIMUM AREA FOR ZONING DISTRICT (ACRES)	None	All lots comply.
MINIMUM LOT AREA (SQ. FEET)	20,000 SF	All lots comply. See table below for each lot.
MAXIMUM COVERAGE FACTOR	50%	All lots can and will comply
MINIMUM LOT WIDTH	70 feet	All lots comply. See table below for each lot.
MINIMUM LOT DEPTH	100 feet	All lots comply. See table below for each lot.
MINIMUM LOT FRONTAGE	30 feet	All lots comply except for Pad lot 8. See table below for each lot.
MINIMUM FRONT AND STREET SIDE YARD BUILDING SETBACK	10 feet EXCEPT ½ foot for each foot in building height over 20 feet.	All lots can and will comply
MAXIMUM BUILDING HEIGHT	85 feet EXCEPT 35 feet for the portions of a structure within 150 feet of a residential zoning district	All lots can and will comply
MAXIMUM GROSS FLOOR AREA PER BUSINESS (SQUARE FEET) EXCEPT as noted in 10.337	None	All lots can and will comply

COMMERCIAL AND INDUSTRIAL DEVELOPMENT		
Standard	I-L	Compliance
PERMITTED OUTDOOR USES	See Note 3	All lots can and will comply

Note 3: All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence.

Standard	Zone	COMPLIANCE BY LOT							
	I-L	1	2	3	4	5	6	7	8
MINIMUM LOT AREA (SQ. FEET)	20,000 SF	142,079 SF	46,963 SF	139,671 SF	75,623 SF	34,092 SF	53,936 SF	30,623 SF	21,800 SF
MINIMUM LOT WIDTH	70 feet	329.22'	313.69'	433.17'	204'~	189.01'	119.01'	184.07'	100.00'
MINIMUM LOT DEPTH	100 feet	442.49'	150'	329.45'	366.87'	171'~	622.49'	170.00'	218.00'
MINIMUM LOT FRONTAGE	30 feet	329.22' W 443.12' S	139.98'S 322.70' E	433.17'W	220.34'W	224.83'E	30'E 50'W	221.63'W	Pad Lot – no frontage

Compliance with Standards: All lots comply with the dimensional standards. No development is proposed at this time, however all lots can and will comply with setback, height and coverages standards.

* * * * *

10.732 Fencing of Lots

- (1) Fencing located within the front yard setback area of all zones, except the MFR zone, shall not exceed three (3) feet in height when measured from the grade of the street centerline. When within a MFR zone, a fence shall not exceed three (3) feet in height when located within ten (10) feet of a street right-of-way unless otherwise approved by the approving authority. (Effective Dec. 1, 2013.)
- (2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:
 - (a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.
 - (b) In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property.
- (3) No fencing shall conflict with the site distance requirements of Section 10.735, Clear View of Intersecting Streets.

Compliance with Standards: No fencing is proposed at this time. Fencing if proposed at the time of development can and will comply.

* * * * *

10.742 Off-Street Loading Standards

- (1) Types of Loading Berths; Design. Required off-street loading space shall be provided in berths which conform to the following minimum specifications.
 - (a) Type "A" berths shall be at least 60 feet long by 12 feet wide by 15 feet high, inside dimensions with a 60-foot maneuvering apron.

- (b) Type "B" berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30-foot maneuvering apron.
- (2) Number of Loading Spaces Required: The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use.

Compliance with Standards: Lots can and will comply with loading standards once final designs are submitted. Exhibit 10.A, the Revised Preliminary PUD Plan, is a conceptual plan that provides an illustration of how the project can comply.

* * * * *

10.743 Off-Street Parking Standards

- (1) Vehicle Parking – Minimum and Maximum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1.

Where a use is not specifically listed in table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

- (2) Number of Required Parking Spaces. Off-street vehicle parking spaces shall be provided as follows:
 - (a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.
 - (b) Parking Categories.
 - (i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.
 - A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.
 - B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.
- (3) Reductions to Required Off-Street Parking. These reductions shall be available at the option of the applicant for land use review or building permit review. The approving authority shall allow reductions to the number of parking spaces in Table 10.743-1 for specific uses without complying with Section 10.186 if they find that any of the provisions below apply. No more than two proposed reductions outlined in this subsection may be used for parking and shall, cumulatively, only allow a total reduction in off-street parking of thirty percent (30%) or less. The allowable reductions are as follows:
 - ...
 - (b) Bicycle and Transit Proximity. The off-street parking requirement shall be reduced by twenty-five percent (25%) when a subject use or parcel is within a quarter (1/4) mile radius of an existing or planned transit stop or a bicycle lane, a shared-use path, or neighborhood bikeways/sharrows not located on an arterial or collector roadway; or ...

Table 10.743-1 – City of Medford Minimum and Maximum Parking Standards		
Land Use Category	Minimum Number of Required Parking Spaces	Maximum Permitted Parking Spaces
Bank	4.5 spaces plus 5.0 spaces for drive-up window queue	5.4 spaces
Commercial Use: less than 25,000 square feet	4.5 spaces	5.4 spaces
Commercial Use: between 25,000 and 50,000 square feet	4.0 spaces	5.0 spaces
Industrial or Warehouse	1.0 space per employee on the largest shift, plus 0.2 space per 1,000 square feet	1.0 space per employee on the largest shift, plus 0.3 space per 1,000 square feet
Restaurant, Standard	9.0 spaces	11.0 spaces
Restaurant (with drive thru)	11.0 spaces plus 5.0 spaces for drive-up window queue	12.0 spaces plus 5.0 spaces for drive-up window queue

Compliance with Standards: The above list includes the types of activities that are potential uses for the site. Reductions may be requested based on the presence of bicycle lanes on Highway 62. Exhibit 10.A, the Revised Preliminary PUD Plan, is a conceptual plan that provides an illustration of how the project can comply.

* * * * *

10.790 Bufferyards

C. Determination of Bufferyard Requirements.

- (1) To determine the type of bufferyard required between two adjacent lots, the following procedure shall be followed:
 - (a) Identify the zoning district within which the subject lot with its proposed use is located.
 - (b) Identify the zoning district(s) or, absent city zoning, the GLUP designation(s) within which the abutting lot(s) are located.
 - (c) Determine the bufferyard required along each boundary, or segment thereof, of the subject lot by referring to Subsection D, Tables of Bufferyard Standards, which specify the bufferyard types required between zones or GLUP designations.

Table 10.790-2. Bufferyard Standards- Zone to GLUP		
Subject Site Zoning	GLUP Designation on Abutting Land	
	UR	CM
I-L	A	A

Compliance with Standards: The project is in the I-L zone and as the surrounding lands to the west and south are also industrial, no bufferyards are required. Lands outside of the City Limits to the north have a GLUP of CM. No bufferyards are required adjacent to commercial zoning, except if the property becomes zoned C-N. However, the land to the north does not fit the requirements for C-N as there are no adjacent residential neighborhoods, so that land could not be zoned C-N, therefore no bufferyard would be required.

The land to the east of Phase 2 has a GLUP designation of UR. No development is proposed at this time. It is to be noted that the Medford Irrigation Canal and its related maintenance road runs along the eastern border of the subject property, effectively acting as a buffer area approximately 30-feet wide between the subject property and any future use on the neighboring property. At the time of development, whether or not a bufferyard is required can be assessed based on the conditions at that time. A bufferyard can and will be installed if required. Project complies.

* * * * *

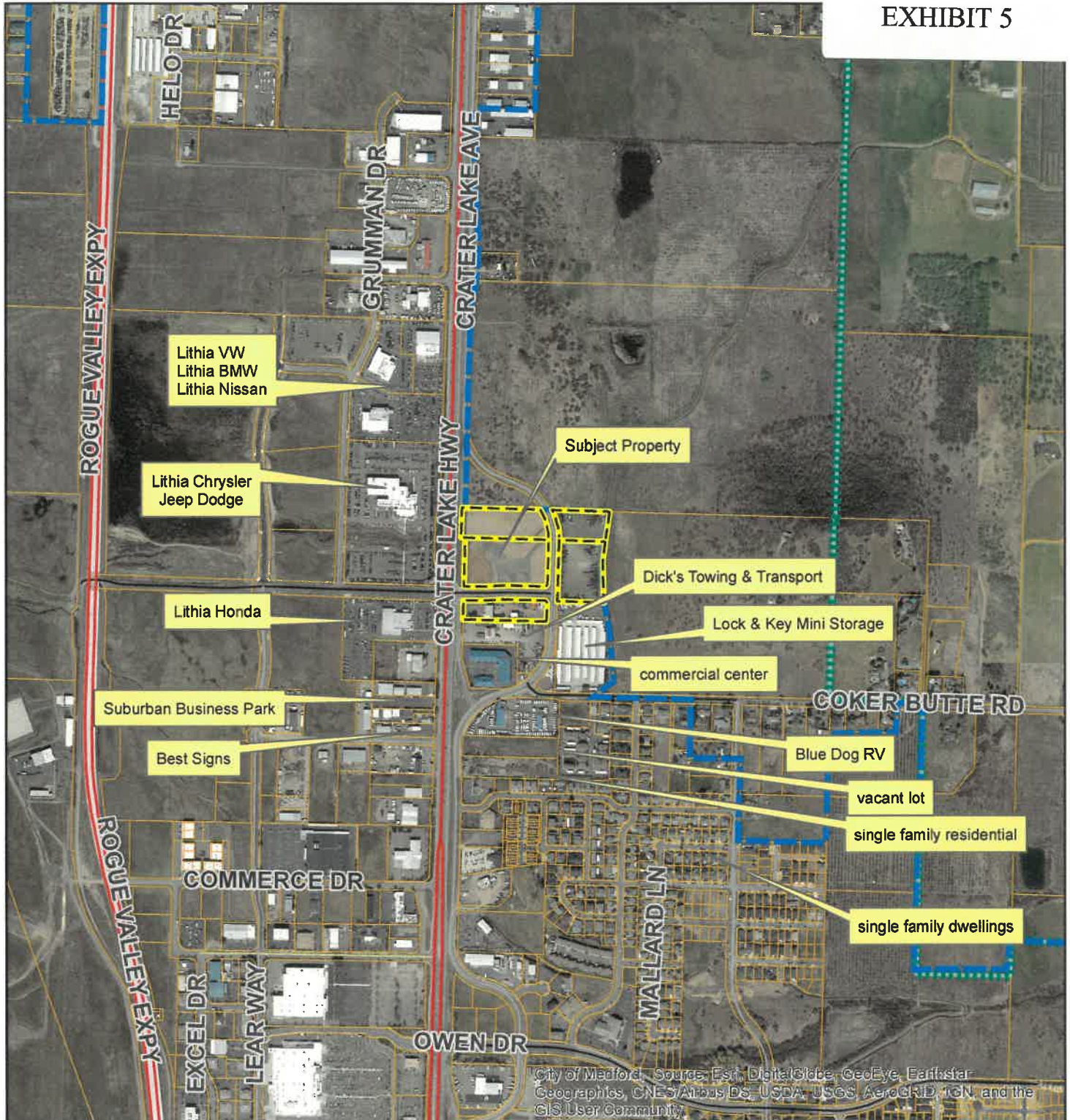
10.802 Urban-Agricultural Conflict Mitigation in Urban Reserve

The regulations in this section apply only to urban land in the urban growth boundary that was added from the urban reserve shown in the Regional Plan Element of the Comprehensive Plan. For other land in the City, development is subject to the agricultural buffering standards in Section 10.801. The basis for these regulations can be found in the Greater Bear Creek Valley Regional Problem-Solving Plan (Regional Plan), Volume II, Appendix III.

Compliance with Standards: The land to the north is still zoned County EFU, though it has been brought into the urban growth boundary, assigned a GLUP of Commercial, and is no longer in agricultural use. Land to the east is also zoned County EFU and has been brought into the urban growth boundary and assigned a GLUP of UR. This property appears to still be in occasional use as pastureland.

Compliance with the agricultural conflict mitigation requirements was addressed in relation to these adjacent properties and approved through the original 2017 PUD through a full agricultural assessment report. No changes to the mitigations required by the original agricultural assessment report are proposed. Project complies.

