

PLANNING COMMISSION MEETING AGENDA



November 5, 2024

6:00 PM

Email planning@centralpointoregon.gov
to request a Zoom link for virtual participation
www.centralpointoregon.gov

10. Meeting Called to Order

20. Roll Call

30. Correspondence

40. Approval of Minutes

- A. Approval of ____ Meeting Minutes
- B. Approval of the September 3, 2024 Meeting Minutes.

50. Public Appearances

60. Business

- A. Southern Oregon Goodwill Conditional Use Permit
- B. Southern Oregon Goodwill Site Plan and Architectural Review
- C. Land Development Code Amendments

70. Discussion Items

80. Administrative Reviews

90. Miscellaneous

100. Adjournment

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1015 (voice), or by e-mail to rachel.neuenschwander@centralpointoregon.gov. Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta pública de la ciudad por favor llame con 72 hora de anticipación al 541-664-3321 ext. 201.

PLANNING COMMISSION MEETING MINUTES



September 3, 2024

6:00 PM

Email planning@centralpointoregon.gov

to request a Zoom link for virtual participation

www.centralpointoregon.gov

1 Meeting Called to Order

The meeting was called to order at 6:00 PM

2 Roll Call

Commissioners Tom Van Voorhees (Chair), Pat Smith, Jim Mock, Robin Stroh, Kay Harrison and Royce Chambers were present. Also in attendance were Planning Director Stephanie Powers, Community Planner Justin Gindlesperger, Parks and Public Works Director Matt Samitore, and Planning Secretary Karin Skelton

3 Correspondence

Attachment "H" to Sunnybrook Village Master Plan
Revised Resolution 922

4 Approval of Minutes

A. Approval of April 02, 2024 Meeting Minutes

Pat Smith made a motion to approve the May 7, 2024 Minutes. Robin Stroh seconded. ROLL CALL: Jim Mock, yes; Pat Smith, yes; Robin Stroh, yes; Kay Harrison, yes; Royce Chambers, yes. Motion Passed.

5 Public Appearances

None.

6 Business

A. Grocery Outlet

Chairman Van Voorhees read the Quasi-Judicial meeting rules.

The Commissioners had no conflict of interest, ex-parte contact or bias to declare.

The Public Hearing was opened

Community Planner Justin Gindlesperger Reviewed the application for a Site Plan and Architectural Review to construct a Grocery Outlet Supermarket Located along Biddle Road in Central Point. He described the property location and existing infrastructure. He reviewed the proposed site plan, landscape plan and building design. He stated the landscape plan has been revised and provided along with a revision of Resolution 922. He stated staff is recommending approval of the application.

The commissioners discussed the location and the idea of possibly doing a mural on one side of the building.

Darren Dickerhoof, Agent

Mr. Dickerhoof explained the revisions to the landscape plan and their development procedures.

There were no questions.

Lani Hiekey

Ms. Hiekey stated the City of Klamath Falls had instituted a program where the history of the City was depicted in murals throughout the City and suggested Central Point might evaluate such a program if they were interested in murals.

Kay Harrison made a motion to incorporate Attachment H into the record. Robin Stroh seconded. ROLL CALL: Jim Mock, yes; Pat Smith, yes; Robin Stroh, yes; Kay Harrison, yes; Royce Chambers, yes. Motion Passed.

Pat Smith made a motion to approve Resolution No. 922, a Resolution approving the Site Plan & Architectural Review application for the Grocery Outlet development plan per the Staff Report dated September 3, 2024. ROLL CALL: Jim Mock, yes; Pat Smith, yes; Robin Stroh, yes; Kay Harrison, yes; Royce Chambers, yes. Motion Passed

7 Discussion Items

None.

8. Administrative Reviews

None.

9. Adjournment

Pat Smith made a Motion to Adjourn. Kay Harrison seconded. The meeting was adjourned at 7:24 p.m.

The foregoing minutes of the September 3, 2024, Planning Commission meeting were approved by the Planning Commission at its meeting on November 5, 2024.

Tom Van Voorhees
Planning Commission Chair

November 5, 2024

Item Summary

Consideration of a Conditional Use Permit application to allow a secondhand store/thrift shop at 4571 Biddle Road. The project site is within the C-5, Thoroughfare Commercial zoning district and is identified on the Jackson County Assessor's Map as 37S 2W 01C Tax Lot 807.

Applicant: Southern Oregon Goodwill (Dave Traphagen);

Agent: arkitek LLC design and architecture (Christopher Brown)

Associated File: SPAR-24007

Staff Source

Justin Gindlesperger, Community Planner III

Background

The applicant is requesting a Conditional Use Permit to operate a secondhand store in connection with a donation center, warehouse and job connection office on a property at 4571 Biddle Road in the C-5, Thoroughfare Commercial zoning district. The terms 'secondhand store' and 'thrift shop' are considered conditional uses in the C-5 zoning district but are not defined in the Central Point Municipal Code (CPMC) When a term is not defined in the CPMC, the commonly accepted meaning is used in the context of the application. As defined by Merriam Webster's, a thrift shop is:

*"a shop that sells secondhand articles and especially clothes and is often run for charitable purposes"*¹

Secondhand store is not defined by Merriam Webster's; however, the term 'secondhand' is further defined as:

*"acquired after being used by another : not new"*²

The applicant for the project is Southern Oregon Goodwill. Goodwill Industries is classified by the North American Industry Classification System (NAICS), the standard used by federal statistical agencies in classifying business establishments for the purpose of collecting,

¹ "Dictionary by Merriam-Webster," October 22, 2024, <https://www.merriam-webster.com/>.

