

CITY COUNCIL STUDY SESSION AGENDA



MEDFORD
CITY COUNCIL

January 30, 2020

6:00 P.M.

George Prescott Room, Police Headquarters

219 S. Ivy, Medford, Oregon

1. Administrative Residential Review

MEMORANDUM

To: City Council
From: Matt Brinkley, Planning Director
Date: January 27, 2020 *for January 30, 2020 Study Session*
Subject: Streamlined Residential Review Process – SPAR Type II (DCA-19-002)

Update

Staff presented the basic features of the Site Plan and Architectural Review proposal to City Council at the December G3 meetings. This policy would make review of multifamily development a Type II Administrative land use decision, rather than a Type III Quasi-judicial land use decision. In doing so, public testimony would be taken in writing or in person during a comment period, rather than at a public hearing. A final decision would be rendered by the Planning Director, rather than the Site Plan and Architectural Commission.

This policy was recommended for consideration by the Housing Advisory Committee (the predecessor of the Housing Advisory Commission) in 2017, and is consistent with subsequent revisions to the land development code that provide clear and objective standards for review of multifamily development proposals. With clear and objective design standards, there is little if any discretion that can be applied to a land use decision in a quasi-judicial proceeding before a commission. A review of SPAC decisions for multifamily development projects since 2016 confirms that discretionary conditions have only been applied in 3 of 16 applications; no discretionary conditions have been applied to multifamily development proposals since the City adopted prescriptive, clear and objective design standards in 2018.

At the time of the G3 meetings, the Housing Advisory Commission and Site Plan and Architectural Commission had expressed support for “Option 1”, which would allow for Type II review of all multifamily development proposals. The Planning Commission opinion of the proposal was much more divided during study sessions. As such, Councilors asked that staff report the Commission’s final recommendation to them after the Planning Commission public hearing on January 9, 2020 in order to determine how to proceed. Planning Commission recommended “Option 3” by a vote of 6-1. Option 3 would allow for Type II Administrative review of multifamily development proposals for sites up to three net acres.

The lone dissenting vote, Mansfield, was for Option 1. Two Commissioners were absent (Pulver and McFadden).

Staff are supportive of the compromise represented by Option 3, because it addresses several central issues:

1. With the goal of reducing regulatory barriers to multifamily development, it would allow for more streamlined review of many multifamily developments, reduce costs for the development community, and improve the certainty of land use decision outcomes (or at least the perception of thereof);
2. It would provide for greater opportunity for public testimony when larger developments are proposed (projects larger than 3 net acres or approximately 80 total dwelling units at its densest); and
3. It would better satisfies the legal requirements associated with “limited land use decisions” than does current policy.

Council Direction

At the G3 meetings, Councillors expressed a desire to know Planning Commission’s final recommendation before moving forward with a public hearing. Staff are preparing to present Option 3 at the public hearing, unless Council prefers a different option or some other alternative.

NEXT STEPS

A public hearing is scheduled with the City Council on February 20, 2020.