* * * * *



-  Subject Lots
-  City Limits
-  Urban Growth Boundary
-  Tax Lots

2019 Aerial

Vicinity Map with Existing Land Uses on Aerial

Table Rock Holdings, LLC /
Coker Butte Properties, LLC
PUD Amendment / Subdivision
37S-1W-5 tax lots 1000, 1001, 1002



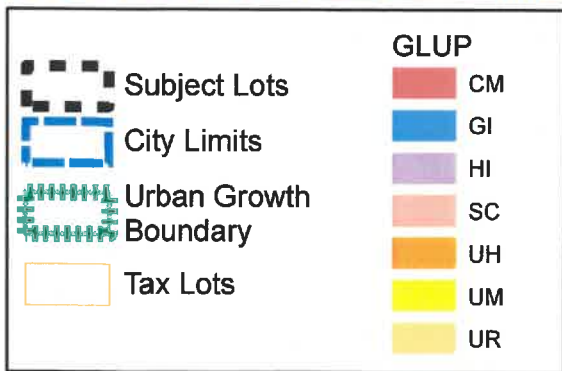
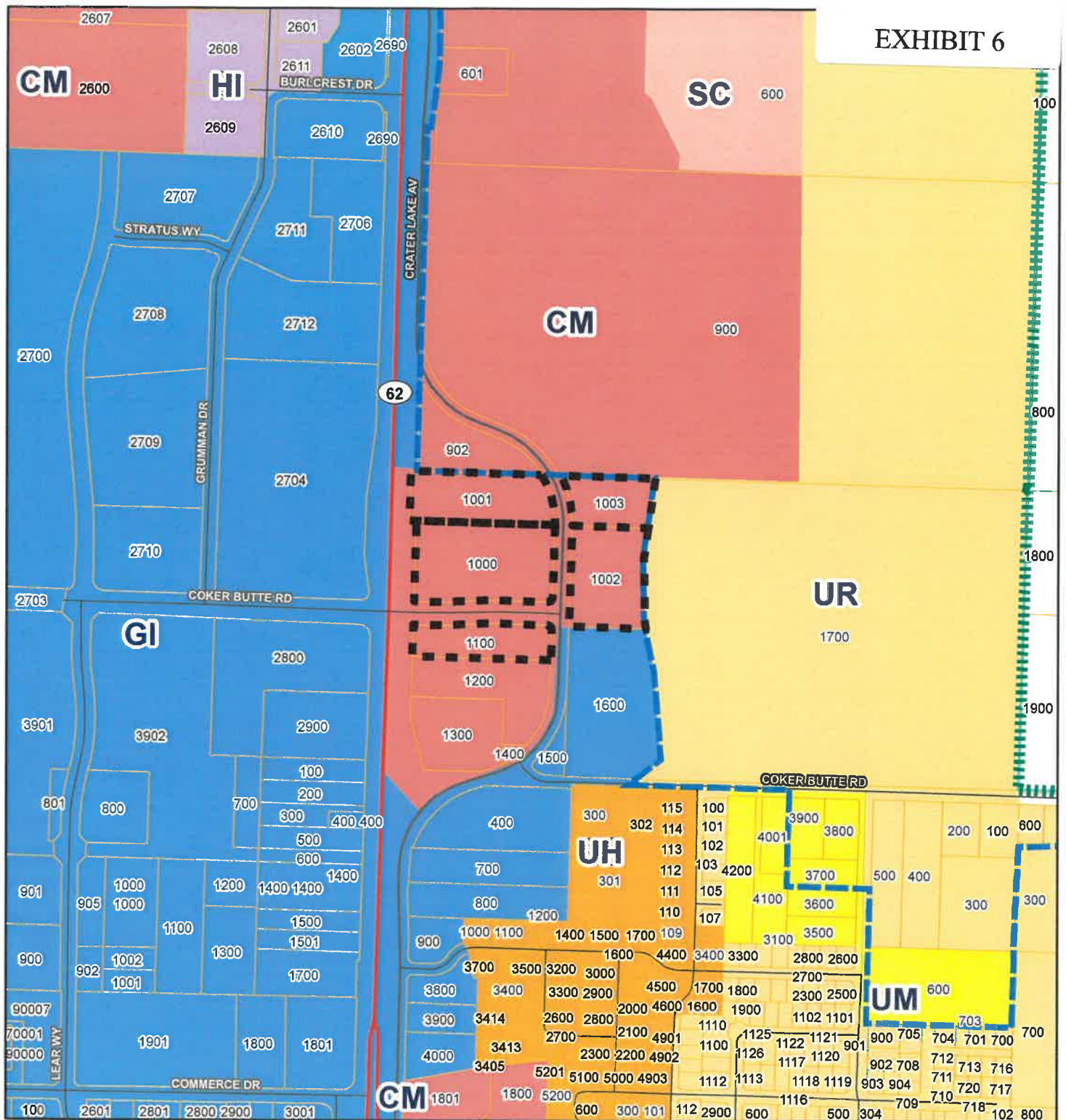
CSA Planning, Ltd.

1,000 500



EXHIBIT
E

EXHIBIT 6



General Land Use Plan (GLUP) Map

Table Rock Holdings, LLC /
Coker Butte Properties, LLC
PUD Amendment on
37S-1W-5 tax lot 1002, 1003, 1100

EXHIBIT F

CSA Planning, Ltd.

November 2021 Source: City of Medford GIS, Jackson County GIS, CSA Planning Ltd



- Subject Lots
- City Limits
- Tax Lots
- Medford Zoning

2019 Aerial

Zoning Map

Table Rock Holdings, LLC /
Coker Butte Properties
PUD Amendment / Sub
37S-1W-5 tax lots 100



CSA Planning, Ltd.



EXHIBIT
G
0 100 Feet

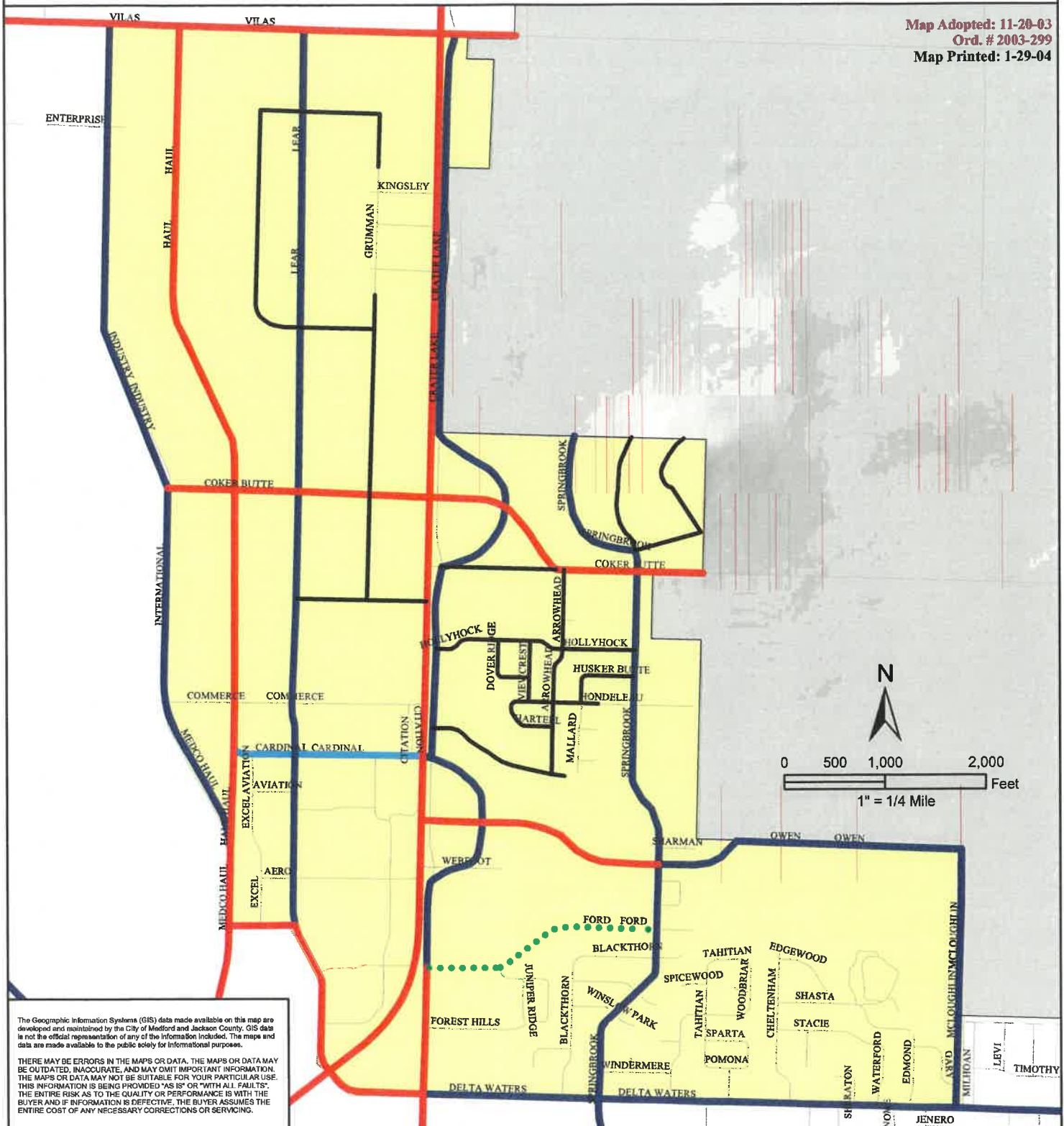


November 2021

Source: City of Medford GIS, Jackson County GIS, CSA Planning Ltd

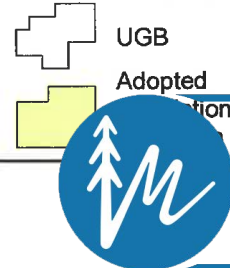
Adopted North Medford Circulation Plan

Map Adopted: 11-20-03
Ord. # 2003-299
Map Printed: 1-29-04



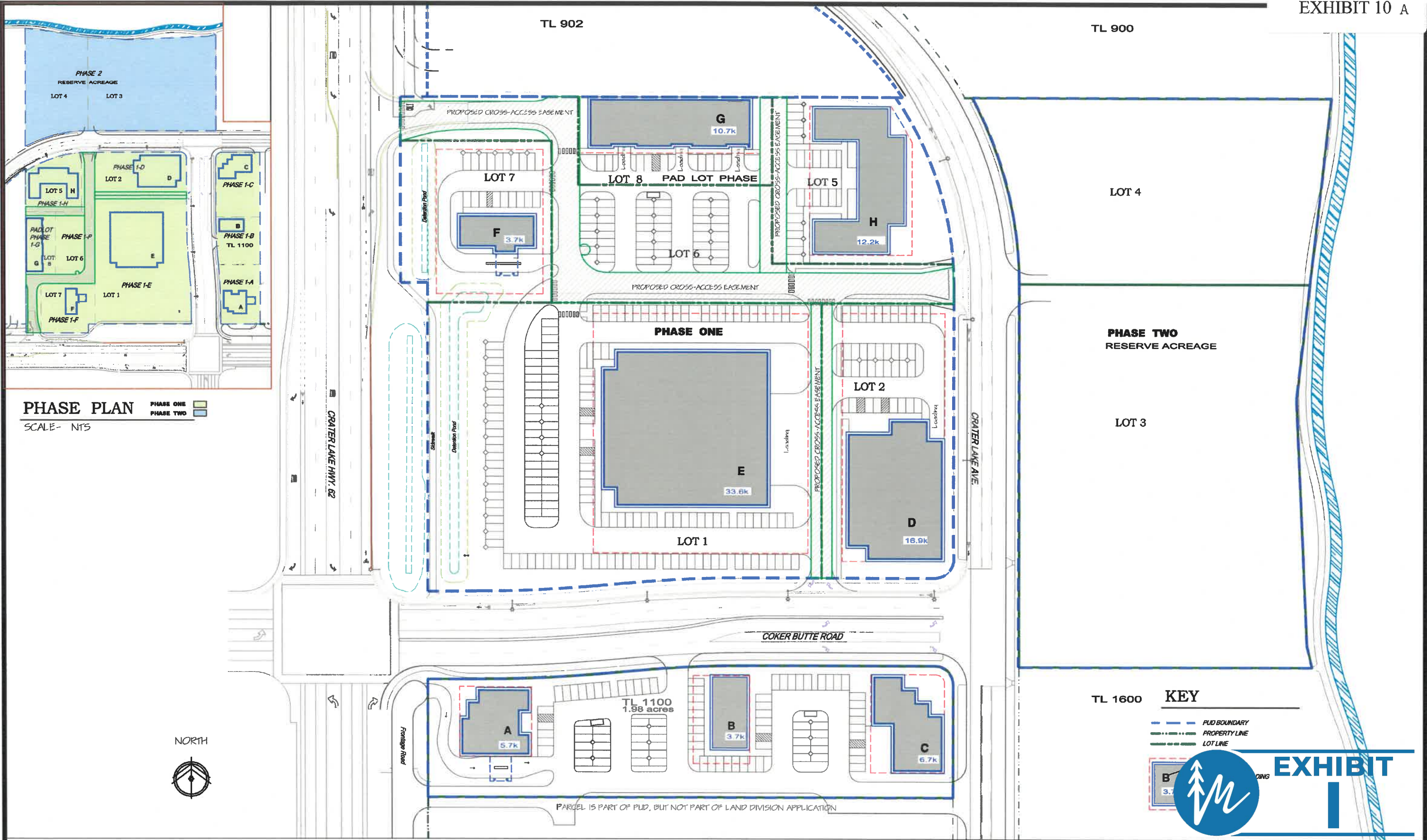
Street Classifications

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local Streets
- Other Streets
- Standard Residential