² "Diciionary by Merriam-Webster, " October 22, 2024, <https://www.merriam-webster.com/>.

analyzing, and publishing statistical data related to the U.S. business economy, as NAICS Code 459510, Used Merchandise Retailer.

Based on the commonly accepted meaning and the proposed use operating as a business primarily engaged in retailing secondhand goods, the secondhand store is considered a conditional use in the C-5 zoning district. Conditional uses require special consideration because of unique attributes and to ensure they are properly located with respect to the surrounding neighborhoods.

Project Description

The applicants are proposing to construct an approximately 20,480 square foot on the subject property for use as a secondhand retail store, donation center, warehouse and job connection office. The retail area is approximately 10,540 square feet, the job connection office is approximately 1,940 square feet and the warehouse is approximately 8,070 square feet (Attachment "A-1").

Access

As shown on the Site Plan (Attachment "A-2"), the property fronts Biddle Road and fronts existing private retail streets on the west and south sides of the project site. The private retail streets provide access and circulation to the subject property and adjacent properties to the east and west, limiting conflicts along Biddle Road. The Applicant proposes to access the private retail streets on the west and south sides of the subject property, providing access for customers, employees and deliveries.

Traffic Impacts

The applicant's Traffic Impact Analysis (TIA) (Attachment "C") examined trip generation calculations for the proposed development and considered the effects on adjacent streets with current and future traffic volumes. The proposed development is estimated to generate 492 average daily trips (ADT) and 42 peak hour trips during the p.m. peak hour. The TIA concludes that the proposed development will not create adverse impacts on the transportation system.

Building and Site Design

The proposed building provides an entrance facing north towards Biddle Road and an entrance facing west towards the private retail street(Attachment "A-3"). As noted above, multiple access approaches provide ingress, egress and circulation for customers, employees and deliveries, which reduces potential for vehicular conflicts on site.

The proposed parking areas and landscaping areas are distributed across the site. The number of parking space, parking space design and drive aisles are consistent with parking lot design standards in CPMC 17.75.039. Landscaping is adequate to provide a buffer between the parking areas and the adjacent streets and other properties, enhancing shade and visual interest on the site.

The proposed site design and building designs and will be reviewed for compliance as part of SPAR-24007.

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Issues

There are two (2) issues relative to this application:

1. **Neighborhood Compatability.** The project location is along the south side Biddle Road, adjacent to commercially zoned properties to the east and west. The property to the south of the project location is zoned M-2, Industrial that is currently developed with a terminal for a trucking company. Central Point East, a low-density residential subdivision is located north of the project site on the north side of Biddle Road..

Comment: The project site is separated from the the residential properties by Biddle Road, a 110-ft County right-of-way. As shown on Landscape Plan (Attachment “A-4”) , the proposed site development will have landscaped buffer areas along Biddle Road frontage on the perimeter and interior of the parking area, and adjacent to the building. Trees, shrubs and ground covers are known to help reduce noise impacts by absorbing, reflecting, deflecting, refracting and masking sound waves. The combination of landscaping and distance between residential properties and the proposed building (300+ feet) and off-street parking area (130+ feet) provide both auditory and visual impact mitigation consistent with other commercial developments that have been approved along Biddle Road.

As noted in the Rogue Valley International – Medford Airport (MFR) Staff Report (Attachment “H”), the project site is within close proximity to the airport. The area experiences a large amount of traffic noise along Biddle Road and the nearby MFR. Although the Applicant is not required to mitigate off-site impacts, the proposed site landscaping exceeds current site conditions and may help mitigate some of the current noise imapcts.

As demonstrated above, the proposed secondhand store is not expected to conflict with or adversely impact the existing residential uses beyond what would occur if a permitted retail use was to occupy the site. No conditions are recommended.

2. **Public Comments.** The City received written comments on October 20, 2024 that raised issues with traffic volumes along Biddle Road in the area of the proposed development.

Comment: Although the proposed land use at the project site does not generate trips beyond the threshold for a TIA (Attachment “D”), the Applicant submitted a TIA that examines trip generation for the proposed development to determine the effects on adjacent streets with current and future traffic volumes (Attachment “C”). The findings of the TIA conclude that the proposed development, including the secondhand retail store, donation center, warehouse and job connection office will not create adverse impacts on the transportation system. As noted in the Public Works Staff Report (Attachment “D”), the City concurs with the conclusios of the TIA. Therefore, no further action is required at this time.