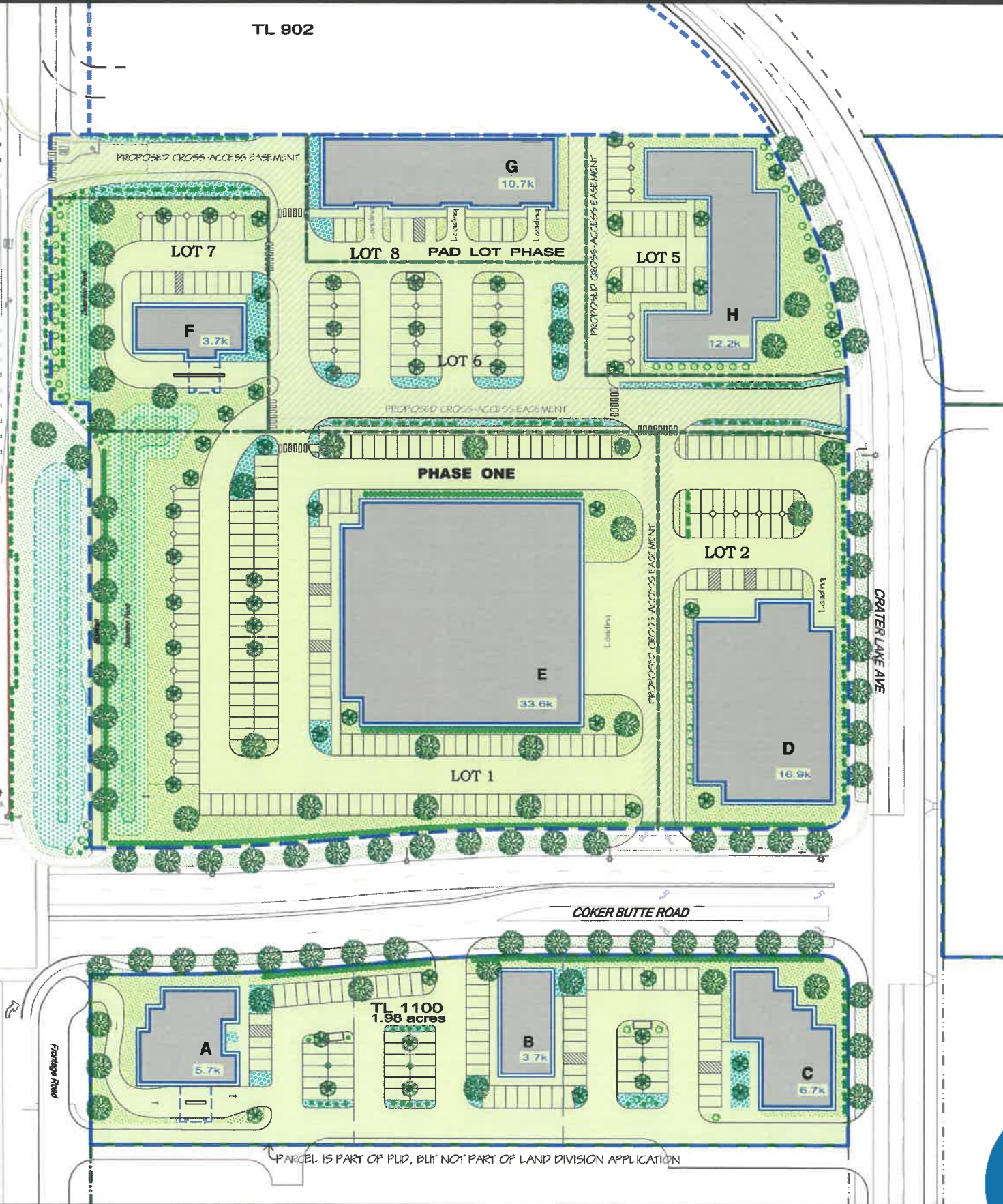
EXHIBIT

H





COKER BUTTE BUSINESS PARK
Hwy 62 & Coker Butte Rd.
Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (37 IW 05)
Table Rock Holdings Property- TL 1001, TL 1003 (37 IW 05)



CONCEPTUAL PLANT LEGEND

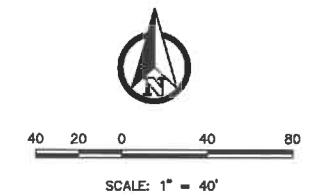
- TREE SPECIES**
- HORNBEAM TREE - *Carpinus betula* 'Fastigiata'
 - SAWTOOTH ZELKOVA - *Zelkova* 'serrata'
 - TRIDENT MAPLE - *Acer buergerianum*
 - BIGTOOTH MAPLE - *Acer grandidentatum* var 'Rocky Glow'
 - ORNAMENTAL PEAR - *Pyrus calleryana* 'Chanticleer'
- SHRUBS**
- PURPLE ROCKROSE - *cistus* x 'purpurea'
 - PINK ROCKROSE - *cistus argenteus* 'Blushing Peggy Sammons'
 - LAVENDER - *Lavandula* x *intermedia* 'Hidcote Giant'
- HEDGES**
- GULF STREAM NANDINA- *Nandina domestica* ;Gulf Stream'
 - OSMANTHUS BURWOODII- *Osmanthus* x *burkwoodii*
- FLOWERING PERENNIALS**
- DAYLILY- *Hemerocallis* 'Hall's Pink'
 - DAYLILY- *Hemerocallis* 'Mond' Starburst Red
 - SEA PINK - *Armeria maritima* 'Splendens'
 - SHASTA DAISY - *Leucanthemum superbum* 'Banana Cream'
 - SHASTA DAISY - *Leucanthemum superbum* 'Paladin'
 - BLACK EYED SUSAN - *Rudbeckia fulgida* 'Goldsturm'
- GROUND COVER**
- KINNIKINNICK - *Arctostaphylos uva-ursi*
 - STONECROP- *Sedum spurium* 'Dragons Blood'
 - BLUE PACIFIC JUNIPER- *Juniperus conferta* 'Blue Pacific'
- BIOSWALE PLANTING



EXHIBIT
J
PUD 2

CONCEPTUAL PUD LANDSCAPE PLAN

PUD AMENDMENT - DATE: 1/28/22
SCALE- 1:100

**CONSTRUCTION NOTES:**

1. *CAUTION* BURIED UTILITIES THIS AREA.
2. PROTECT ITEM IN PLACE, AS NOTED.
3. CONSTRUCT ASPHALT PAVING SECTION, PER PAVING CROSS-SECTION DETAIL 1, SHEET C3.
4. CONSTRUCT STANDARD 12" CONCRETE VERTICAL CURB AND GUTTER. PER ODOT DETAIL RD700, SHEET C3. SEE GRADES ON THIS SHEET.
5. CONSTRUCT STANDARD CONCRETE SIDEWALK SECTION. PER DETAIL 2, SHEET C3.
6. CONSTRUCT DRAINAGE SWALE. GRADE SIDE SLOPES TO 4:1 (MAX.) SLOPE.
7. SAWCUT AND REMOVE EXISTING ASPHALT/CONCRETE TO CUT LINE. SAND & SEAL ASPHALT FOR SMOOTH TRANSITION.
8. CONSTRUCT NON-SIDEWALK DRIVEWAY. PER ODOT STD DWG RD715, SHEET C3.
9. REMOVE EXISTING STRUCTURE.

GENERAL NOTES:

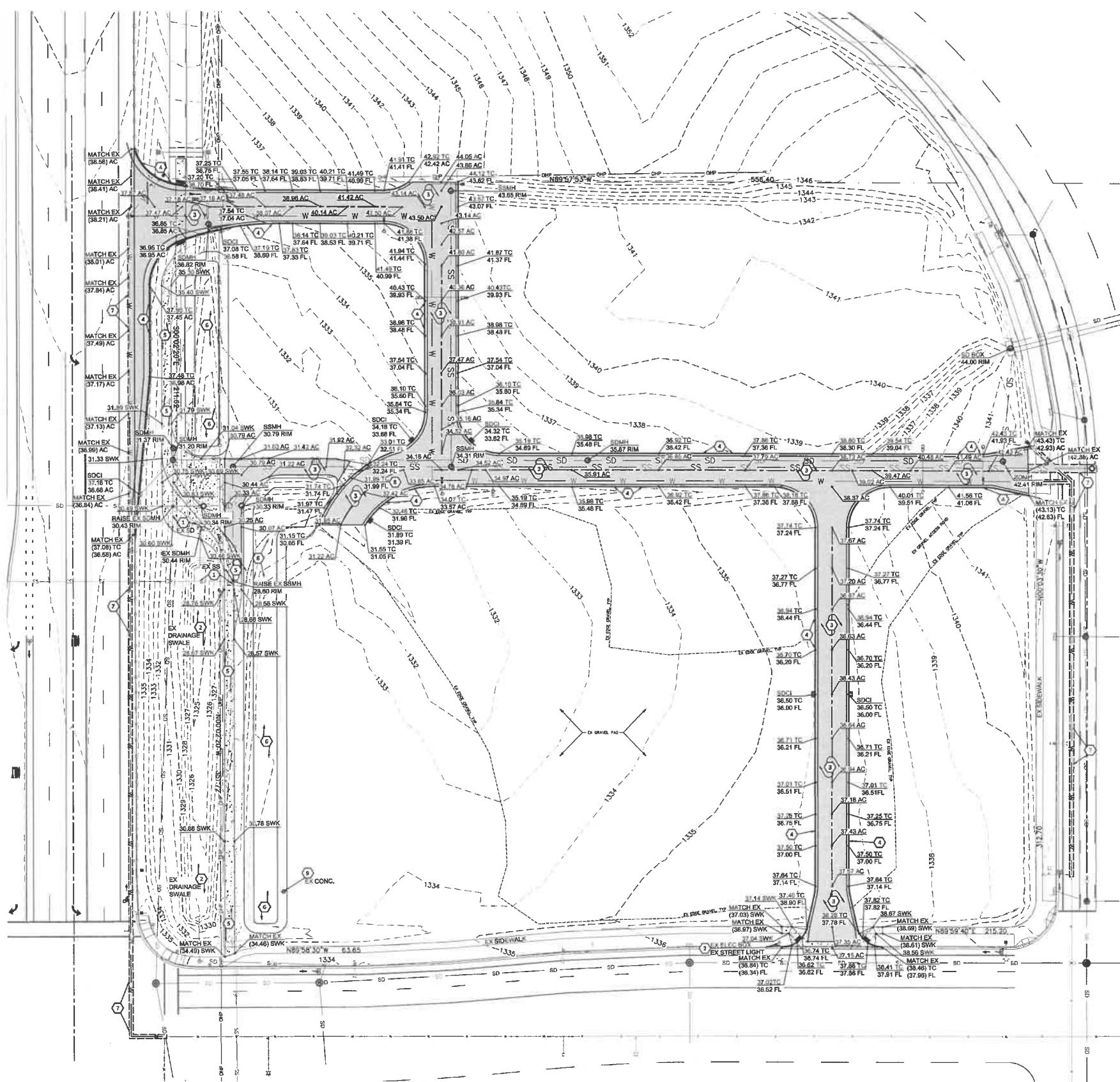
1. WORK AND MATERIALS SHALL CONFORM TO THE 2018 ODOT/ APWA OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, UNLESS OTHERWISE COVERED BY THE OREGON SPECIALTY PLUMBING CODE, THE SPECIFICATIONS WRITTEN FOR THIS PROJECT OR THE STANDARDS AND SPECIFICATIONS OF THE CITY OF MEDFORD.
2. ALL REFERENCE TO ENGINEER MEANS: MARQUESS & ASSOCIATES, INC., CONSULTING ENGINEERS, 1120 EAST JACKSON STREET, P.O. BOX 490, MEDFORD, OREGON 97501, TELEPHONE (541) 772-7115, FAX (541) 779-4079.
3. APPROVED PLANS AND SPECIFICATIONS SHALL BE AVAILABLE AT SITE OF CONSTRUCTION AT ALL TIMES DURING CONSTRUCTION.
4. THE CONTRACTOR SHALL CALL FOR UTILITY LOCATES (1-800-332-2344) A MINIMUM OF 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
5. EVERY REASONABLE EFFORT HAS BEEN MADE TO LOCATE THE EXISTING UTILITIES ON THE PLANS, BUT NO GUARANTEE IS MADE AS TO THE COMPLETENESS OR ACCURACY OF THESE LOCATIONS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND PROTECT THESE AND OTHER EXISTING UTILITIES AND STRUCTURES IN THE FIELD. THE CONTRACTOR SHALL POTHOLE EXISTING UTILITIES AND NOTIFY THE ENGINEER OF ANY CONFLICTS PRIOR TO ANY TRENCHING ACTIVITIES.
6. THE CONTRACTOR SHALL ADJUST ALL MANHOLES, CLEANOUTS, METER BOXES MOVED THROUGH CONSTRUCTION, AND ALL OTHER APPURTENANCES TO FINISHED GRADE. PATCHING AROUND ALL APPURTENANCES IN STREETS SHALL BE WITH ASPHALTIC PAVEMENT MATERIAL.
7. THE CONTRACTOR SHALL MAINTAIN EXISTING STREETS AND REPAIR IF DAMAGED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION STAKING FOR PROJECT.

**EXHIBIT K**

CB	CATCH BASIN	SS	SANITARY SEWER
CO	CURB OUT	SWK	SIDEWALK
TOG	TOP OF GROUND	FEE	FINISH FLOOR ELEVATION
FL	FLOOR FINISH	IE	INVERT ELEVATION
FS	FINISH SURFACE	TC	TOP OF CURB
EX	EXISTING	OCT	CONCRETE SURFACE
LF	LINEAR FEET	(P)	PROPOSED FEATURE
BS	BOTTOM OF STEPS	(EX)	EXISTING FEATURE

NOTE:

1. ADD 1300.0' TO ALL ELEVATIONS TO GET TRUE ELEVATIONS.



CALL BEFORE YOU DIG
1-800-332-2344
 48 HOURS BEFORE EXCAVATION
 OREGON LAW REQUIRES YOU TO FOLLOW RULES
 ADOPTED BY THE OREGON UTILITY NOTIFICATION
 CENTER. THOSE RULES ARE SET FORTH IN OUR
 822-001-0010 THROUGH OUR 822-001-0080. YOU MAY
 OBTAIN COPIES OF THE RULES BY CALLING THE CENTER
 AT 503-232-1897.

PRELIMINARY
 THESE DRAWINGS SHALL
 NOT BE USED FOR
 CONSTRUCTION
 BIDDING
 RECORDATION
 CONVEYANCE
 ISSUANCE OF A PERMIT
 XX% XX

MARQUESS & ASSOCIATES
 YOUR PROFESSIONAL ENGINEERING TEAM SINCE 1972
 CIVIL | GEOTECHNICAL | SURVEY | CONSTRUCTION | TRAFFIC
 1120 EAST JACKSON STREET
 MEDFORD, OR 97501
 (541) 772-7115
 (541) 779-4079
 www.marquessandassociates.com

COKER BUTTE PROPERTIES LLC
SUBDIVISION DEVELOPMENT
 4250 CRATER LAKE AVE
 MEDFORD OREGON

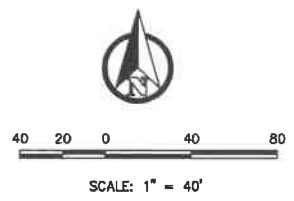
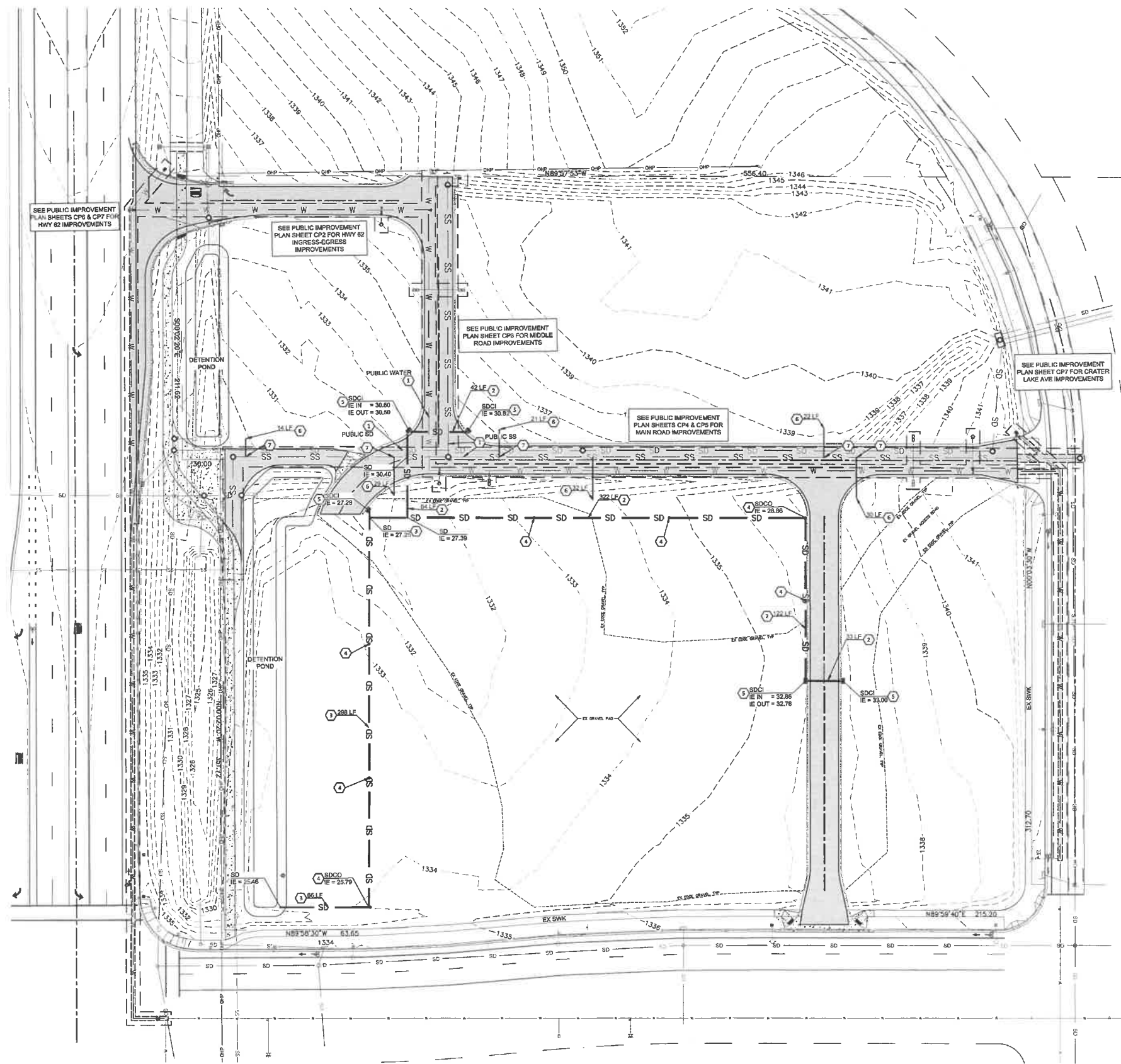
GRADING PLAN

MAJ. JOB NO.	21242	REVISIONS	
FILE NAME	CSTE		
ISSUE DATE	12/13/2021		
DRAWN	DAW		
CHECKED	JEH		

SHEET

C1

OF SHEETS



CONSTRUCTION NOTES:

- 1 *CAUTION* BURIED UTILITY IN THIS AREA. IF CONNECTION TO BE MADE, CONTRACTOR TO POT HOLE TO VERIFY HORIZONTAL & VERTICAL LOCATION. NOTIFY ENGINEER IF CONFLICT EXISTS.
- 2 CONSTRUCT 12" PVC STORM DRAIN LINE, SLOPE @ 0.5% MIN. TRENCH PER ODOT DETAIL RD300, SHEET C3.
- 3 CONSTRUCT 24" PVC STORM DRAIN LINE, SLOPE @ 0.5% MIN. TRENCH PER ODOT DETAIL RD300, SHEET C3.
- 4 CONSTRUCT STANDARD UTILITY CLEAN-OUT PER DETAIL 3, SHEET C3.
- 5 CONSTRUCT STANDARD CURB INLET TYPE (4A) WITH 4' OPENING. PER PWE STD DWG CD372, SHEET C4.
- 6 CONSTRUCT 6" PVC SANITARY SEWER LINE, SLOPE @ 1.0% (MIN.). TRENCH PER ODOT DETAIL RD300, SHEET C3.
- 7 CONNECT 6" SEWER LATERAL TO 10" MAIN WITH INSERTA TEE, PER RVSS STD DWG'S 5-1 & 5-2, SHEET C4.

CALL BEFORE YOU DIG
1-800-332-2344
48 HOURS BEFORE BEGINNING EXCAVATION
OREGON LAW REQUIRES YOU TO FOLLOW RULES
ADOPTED BY THE OREGON UTILITY NOTIFICATION
CENTER. THOSE RULES ARE SET FORTH IN OAR
952-001-0010 THROUGH OAR 952-001-0080. YOU MAY
OBTAIN COPIES OF THE RULES BY CALLING THE CENTER
AT 503-232-1997.

ABBREVIATIONS - NEW CONSTRUCTION

AC	ASPHALT	SD	STORM DRAIN
CB	CATCH BASIN	SS	SANITARY SEWER
CO	CLEAN OUT	SWK	SIDEWALK
TOG	TOP OF GRATE	FFE	FINISH FLOOR ELEVATION
FL	FLOW LINE	IE	INVERT ELEVATION
FS	FINISH SURFACE	TC	TOP OF CURB
EX	EXISTING	CCT	CONCRETE SURFACE
LF	LINEAR FEET	(P)	PROPOSED FEATURE
TS	TOP OF STEPS	(EX)	EXISTING FEATURE
BS	BOTTOM OF STEPS		

NOTE:
1. ADD 1300.0' TO ALL ELEVATIONS TO GET TRUE ELEVATIONS.

PRELIMINARY
THESE DRAWINGS SHALL
NOT BE USED FOR:
CONSTRUCTION
BIDDING
RECORDATION
CONVEYANCE
ISSUANCE OF A PERMIT
XX% XX

COCKER BUTTE PROPERTIES LLC
SUBDIVISION DEVELOPMENT
4250 CRATER LAKE AVE
MEDFORD, OREGON 97504

UTILITY PLAN

MAI NO.	21242	REVISIONS	
FILE NAME	CSITE		
ISSUE DATE	12/13/2021		
DRAWN	DAW		
CHECKED	JHH		

C2

OF SHEETS

MARQUESS & ASSOCIATES, INC.
YOUR PROFESSIONAL ENGINEERING TEAM SINCE 1957
STRUCTURAL | MECHANICAL | ELECTRICAL
CIVIL | GEOTECHNICAL | SURVEY | CONSTRUCTION TESTING

**TENTATIVE PLAT OF
PNW PARK**
Located in the S.W. 1/4 of Sec. 5, T.37S, R.1W, W.M.
in the City of Medford Jackson County, Oregon

EASEMENTS PER FIRSTAM PRRS #7169-3850396

Reservation of coal and other minerals per Vol. 234, Pg. 569, JCDR. Blanket over all TL'S.
Electrical facilities easement per Vol. 261, Pg. 362, JCDR. No specific location given.
Electrical facilities easement per Vol. 513, Pg. 389, JCDR. No specific location given.
Restrictive Covenants per Doc. 81-20080, ORJCO. Blanket over TL1002.
Restrictive Covenants per Doc. 81-20081, ORJCO. Blanket over TL'S 1000 & 1002.
Restrictive Covenants per Doc. 85-17527, ORJCO. Blanket over TL'S 1001 & 1003.
Easement for sanitary sewer facilities per Doc. 87-07847, ORJCO.
Slope easement per Doc. 2010-007274, ORJCO. Shown.
Declaration of Covenants for the Landscape Maintenance of Stormwater Facilities per Doc. 2011-019631, ORJCO. Blanket over TL1000.
Abandonment of Right of Way per Doc. 2013-022918, ORJCO. Shown.
Avigation, Noise and Hazard Easement per Doc. 2020-032472, ORJCO. Blanket over TL'S 1001 & 1003.
Avigation, Noise and Hazard Easement per Doc. 2020-032473, ORJCO. Blanket over TL1000.

LEGEND:

- ⊙ = FD. COUNTY SURVEYOR'S BRASS CAPPED MONUMENT PER <YEAR> RE-ESTAB'S.
- = FD. 5/8" IRON PIN PER FS5556 OR AS NOTED.
- ⊛ = FD. 3/4" IRON PIN PER FS9386.
- ⊙ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC. PER FS21941 OR 22516..
- ⊙ = FD. MAG NAIL & BRASS WASHER MKD. L.J. FRIAR & ASSOC. PER FS21941.
- = SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- 25WC = 25.00 WITNESS CORNER MONUMENT.
- JCDR = JACKSON COUNTY DEED RECORDS.
- ORJCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
- WC = WITNESS CORNER MONUMENT.
- { } = RECORD DATA PER DOC. 84-14200, ORJCO.
- [] = RECORD DATA PER DOC. 2009-010526, ORJCO.
- FS = FILED SURVEY #.
- C1/L1 = RECORD DATA PER DOC. 2009-005947 OR 2010-007275, ORJCO.
- SEE = SEE COURSE DATA TABLE.
- SSE = 15' WIDE SEWER EASEMENT PER DOC. 87-07847, ORJCO.
- SE1 = 10' WIDE SLOPE EASEMENT PER DOC. 2010-007274, ORJCO.
- SE2 = 9.5' WIDE SLOPE EASEMENT PER DOC. 2010-007274, ORJCO.
- RW1 = RIGHT OF WAY ABANDONED VIA DOC. 2013-022918, ORJCO.

BASIS OF BEARINGS

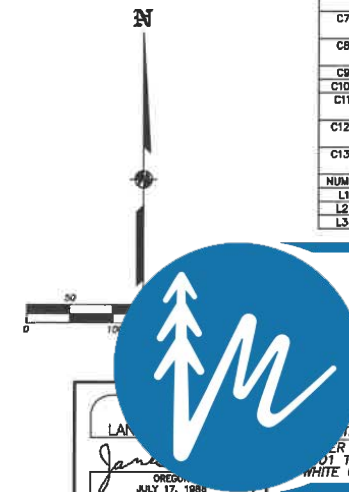
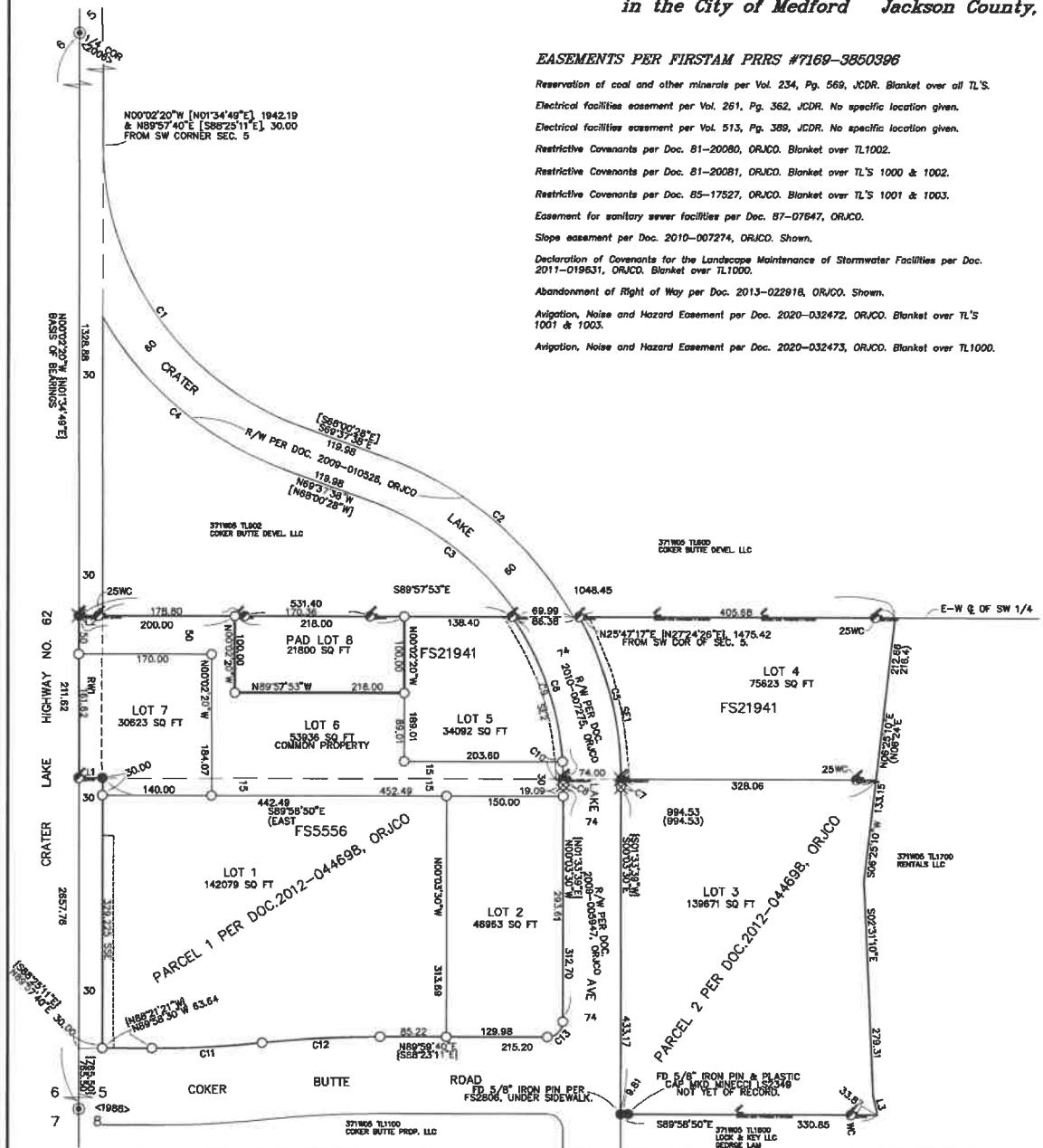
WEST LINE OF SECTION 5 PER FS5556 AS SHOWN HEREON.