Findings of Fact & Conclusions of Law

The Southern Oregon Goodwill Conditional Use Permit has been evaluated against the applicable Conditional Use Permit Criteria set forth in CPMC 17.76 and found to comply as conditioned and as evidenced in the Applicant's Findings of Fact (Attachments "B").

Conditions of Approval

None.

Attachments

Attachment "A-1" – Project Narrative

Attachment "A-2" – Site Plan

Attachment "A-3" – Building Elevations

Attachment "A-4" – Landscape Plan

Attachment "B" – Applicant's Findings, dated 09/19/2024

Attachment "C" – Traffic Impact Analysis, dated 10/09/2024

Attachment "D" – Public Works Staff Report, dated 10/16/2024

Attachment "E" – Jackson County Roads Staff Report, dated 10/25/2024

Attachment "F" – Fire District No. 3 Staff Comments, dated 10/23/2024

Attachment "G" – Rogue Valley Sewer Services Staff Report, dated 10/15/2024

Attachment "H" – Rogue Valley International – Medford Airport Staff Report, dated 10/16/2024

Attachment "I" – Public Comments

Attachment "J" - Resolution No. 923

Action

Open a public hearing and consider the proposed Conditional Use Permit application and 1) approve; 2) approve with revisions; or 3) deny the application.

Recommendation

Approve Resolution No. 923, a Resolution recommending approval of the Conditional Use Permit application for the Southern Oregon Goodwill secondhand retail store.



Southern Oregon Goodwill

Goodwill Central Point

Biddle Road Site,
Central Point, OR 97501



Type III Planning Application - Written Findings

September 19, 2024

Goodwill Retail Store & Job Connection

Type III Planning Application - Written Findings

09/19/2024

I. Project Information

Pre-Application:	PRE-24007
Property Owner:	TFTM LLC ET AL (FEATHER SEVEN, LLC) PO BOX 970 Medford, OR 97502
Applicant:	Southern Oregon Goodwill 11 W Jackson Street Medford, OR 97501
Subject Site:	Biddle Road, Central Point, OR 97501
Map & Tax Lot #:	372W01C 807
Zoning:	C-5 (Thoroughfare Commercial)
Overlay Zone:	Airport Overlays: 20:1
Total Acreage:	2.97 Ac (129,438 SF)
Use:	Vacant undeveloped land

II. Schedule of exhibits

The following exhibits have been submitted as part of this Application, which by this reference are incorporated herein and deemed a part of the Application:

- Exhibit A CP Goodwill Land Use Set - Civil
- Exhibit B CP Goodwill Land Use Set - Landscape
- Exhibit C CP Goodwill Land Use Set - Architecture
- Exhibit D Traffic Analysis

III. Project Scope

The anticipated development at Biddle Road, proposed by the Southern Oregon Goodwill, includes a new 20,480 sf retail, donation and warehouse facility. The new facility will serve as the primary retail store, warehouse space, job connection services office and donation drop-off for Goodwill in Central Point. The retail area will be approximately 10,450 sf, the Job Connection area will be approximately 1,960 sf, and the Warehouse area will be approximately 8,070 sf. In addition to the new building, miscellaneous site improvements are proposed including new paved parking, sidewalks, loading dock, fire lane, and landscaping.

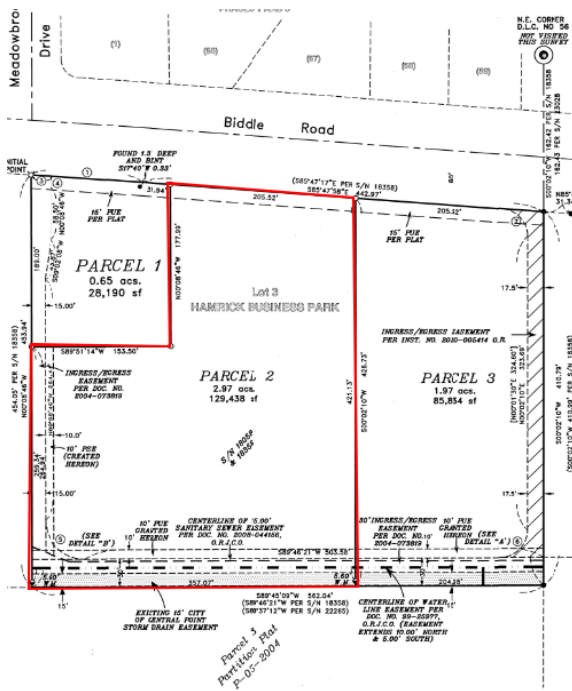
IV. Site Description

The certain real property located at Biddle Road, in Central Point, OR is currently owned by TFTM LLC et All, including Feather Seven LLC. Southern Oregon Goodwill ("Applicant") is in the process of purchasing the property for the

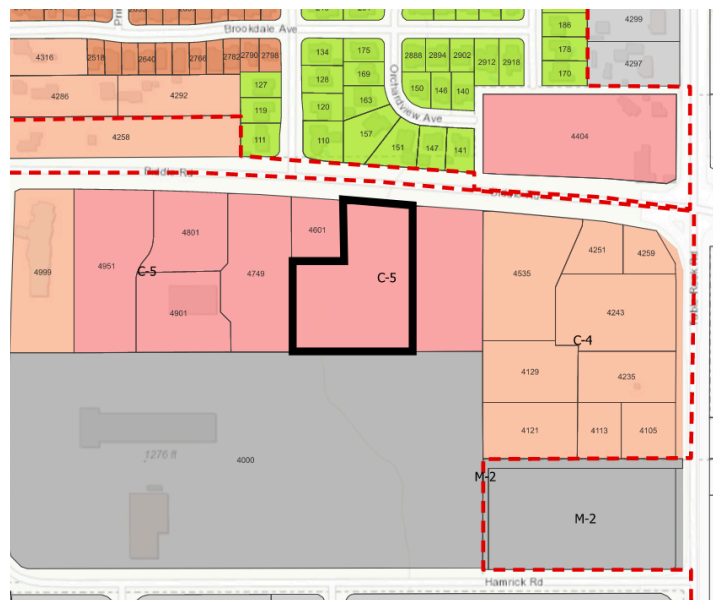
intended project outlined in this application. The subject property is located in Jackson County in the 4600 block of Biddle Road within the C-5 Thoroughfare Commercial Zone. The property is parcel 2 of the Hamrick Business Park subdivision bounded by Biddle Rd to the north and private retail streets to the south, east and west. Across the street along Biddle Road is a housing subdivision and the site is boarded to the northwest by a Human Bean coffee shop and a trucking company to the south. The property to the immediate east is undeveloped land.

The uses previously on site included farmland, a home site, and most recently vacant, idle land. The 2.97 acre 'L' shaped property is currently undeveloped land with 205.52 feet of frontage on Biddle Road and contains no structures, pavement, or driveways. The site is accessed via a shared private retail street to the west, and another retail street to the south. Jackson county utility services run along Biddle Road, however the City of Central Point provides water, sewer, and power to the site along an easement that runs east-west along the southern boundary. A Pacific Power transformer is located at the south west corner of the property and Avista gas currently supplies the site with natural gas.

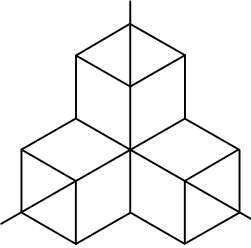
The site is relatively flat, gently sloping down towards the North. No significant trees, waterways, or geologic features exist on site.



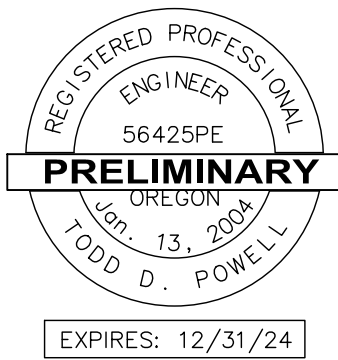
Subject parcel



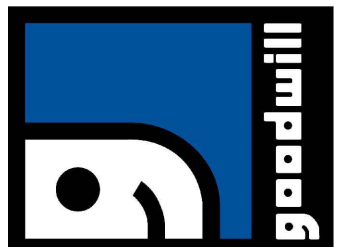
Central point existing zoning map



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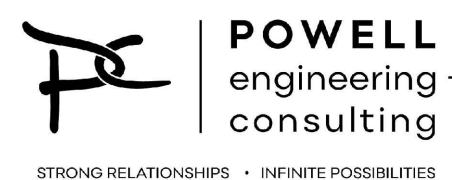