UNIT OF MEASUREMENT = FEET

SCALE: 1" = 100'

COURSE DATA TABLE

NUM	DELTA	ARC	RADIUS	CHORD
C1	69°35'17"	473.67	390.00	S34°19'59"E S33°12'50"E 445.09
C2	41°03'06"	322.42	450.00	N49°06'04"W 315.57 S47°28'53"E 315.58
C3	36°07'21"	245.68	390.00	N51°33'57"W 241.83 N49°26'47"E
C4	39°39'42"	311.50	450.00	S48°47'46"E 305.32 N48°10'37"W
C5	27°37'28"	220.34	457.00	S14°17'06"E 218.21 S12°40'25"E 218.08
C6	33°36'01"	224.83	383.00	N17°23'05"W 221.61 N15°46'29"W 221.49
C7	00°24'52"	3.31	457.00	N00°15'58"W 3.31 N01°20'42"W 3.43
C8	00°30'34"	3.41	383.00	N00°18'47"W 3.41 N01°17'45"E 3.53
C9	31°25'19"	209.82	383.00	N18°30'28"W 207.21 N02°15'09"W 22.52
C10	03°22'09"	22.52	383.00	N87°00'23"E 142.18 N88°37'32"E
C11	06°02'14"	142.25	1350.00	N87°00'23"E 142.18 N88°37'32"E
C12	06°00'24"	152.01	1450.00	S86°58'28"W 151.84 N88°36'37"E
C13	90°03'10"	31.43	20.00	N44°58'05"E 28.30 N48°35'14"E
NUM	BEARING	DISTANCE		
L1	N89°58'50"W	30.00		
L2	N89°57'53"W	30.00		
L3	S13°07'50"E	25.80		



EXHIBIT

SUBMISSION PLAT		DATE: 8 FEB 2022
LAND: LOTS 1000, 1001, 1002 & 1003		SCALE: 1 inch = 100 feet
OWNER: BUTTE ROCK PROPERTIES, LLC		BY: JLF
LOCATION: 101 TABLE ROCK ROAD, WHITE CITY, OR 97503		ORIGIN: JLF
RENEWAL DATE: 6-30-23		REVISIONS: 0
L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1267, Medford, OR 97530 Phone (541) 772-2769 Email: info@lfr Associates.com		WORKING: 0 JLF 18111PM
L.J. FRIAR & ASSOCIATES, P.C. 2022		Sheet 1 of 1.

319 Eastwood Drive - Medford, Or. 97504 | Phone (541) 941-4148 | Email: Kim.parducci@gmail.com

November 5, 2021

RE: Coker Butte Business Park PUD Addendum

Southern Oregon Transportation Engineering, LLC prepared an addendum to a prior traffic analysis (February of 2017) prepared for the proposed Coker Butte Business Park Planned Unit Development (PUD). The addendum evaluates a right-in, right-out, left-in (RIROLI) access to the site on Crater Lake Highway. Previously, this access was evaluated as a RIRO access. The location of the access in the addendum has also changed and is re-located toward the northern property line approximately 595 feet north of Coker Butte Road (measured centerline to centerline). See revised site plan below.

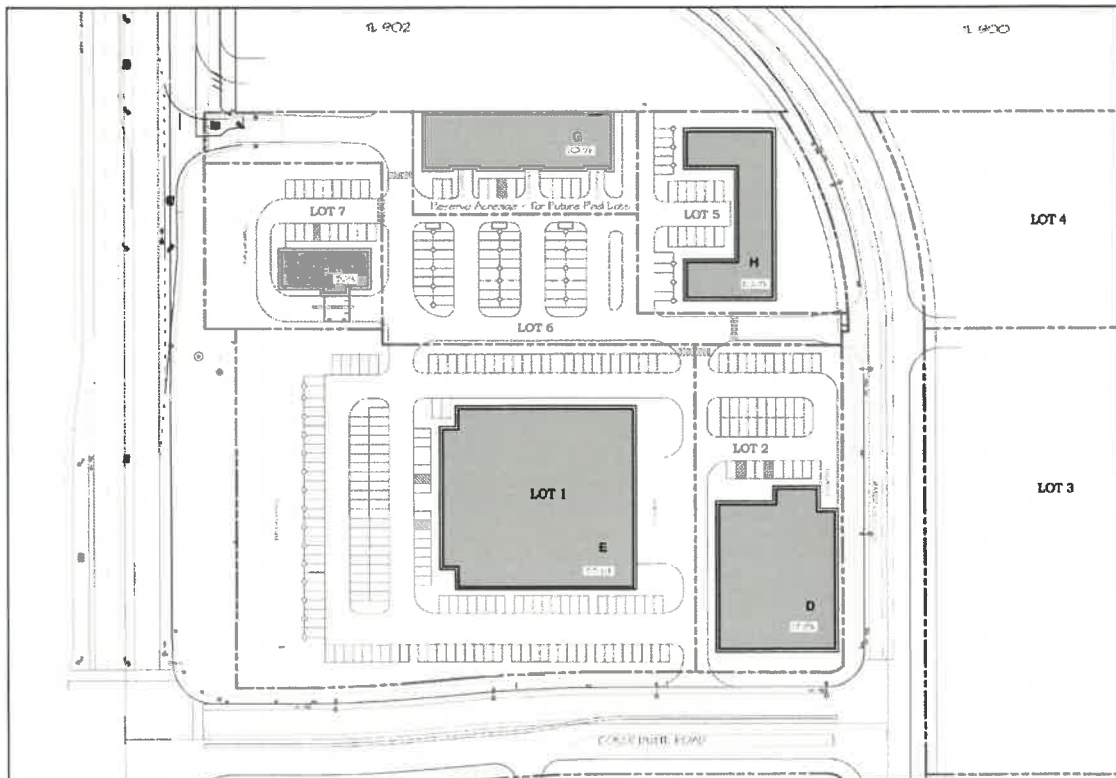


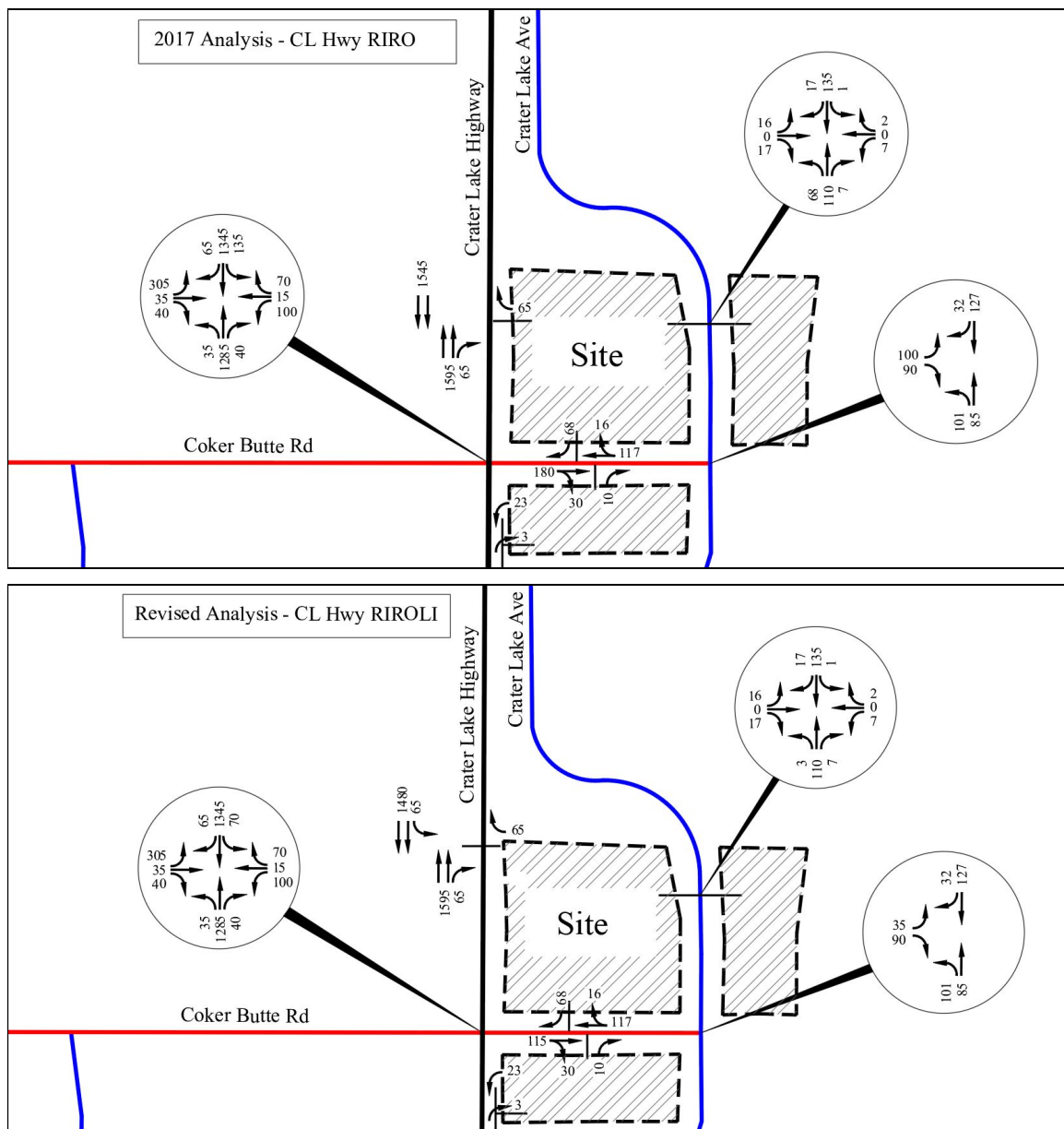
EXHIBIT M

transportation system. Benefits of allowing the RIRO access included preserving capacity at study area intersections, reducing queue lengths, improving circulation, and reducing vehicle miles traveled (VMT) to the site.

Since the time of the 2017 traffic analysis, some site refinements have been made and the developer is requesting a RIROLI access on Crater Lake Highway. The same benefits previously stated will occur. In addition, the southbound left turn queue length at the signalized intersection of Coker Butte / Crater Lake Highway reduces from 150 feet to 75 feet (back to year 2020 no-build conditions) with the southbound left-in movement permitted. Results of the addendum are provided below.

ANALYSIS

The proposed access change on Crater Lake Highway will allow a southbound left turn movement on the highway that was not previously permitted in the original analysis. This change is shown below.



INTERSECTION CAPACITY AND LEVEL OF SERVICE

Impacts of the proposed change were evaluated operationally at study area intersections and compared to results in the original 2017 TIA. We did not re-evaluate using the current City year 2019 traffic count in an effort to compare apples to apples, but we did compare the City year 2019 traffic count to the 2015 traffic count used in the original TIA and volumes have decreased significantly on Crater Lake Highway (CL Hwy) as a result of the Bypass now in place. The count comparisons are provided in the attachments. Operational results are provided in Table 1.

Table 1 – Design Year 2020 Build Intersection and Driveway Operations, P.M. Peak Hour				
Intersection	Traffic Control	Performance Standard	Year 2020 Build RIRO (2017 analysis)	Year 2020 Build RIROLI
CL Hwy / Coker Butte Rd	Signal	LOS D, V/C Delay	C, 0.81, 23.4 sec	C, 0.80, 22.2 sec
Crater Lake Ave / Coker Butte	AWSC	LOS D, Delay	A, 9.0 sec	A, 9.0 sec
Coker Butte Rd / PUD south access	Uncontrolled	NA	A, 8.9 sec	A, 8.7 sec
Crater Lake Ave / PUD north access	Uncontrolled	NA	B, 10.2 sec	B, 9.6 sec
Coker Butte Rd / PUD north access	Uncontrolled	NA	A, 8.9 sec	A, 8.9 sec
CL Hwy / PUD access	Uncontrolled	NA	B (westbound right), 10.5 sec	B (southbound left), 14.2 sec

AWSC=All Way Stop Control, LOS = level of service, V/C = volume to capacity, NA = not applicable, sec = second,

Results of the revised analysis show all study area intersections continue to meet performance standards under design year 2020 build conditions with a RIROLI access considered on Crater Lake Highway, north of Coker Butte Road. The critical movement at the RIROLI access on Crater Lake Highway changes from the westbound right turn movement to the southbound left turn movement and increases in delay by approximately 4 seconds with no change in level of service. If we were to re-evaluate using current traffic volumes, the amount of delay would be expected to further decrease due to lower traffic volumes on Crater Lake Highway. Synchro output sheets are provided in the attachments.