SOUTHERN OREGON GOODWILL
GOODWILL CENTRAL POINT
BIDDLE ROAD
MAP AND TAX LOT: 372W01C 807



Project

Consultant



100 E. Main St., Suite O
Medford, OR 97501
541.613.0723 phone
www.powellengineeringconsulting.com

Revisions

No. Description Date

Date 10/28/24

Job No. 24_34

Drawn By TDP

Checked By TDP

PLANNING SET

Date

10/28/24

Project Number

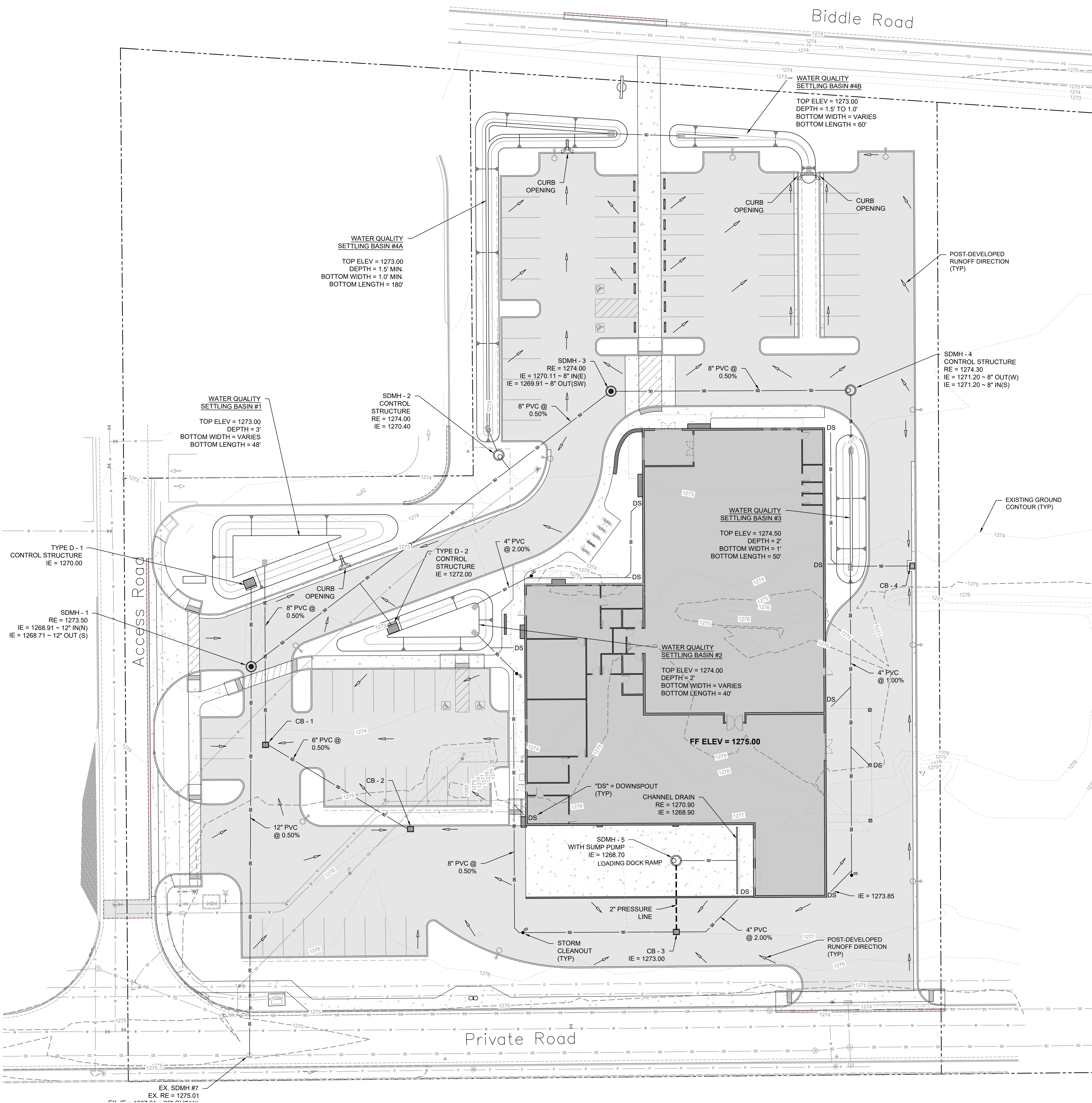
24_34

Drawing Title

GRADING &
DRAINAGE PLAN

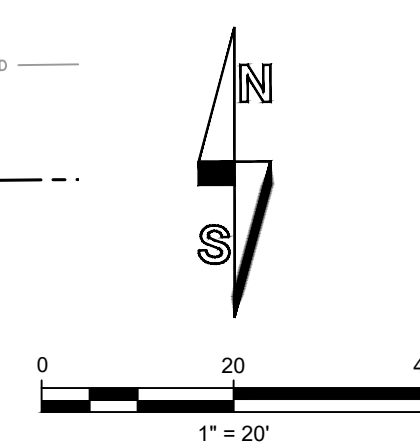
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C4.0

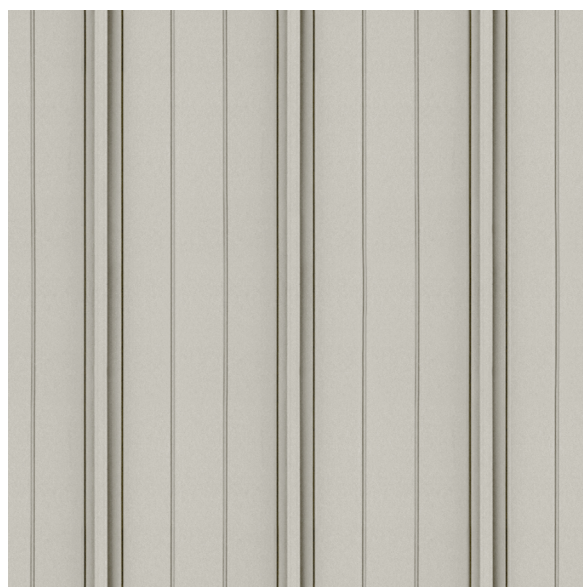


PLAN VIEW - PRELIMINARY GRADING & DRAINAGE PLAN

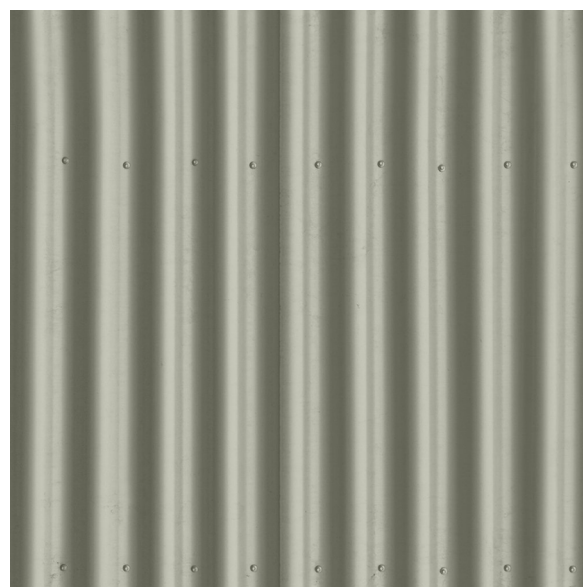
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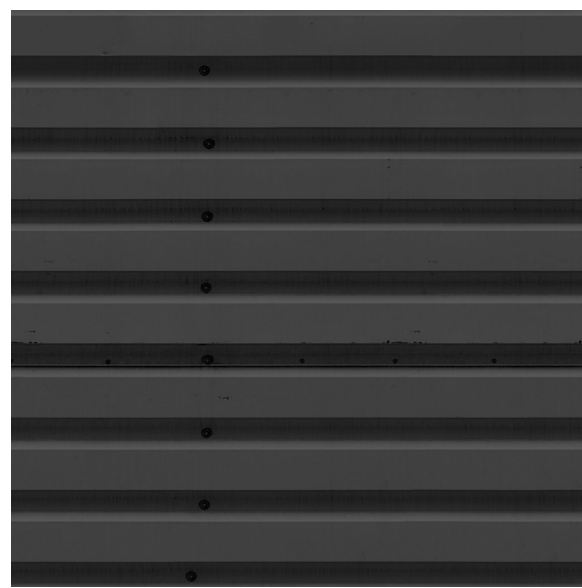
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FILE PATH E:\GOODWILL CP\CAD\GOODWILL CP 240919.rvt
copyright © 2018



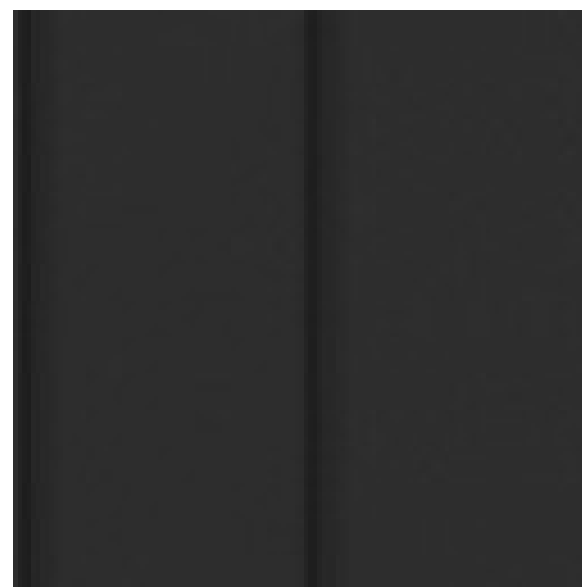
VERTICAL METAL SIDING PANEL



CORRUGATED EXPOSED FASTENER SIDING PANEL



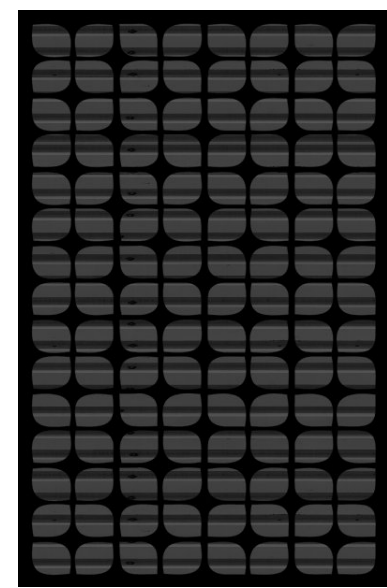
7.2 RIBBED EXPOSED FASTENER SIDING PANEL