95TH PERCENTILE QUEUING AND BLOCKING

Table 2 compares 95th percentile queue lengths at study area intersections and site accesses under design year 2020 build conditions during the p.m. peak hour.

Table 2 – Design Year 2020 Build 95th Percentile Queue Lengths, P.M. Peak Hour				
Intersection	Traffic Movement	Available Link Distance (Feet)	95th % Queue Length (Feet) RIRO	95th % Queue Length (Feet) RIROLI
CL Hwy / RIRO	Northbound Right	200	0	0
	Westbound Right	300	75	75
	Southbound Left	500+	--	100
Coker Butte Road / PUD north dw	SBR	100	50	50
	WBTR	300	0	0
Coker Butte Road / PUD south dw	NBR	50	25	25
	EBTR	300	0	0

Note: Exceeded queue links are shown as italic, bold

Table 2 Continued – Design Year 2020 Build 95th Percentile Queue Lengths, P.M. Peak Hour

Intersection	Traffic Movement	Available Link Distance (Feet)	95th % Queue Length (Feet) RIRO	95th % Queue Length (Feet) RIROLI
CL Hwy / Coker Butte Road	SBR	225	75	75
	SBT	2200	350	325
	SBL	425	150	75
	WBT/R	625	75	75
	WBT	625	25	25
	WBL	325	100	100
	NBR	300	50	50
	NBT	1025	375	325
	NBL	450	50	50
	EBT/R	700	50	75
	EBT	700	25	25
	EBL	300	200	225
Crater Lake Avenue / Coker Butte Road	SBT/R	350	75	75
	NBT	625	75	75
	NBL	150	75	50
	EBR	625	50	50
	EBL	625	75	50
Crater Lake Avenue / PUD north dw	SBTR	>2000	0	0
	SBL	200	0	0
	WBL/T/R	300	25	25
	NBTR	325	0	0
	NBL	325	50	25
	EBL/T/R	300	50	50

Note: Exceeded queue links are shown as italic, bold

Results of the addendum show study area queue lengths for the most part improve with a RIROLI access on Crater Lake Highway at the site. One exception occurs in the eastbound movements at the signalized intersection of Crater Lake Highway / Coker Butte Road and are slight increases. This is not likely due to adding a southbound left turn movement at the site access on Crater Lake Highway, but rather from the use of random seeds in simulations that produce slight variations in queue lengths.

The southbound left turn queue length on Crater Lake Highway at the site is reported to be 93 feet (rounded up to 100 feet in Table 2 above) or four vehicles. A proposed channelized median on Crater Lake Highway will provide 100 feet of left turn storage before transitioning back to the existing roadway width. A draft layout is provided in the attachments.

The southbound left turn queue length at the signalized intersection of Crater Lake Highway / Coker Butte Road is shown to decrease from 150 feet (from previously evaluated build conditions with RIRO access) to 75 feet (with RIROLI access). It can also be noted again that both reported queue lengths will likely be less than reported due to traffic volume decreases shown on Crater Lake Highway since the Bypass opened. SimTraffic output sheets are provided in the attachments.

CRASH ANALYSIS

A crash analysis was not included in the prior analysis but is included in this addendum, in accordance with the new scoping letter. Crash data was gathered from ODOT's online crash database. Results were gathered for the period of January 1, 2015 through December 31st, 2019. Crash data is gathered to identify crash patterns that could be attributable to geometric or operational deficiencies, or crash trends of a specific type that would indicate the need for further investigation. The crash rate at each intersection is also compared to an ODOT critical crash rate provided in the Highway Safety Manual (HSM). Intersections that exceed their respective critical crash rate are flagged for further review. Tables 3 and 4 provide intersection crash rates and types of collisions at the signalized intersection of Coker Butte Road / Crater Lake Highway. The full crash report is provided in the attachments.

Table 3 - Study Area Intersection Crash Rates, 2015-2019

Intersection	2015	2016	2017	2018	2019	Total Crashes	ADT	Crash Rate	Critical Crash Rate ¹
Coker Butte / CL Hwy	7	7	5	3	0	22	32,200	0.374	0.860 ¹

¹ 90th Percentile Crash Rate from Exhibit 4-1 in ODOT's Analysis Procedures Manual v2
ADT=average daily traffic

Table 4 - Crash History by Type, 2015-2019

Intersection	Collision Type					Severity		
	Rear-End	Turning /Angle	Side-Swipe	Pedestrian / Bicyclist	Other	Non-Injury (PDO)	Injury	Fatal
Coker Butte / CL Hwy	9	13	0	0	0	10	12	0

Results of the crash analysis show 22 reported collisions within the most recent five-year period. Of those crashes, a little over half resulted in minor injury. No collisions involved pedestrians or cyclists, and no collisions resulted in severe injury or fatality. The intersection crash rate is shown to be well under the ODOT critical crash rate. No safety concern is identified to exist. No further investigation is shown to be necessary.

CONCLUSION

This concludes the addendum analysis for a proposed RIROLI access on Crater Lake Highway at the Coker Butte PUD site. The proposed RIROLI access is shown to operate acceptably with the additional southbound left-in movement, without having any adverse impact on any study area intersection or site access point. The RIROLI access will create a southbound queue length, as a result of the additional traffic movement, but this is not expected to create any safety concerns and will be adequately accommodated with a proposed channelized median. The existing southbound left turn storage provided on Crater Lake Highway at Coker Butte Road will remain the same. Benefits of the re-located RIROLI access are shown to occur operationally at the signalized intersection of Coker Butte Road / Crater Lake Highway and other study area intersections through decreased delay and 95th percentile queue lengths.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,



Kimberly Parducci PE, PTOE

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Attachments: CSA Revised Site Plan
Synchro output
SimTraffic Output
Count Data
Crash Data, Charts

Cc: Client



PUBLIC WORKS DEPARTMENT STAFF REPORT

Coker Butte Business Park PUD – REVISION

Coker Butte Road at Crater Lake Hwy (TLs 1000, 1001, 1002, 1003 and 1100)

Project: Consideration of a revised Preliminary PUD Plan, along with a tentative plat and an Exception request, for the Coker Butte Business Park Planned Unit Development (PUD). The PUD is contained within five contiguous parcels totaling approximately 14.5 acres (15.6 gross acres).

Location: The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. The PUD is zoned I-L (Light industrial) and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. (371W05 TL 1000, 1001, 1002, 1003, 1100).

Applicant: Applicant: Coker Butte Properties, LLC & Table Rock Holdings, LLC; Agent: CSA Planning, Ltd.; Planner: Dustin Severs.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Coker Butte Business Park PUD were adopted by Order of the Medford Planning Commission on August 10th, 2017 (PUD-17-023) and August 13th, 2021 (PUD-20-141). **The adopted condition of this action shall remain in full force as originally adopted except as amended or added to below.**

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Approval of Final Plat:

- Right-of-way/PUE dedication, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.



- Completion of all public improvements, if required. The Applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
 - Verification by the design Engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
 - Completion of all public improvements that have been bonded for.
-

A. STREETS

1. Dedications

Crater Lake Highway is classified as a Major Arterial street within the Medford Land Development Code (MLDC), Section 10.428. **No additional right-of-way is required.**

Coker Butte Road is classified as a Major Arterial street, and in accordance with Medford Land Development Code (MLDC) Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Crater Lake Avenue is classified as a Major Collector street, and in accordance with MLDC Section 10.428, requires a total right-of-way width of 74-feet. **No additional right-of-way is required.**

Public Utility Easements, 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

2. Public Improvements

a. Public Streets

Crater Lake Highway shall be improved to Major Arterial street standards per MLDC 10.428. The Developer shall construct full-height-curb along the entire Crater Lake Highway frontage at a distance of 8-feet from the existing fog line or as otherwise approved by the City Engineer, as well as, a 5-foot wide sidewalk separated from the curb with a 10-foot wide planter strip. The improvements also include installation of street lights as outlined below. *(Public Improvement Plan submittal required)*

An **exception request** has been submitted requesting an Exception to the street design and associated frontage improvement requirements for Crater Lake Highway. If the exception request is denied, **Crater Lake Highway** shall be improved as outlined above including street lights.

Public Works does not support the exception for not providing curb and gutter and we don't believe the exception process of Chapter 10 supports this type of request as well. Aside from the curb and gutter improvement, Public Works does not object to the proposed exception request in any other respect. If the exception request is approved, then the Crater Lake Highway improvements shall be completed as shown on the Preliminary PUD Plans showing the public sidewalk constructed on the east side of the existing drainage swale with the existing drainage swale retained as depicted on the plans. Curb and gutter will still be required to replace the existing guardrail along the Crater Lake Highway frontage unless a **Design Exception is approved by the City Engineer through Public Works' Design Exception process.**

Coker Butte Road and Crater Lake Avenue – All street section improvements have been completed to current standards as part as capital improvement project P1542, including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements.**

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

- A. 2 – Type A-400 LED (Crater Lake Highway)*
- B. 1 – BMC (*Could utilize the existing BMC on the SW corner of Crater Lake Highway intersection. Would need to include a breaker and contactor for a new circuit.*)
- C. Provide voltage drop calculations for the new circuit.
- D. Maintain/protect existing lighting conduit on Coker Butte Road (north side) for new driveway entrance. Conduit may have to be lowered.

Traffic Signs and Devices – City Installed, paid by the Developer:

A. None

Public Improvement Plans required to be submitted to the Engineering Department as a separate review/approval process (see **D. General Conditions below).*

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer’s contractor shall coordinate with the City of Medford Public Works Department to remove any existing signs and place new signs provided by Medford Public Works Department.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Coker Butte Road or Crater Lake Avenue.

d. Access and Circulation

Public Works received a Transportation Impact Analysis (TIA) from Southern Oregon Transportation Engineering LLC, dated November 5, 2021, titled “Coker Butte Business Park PUD Addendum”. The addendum is to modify the previously approved right-in right-out (RIRO) driveway on Crater Lake Hwy to include left-in (RIROLI) and relocate its proposed location to the north property line.

The TIA studied the intersections adjoining the site and the driveways providing site access. The study found that the RIROLI driveway would improve delay and queuing at study area intersections with no increase in actual queuing for the southbound left turn on Crater Lake Hwy.

Public Works recommends the following conditions of approval for this project:

- The developer shall construct a RIROLI median at the proposed driveway on Crater Lake Highway, located approximately 595 feet north of Coker Butte Road (measured centerline to centerline). The median design shall be submitted as part of the public improvement plans for the project.

In accordance with the approval for PUD-17-023, the entire PUD is conditioned with a trip cap of 415 peak hour trips. The applicant shall submit trip accountings with each individual building permit showing that the proposed new buildings will not cause the trip generation

to exceed 415 peak hour trips. The 415 peak hour trip cap on the PUD was based on a previously existing trip cap, per ZC-07-272, on tax lots 1000, 1002, and 1100 and unrestricted light industrial (I-L) zoning on tax lots 1001 and 1003.

Public Works takes no exception to the applicant's block length findings. However, it should be noted that the City's Transportation System Plan includes the realignment of Coker Butte Road east of Crater Lake Avenue. Construction of the realigned Coker Butte Road will be required upon development of tax lot 1002, which is shown as reserve acreage in this application.

In accordance with MLDC 10.550, cross-access easements are required between lots 902 and 1001, 1000 and 1001, 1002 and 1003, and between 1100 and 1200. The site design must accommodate future use of such accesses.

The driveways on Coker Butte Road and Crater Lake Avenue are substantially consistent with the previous approvals. Public Works takes no exception to the minor modifications proposed in this revision.

e. Easements

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an Applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the Developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the Applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and stormdrain to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. Rough proportionality between the dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining “rough proportionality” have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Crater Lake Highway, Coker Butte Road & Crater Lake Avenue:

Crater Lake Highway is functionally classified as a Major Arterial street. It is the primary connector between Interstate-5 and adjacent cities, Crater Lake Highway will have two travel lanes in each direction, a center-turn median, bike lanes in each direction, sidewalks and street lights. It is a 45 mile per hour facility. It will provide safe travel for vehicles, bicycles, and pedestrians.

The additional street lighting on Crater Lake Highway will provide the needed illumination to meet current MLDC requirements.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector Street capacity required as a

result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. These will be the primary route for pedestrians traveling to and from this development. The area required to be dedicated for the PUE for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

Cross Access Easement:

The applicant is not required to actually dedicate any land for the cross access easements. Therefore, the impacts of creating a cross access easement on the proposed development are the minimum required to protect the public interest.

A. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

B. STORM DRAINAGE

1. Hydrology

The Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100-feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

2. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

Private storm drain easements may be required for stormwater draining onto or from adjacent private property. It is recommended that the Developer create a maintenance agreement for drainage systems that convey stormwater between parcels as well as a maintenance agreement for a stormwater detention and water quality facilities that treat stormwater from multiple parcels.

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

3. Stormwater Detention and Water Quality Treatment

Development of this property will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Prior to acceptance of the public improvements, the developer's design engineer shall provide verification that the stormwater quality and detention system is constructed per plan. Verification shall be provided to the Engineering Division on a form provided by the Engineering Division.

The City is responsible for operational maintenance of the public storm water facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer during the three year vegetation establishment period. The Developer shall establish vegetation per the Rogue Valley Stormwater Quality Design Manual. The Developer's engineer shall submit a draft agreement to this effect (provided by the City or in a form acceptable to the City) during plan review and shall execute the agreement prior to final plat.

4. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for

approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

5. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

6. Erosion Prevention and Sediment Control

An Erosion Control Permit is required in accordance with MLDC Section 9.800. Erosion control plans shall be submitted with the public improvement plans or if there are no public improvement plans then they shall be submitted with the Building Permit(s).