STANDING SEAM METAL ROOF



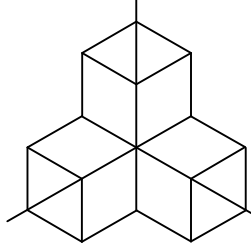
STONE VENEER ACCENT



DECORATIVE SCREEN PANEL

MATERIAL

arkitek:
design and
architecture, llc



426 a street
ashland, or 97520
tel: 541.591.9988

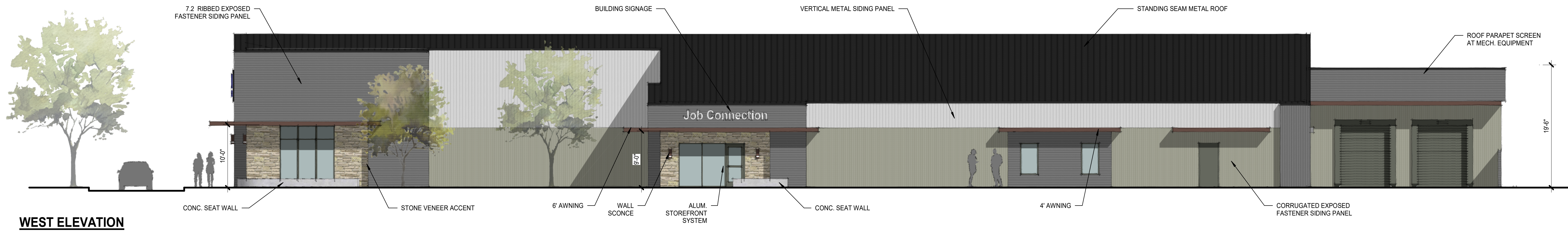


Oregon License #: 44384
185 Mistletoe Road
Ashland, Oregon 97520

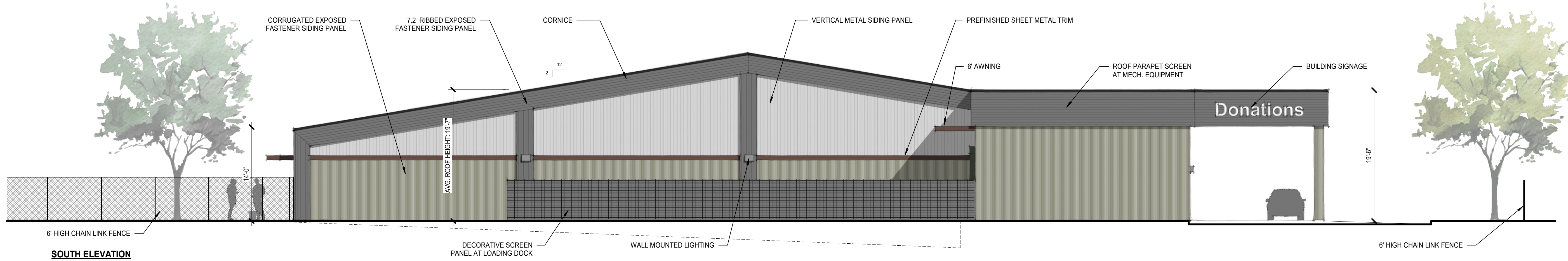
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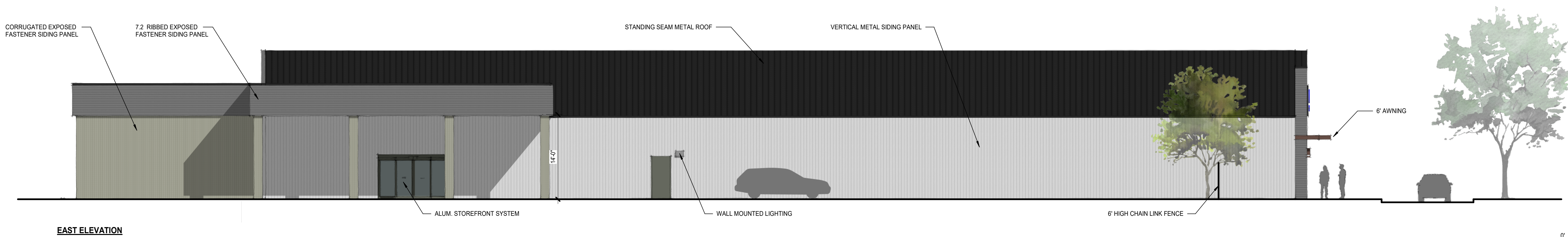
NORTH ELEVATION