7. Storm Drainage Conditions

The Developer shall provide a 20-foot wide public storm drain easement for the existing drainage channel across taxlots 1001 and 1000. If this channel is piped, public improvement plans will be required and the easement width may be reduced. Access for City crews to maintain the drainageway shall be provided with an easement or an agreement.

The Developer shall provide paved access to the control structure of the existing public stormwater facility that exists between taxlot 1000 and Crater Lake Highway. Access for City crews to maintain the facility shall be provided with an easement or an agreement.

C. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to approval of the final plat.

D. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<https://www.medfordoregon.gov/Government/Departments/Public-Works/Public-Improvement-Plan-Review-Plat-Review>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Phasing

The PUD Plan illustrates that this subdivision/development will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

The Developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Permits

Building Permit applications can be accepted and issued prior to approval of a Final Plat. However, building permits for vertical construction shall not be issued until a “walk through” inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development or financial security provided as noted above.

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

6. System Development Charges (SDCs)

Buildings in this development are subject to SDC fees. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24-inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected at the time of the approval of the final plat.

7. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall ‘prequalify’ with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

For City of Medford facilities, the Public Works Department requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

Revised by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Coker Butte Business Park PUD – REVISION
Coker Butte Road at Crater Lake Highway (TLs 1000, 1001, 1002, 1003 and 1100)
PUD-22-075/LDS-22-076/E-22-077

A. Streets

1. Street Dedications to the Public:

- **Crater Lake Highway** – No additional right-of-way is required.
- **Coker Butte Road & Crater Lake Avenue** – No dedications are required for this development.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- **Crater Lake Highway** – Improvements are required, including street lights and placing full height curb and gutter, sidewalks, unless otherwise approved with the requested formal exception or a design exception.
- **Coker Butte Road and Crater Lake Avenue** – Improvements have been completed.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

Access and Circulation

- See conditions outlined above within the Staff Report under *"Access and Circulation"*.

Other

- No pavement moratorium currently in effect along this frontage to Coker Butte Road or Crater Lake Avenue.

B. Sanitary Sewer:

- Contact RVSS for sanitary sewer connections.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers verification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- An Erosion Control Permit is required in accordance with MLDC Section 9.800.
- Comply with Storm Drain Conditions outlined above within the Staff Report.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
 - = City Code Requirement
 - o = Discretionary recommendations/comments

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.

TO: Planning Department, City of Medford
FROM: Wendy Williams, P.E., Staff Engineer
SUBJECT: PUD-22-075, LDS-22-076, E-22-077
PARCEL ID: 371W05 TL 1000, 1001, 1002, 1003, 1100
PROJECT: Consideration of a revised Preliminary PUD Plan, along with a tentative plat and an Exception request, for the Coker Butte Business Park Planned Unit Development (PUD). The PUD is contained within five contiguous parcels totaling approximately 14.5 acres (15.6 gross acres). The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. The PUD is zoned I-L (Light industrial) and includes an R-Z (Restricted Zoning) Administrative Mapping overlay.
Applicant: Coker Butte Properties, LLC & Table Rock Holdings, LLC
Agent contact: Jay Harland, CSA Planning (jay@csaplanning.net)
City Planner: Dustin Severs
Associated Files: PUD-17-023, PUD-20-141

MEMO DATE: 3/30/2022

LAND DEVELOPMENT COMMITTEE DATE: 3/30/2022

I have reviewed the above project applications as requested. Conditions and Comments are as follows:

COMMENTS

1. The project is within MWC's Reduced Pressure Zone.
2. Please follow the requirements in the ***Landscape and Irrigation Plan Processing and Information Packet*** available from the City of Medford website.
 - a. A separate water service may be utilized for irrigation.
 - b. For developments containing more than 1500sf of landscape area, a licensed landscape architect must provide the landscape and irrigation design.

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the current Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards for Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. Applicant's plans, easement documents and other relevant documents shall be submitted directly to MWC for review at EngineeringReview@MedfordWater.org. For the best possible coordination, it is suggested that you submit to MWC at the same time as you submit the utility



site plans to the City of Medford.

3. The existing 8-inch water main in Crater Lake Avenue must be extended as a 12-inch main north to the northern edge of the property.
4. A new 12" watermain must be constructed from just south of the Coker Butte Rd and Crater Lake Hwy intersection. The short north/south section of 8" main from the mid-section of Coker Butte Rd south to the existing 12" main must be removed and replaced with 12" main as part of this work.
5. All required water services/meters must be taken from the mains within the public roadway (Crater Lake Hwy, Coker Butte Rd, Crater Lake Ave) unless otherwise approved by MWC staff. On-site public water mains are discouraged. However, any on-site public watermain approved by MWC must include a dedicated easement per MWC Standards.
6. If water pressure exceeds 80 psi, then the installation of Pressure Reducing Valves (PRV) is required per Uniform Plumbing Code. Pressure Reducing Valves, if necessary, shall be installed on the "private" side of the water meter as close as possible to the water meter. Please note on the plan sets the location(s) of existing or proposed PRVs.
7. Hydrant locations required for firefighting will be determined by the Medford Fire Department (MFD). MWC may define additional hydrant locations required for the overall water system.
8. Landscaping and irrigation plans shall be included in the submittal of plans to MWC. The landscape/planting plan should be overlayed on the utility plan to verify the proposed locations of plants and trees with respect to utilities.





Medford Fire Department Land Development Report

Review/Project Information

Reviewed By: Parks, Steve

Review Date: 3/18/2022

Meeting Date: 3/30/2022

LD File #: PUD22-00075
LDS22-00076 E22-00077

Associated File #1: PUD17-00023

Associated File #2: PUD20-00141

Planner: Dustin Severs

Applicant: Jay Harland jay@csaplaning.net

Site Name: Coker Butte Business Park PUD

Project Location: The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. Map and tax lots 371W0501000, 1001, 1002, 1003 & 1100.

ProjectDescription: Consideration of a revised Preliminary PUD Plan, along with a tentative plat and an Exception request, for the Coker Butte Business Park Planned Unit Development (PUD). The PUD is contained within five contiguous parcels totaling approximately 14.5 acres (15.6 gross acres). The PUD is fronted by Crater Lake Highway along its westerly boundary, Coker Butte Road along its southerly boundary, and is bisected by Crater Lake Avenue. The PUD is zoned I-L (Light industrial) and includes an R-Z (Restricted Zoning) Administrative Mapping overlay. Map and tax lots 371W0501000, 1001, 1002, 1003 & 1100.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
505.1	The address numbers shall be visible on each building.	Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/8 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.



EXHIBIT P

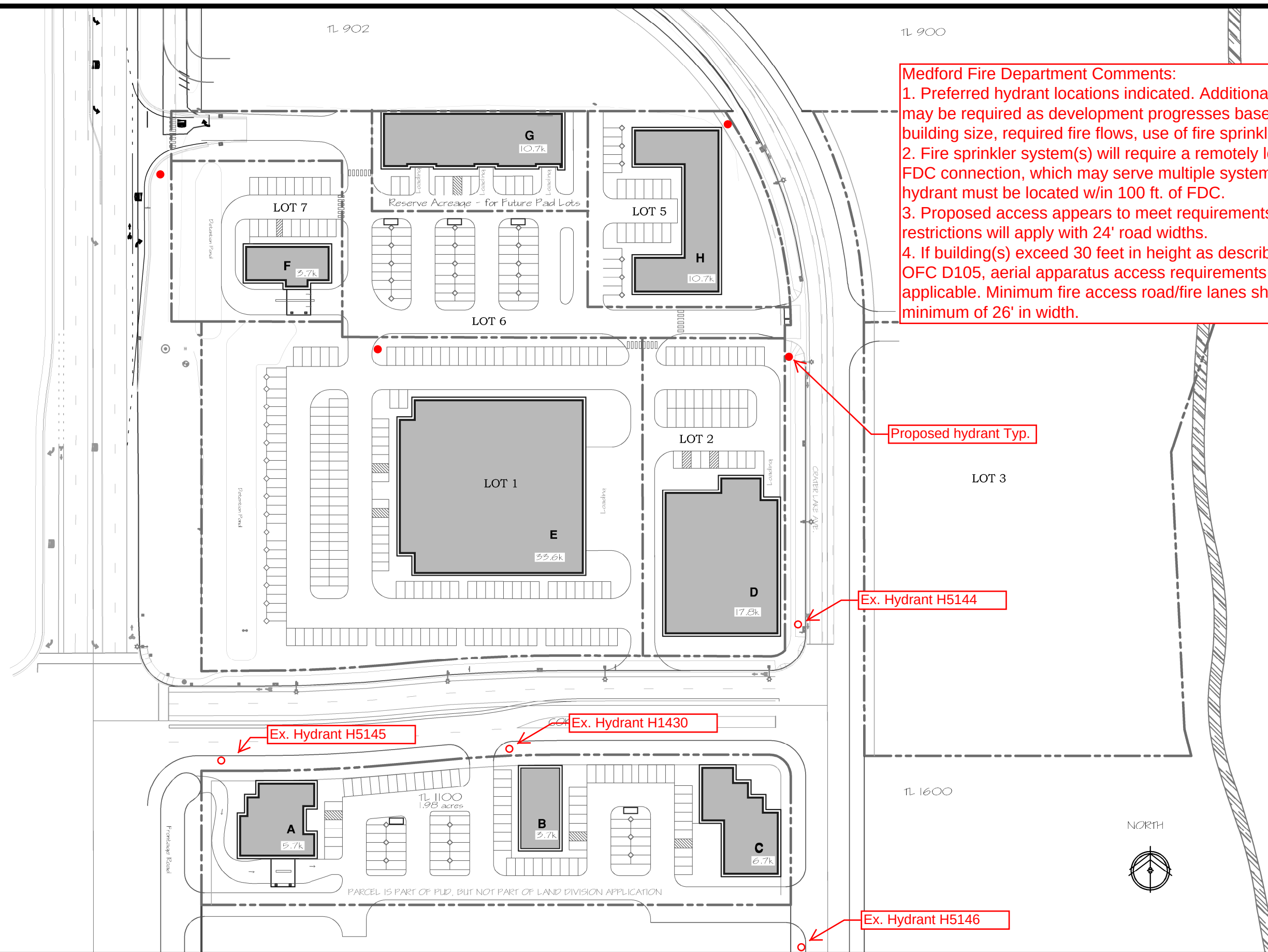
OFC 507.5	Required fire hydrant locations are indicated on the conceptual PUD plan associated with this file. Preferred locations include: 1. Crater Lake Ave entrance at NE corner of Lot 2 (South side). 2. NE corner of Lot 5 along Crater Lake Ave. 3. NW entrance to Lot 7 off Crater Lake Hwy (South side). 4. West end of parking strip running E/W between Lot 1 & Lot 6. Additional hydrants may be required as development progresses.	When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).
OFC 912.2	Assuming sprinkler systems are provided, a Fire Department Connection (FDC) will be required. A hydrant will be required within 100 ft of the required Fire Department Connection (FDC). The FDC will be installed at an approved location remote (away from) the building and may serve multiple buildings.	Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).
OFC 503.2.1	Access appears to meet the requirements of OFC Section 503, Appendix D and Medford Municipal Code Chapter 10, including 10.430. The required clear width of 20 ft. may result in parking restrictions. Aerial apparatus access (26' width) will be required per D105 if buildings exceed 30 feet in height from grade plane to the eave, intersection of roof to the exterior wall, or top of parapet walls, whichever is greater. Access to the roof and sides of the building are critical for firefighting and rescue operations. Existing and proposed landscaped shall be maintained to provide access if aerial access is required.	Fire apparatus access roads and fire lanes shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road or fire lane shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road or fire lane shall be constructed as asphalt, concrete or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds. (See also OFC 503.4; D102.1) The turning radius on fire department access roads and fire lanes shall meet the following Medford Fire Department requirements: Minimum Inside Turning Radius: 25 feet Minimum Outside Turning Radius: 35 feet (OFC 503.2.4)

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect 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 Department Comments:

1. Preferred hydrant locations indicated. Additional hydrants may be required as development progresses based on building size, required fire flows, use of fire sprinklers, etc.
2. Fire sprinkler system(s) will require a remotely located FDC connection, which may serve multiple systems. A hydrant must be located w/in 100 ft. of FDC.
3. Proposed access appears to meet requirements. Parking restrictions will apply with 24' road widths.
4. If building(s) exceed 30 feet in height as described in OFC D105, aerial apparatus access requirements will be applicable. Minimum fire access road/fire lanes shall be minimum of 26' in width.

Proposed hydrant Typ.

Ex. Hydrant H5144

Ex. Hydrant H1430

Ex. Hydrant H5145

Ex. Hydrant H5146

COKER BUTTE BUSINESS PARK

Hwy 62 & Coker Butte Rd.

Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (37 IW 05)
Table Rock Holdings Property- TL 1001, TL 1003 (37 IW 05)

CONCEPTUAL PUD PLAN

DATE: 10/28/21
SCALE: 1:100



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

March 17, 2022

**City of Medford Planning Department
200 S. Ivy Street
Medford, OR 97501**

Re: PUD-22-075, LDS-22-076, E-22-077, Coker Butte Business Park (371W05 TL 1000, 1001, 1002, 1003, 1100)

Ref: PUD-17-023, PUD-20-141

ATTN: Dustin,

The subject properties are within the RVSS service area. There is a 10 inch main located on tax lots 1000 and 1100 adjacent to Crater Lake Highway. Tax lots 1001 and 1100 are currently served by 4 inch services connected to the 10 inch main.

Sewer service to the proposed development will require mainline extension to the property from the 10 inch main and/or from the 8 inch stub at the intersection of Coker Butte Road and Crater Lake Highway. Each new lot must provide an individual service connected to an existing or new sewer main. There are currently no sewer facilities adjacent to tax lots 1003 and 1002. Sewer service to these parcels can be had by sewer main extension across existing Crater Lake Venue as generally shown on the submitted utility plan.

Rogue Valley Sewer Services requests approval of this application be subject to the following conditions:

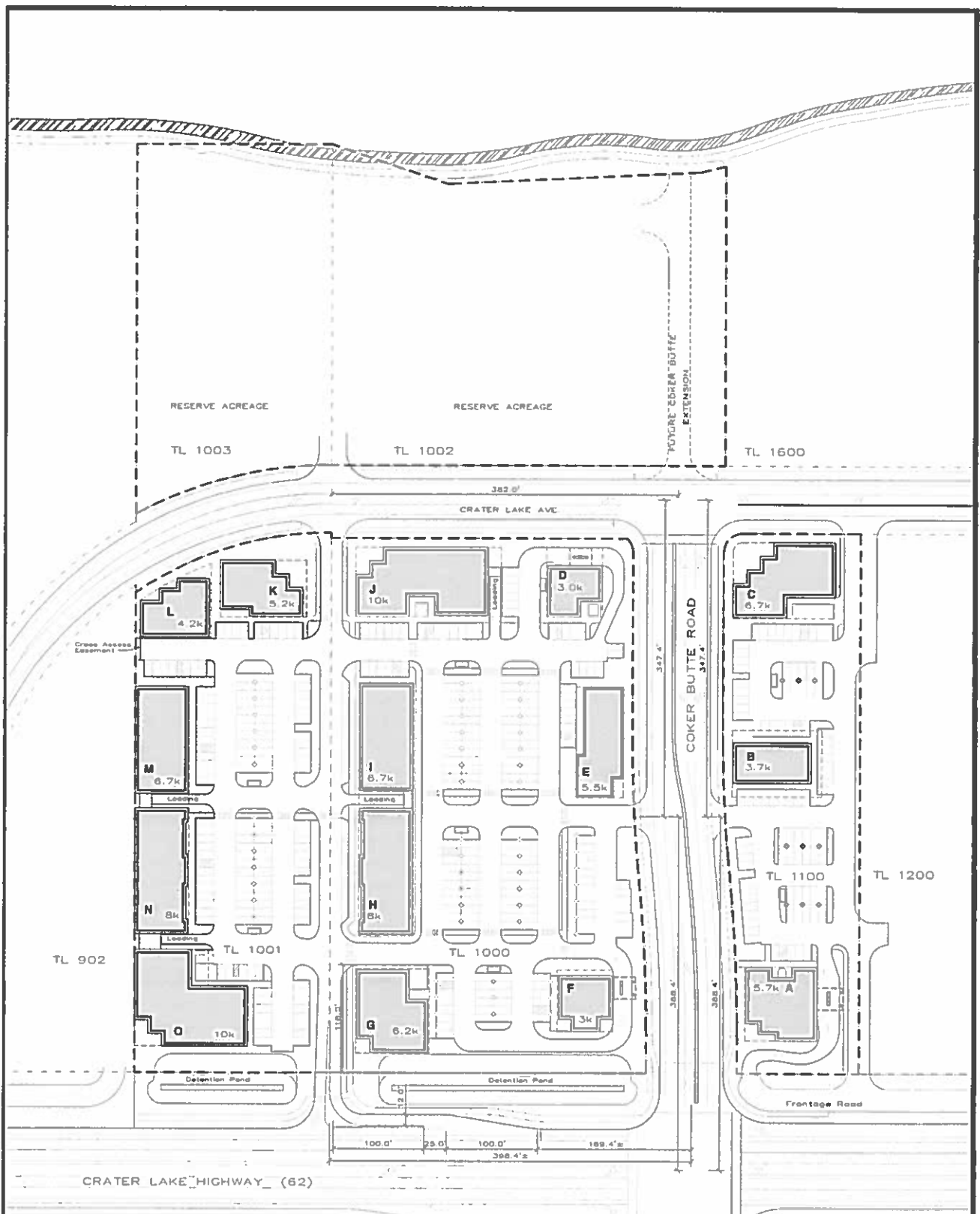
1. Future development must be designed and constructed in accordance with RVSS standards. This includes the dedication of easements over public sewer mains outside of the public right-of-way.
2. Access to existing and new sewer manholes must be maintained at all times.
3. Existing sewer services must be abandoned per RVSS standards as required. This includes obtaining a no-cost abandonment permit from RVSS.
4. System Development Charges will be due to Rogue Valley Sewer Services prior to the connection of the proposed facilities to public sewer. Please note, SDC fees owed to RVSS are separate from fees owed to the City of Medford and RVSS SDC fees are variable depending on the proposed use of the buildings. The applicant must provide RVSS with a plumbing fixture plan for the determination of fees.

Feel free to contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer





DATE: 06/07/17
SCALE: 1/100

PUD CONCEPT PLAN **COKER BUTTE BUSINESS PARK** **Hwy 62 & Coker Butte Rd.**

Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (571W05)
Tahle Rock Holdings Property - TL 1001, TL 1003 (571W05)

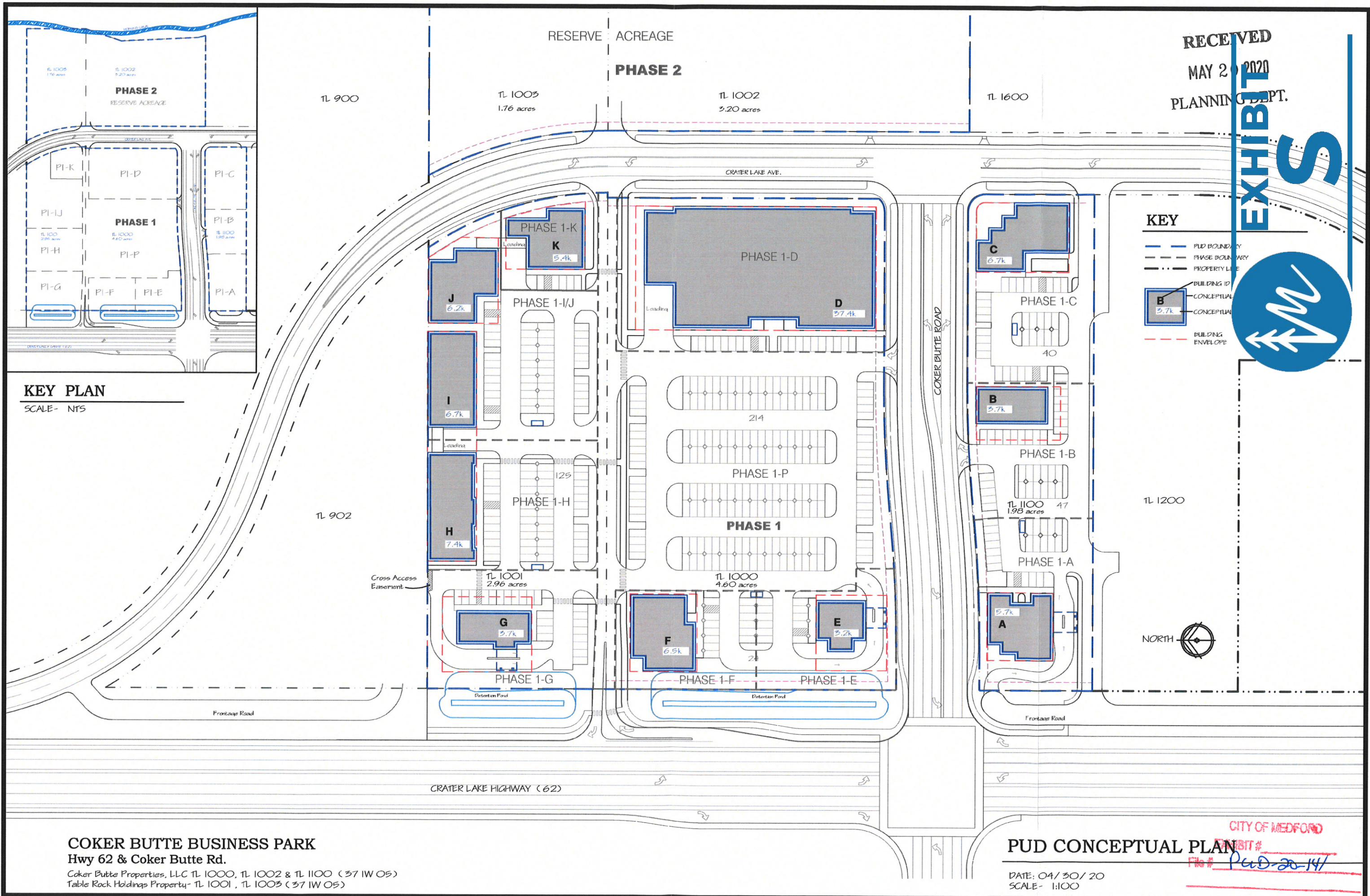


EXHIBIT **R**

KEY

- PUD BOUNDARY
- PROPERTY LINE
- BUILDING ID **B** --- CONCEPTUAL BUILDING
- 3.7k --- CONCEPTUAL SIZE
- POTENTIAL BUILDING ENVELOPE

RECEIVED
MAY 20 2020
PLANNING DEPT.



KEY PLAN
SCALE- NTS

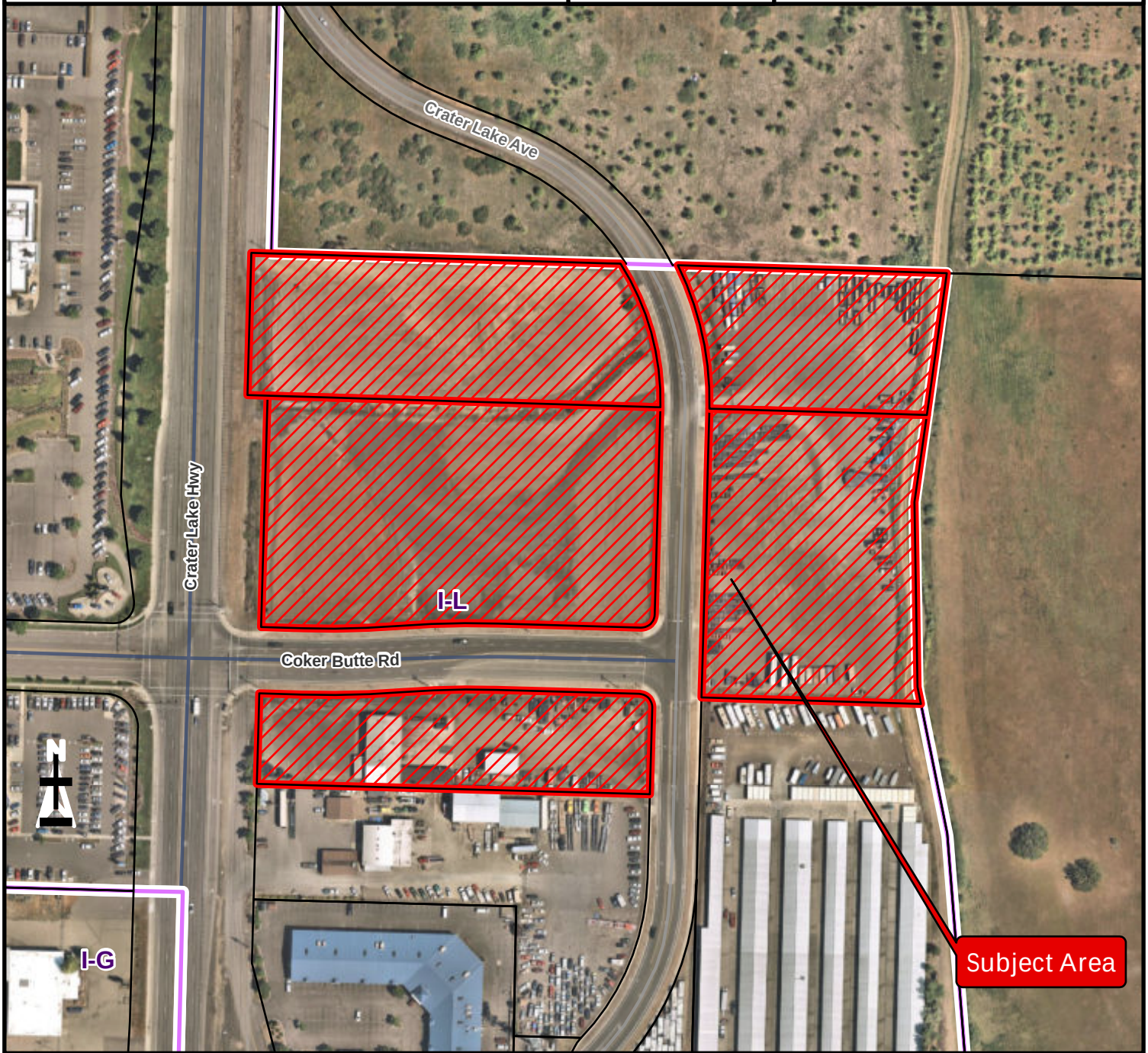
KEY

- PUD BOUNDARY
- PHASE BOUNDARY
- PROPERTY LINE
- BUILDING ID
- CONCEPTUAL
- CONCEPTUAL
- BUILDING ENVELOPE



COKER BUTTE BUSINESS PARK
Hwy 62 & Coker Butte Rd.
Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (37 IW 05)
Table Rock Holdings Property- TL 1001, TL 1003 (37 IW 05)

PUD CONCEPTUAL PLAN
CITY OF MEDFORD
EXHIBIT #
FILE # PUD-20-141
DATE: 04/30/20
SCALE: 1:100



Project Name:

Coker Butte Business Park

Map/Taxlot:

371W05 TL 1000, 1001, 1002, 1003, 1100

Legend

- Subject Area
- Tax Lots
- Zoning Districts

Date: 3/10/2022

0 125 250
Feet