WEST ELEVATION

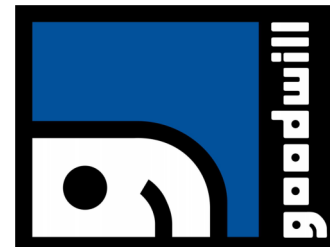


SOUTH ELEVATION



EAST ELEVATION

SOUTHERN OREGON GOODWILL
GOODWILL CENTRAL POINT
BIDDLE ROAD
MAP AND TAX LOT: 372W01C 807



Project

Consultant

Revisions

No. Description Date

Date 09/19/24

Job No. 24_34

Drawn By Author

Checked By Checker

PLANNING SET

Date

09/19/24

Project Number

24_34

Drawing Title

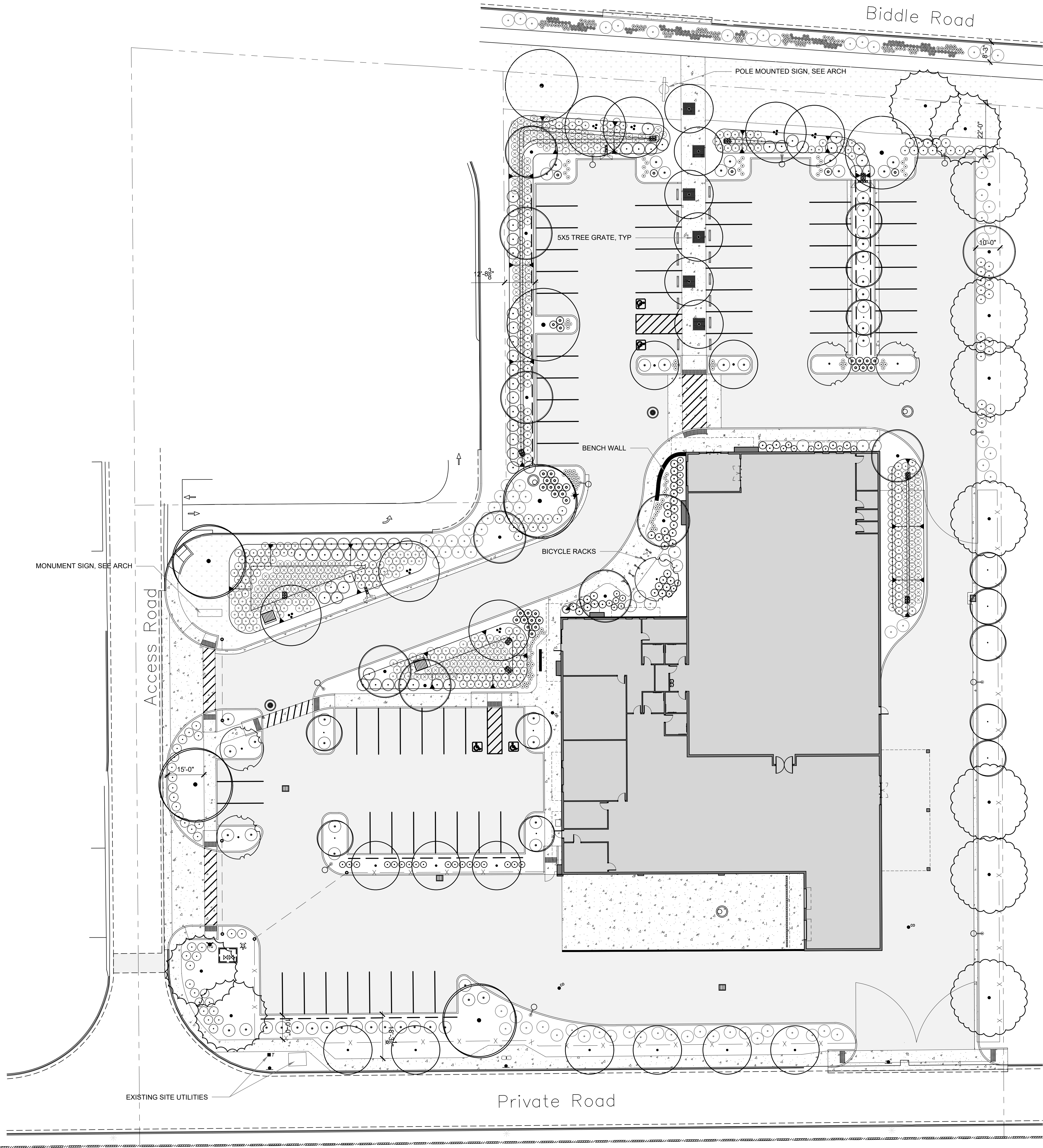
BUILDING
ELEVATIONS

Sheet No

A3

1 LANDSCAPE PLAN

SCALE: 1" = 20'-0"



SHEET NOTES:

1. SEE CIVIL PLANS FOR PROPOSED UTILITY CONNECTIONS, GRADING, DRAINAGE, PROPOSED PAVED SURFACES, RAMPS, WALLS, AND STORMWATER SYSTEM.
2. EXAMINE SITE FOR CONDITIONS THAT WILL ADVERSELY EFFECT EXECUTION, PERFORMANCE, QUALITY OF WORK, AND SURVIVAL OF PLANT MATERIAL.
3. PROTECT UTILITY LINES AND SITE IMPROVEMENTS.
4. NEWLY DEVELOPED PLANTING BEDS TO RECEIVE 3" LAYER OF SHREDDED HEMLOCK OR FIR, 3/4" SCREENED, BARK MULCH.
5. NURSERY STOCK SHALL BE HEALTHY, WELL BRANCHED AND ROOTED, FULL FOLIAGE WHEN IN LEAD, FREE OF DISEASE, INJURY, INSECTS, WEEDS, AND WEED ROOTS.
6. IRRIGATION WILL BE AN AUTOMATIC SYSTEM AND WILL INCLUDE A NEW POINT OF CONNECTION WITH APPROVED BACKFLOW PREVENTION DEVICE, VALVES, AND WIRE.
7. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF SUFFICIENTLY SIZED SLEEVES FOR CONTROL WIRES AND PIPING UNDER PAVED AREAS.

PLANT LIST:

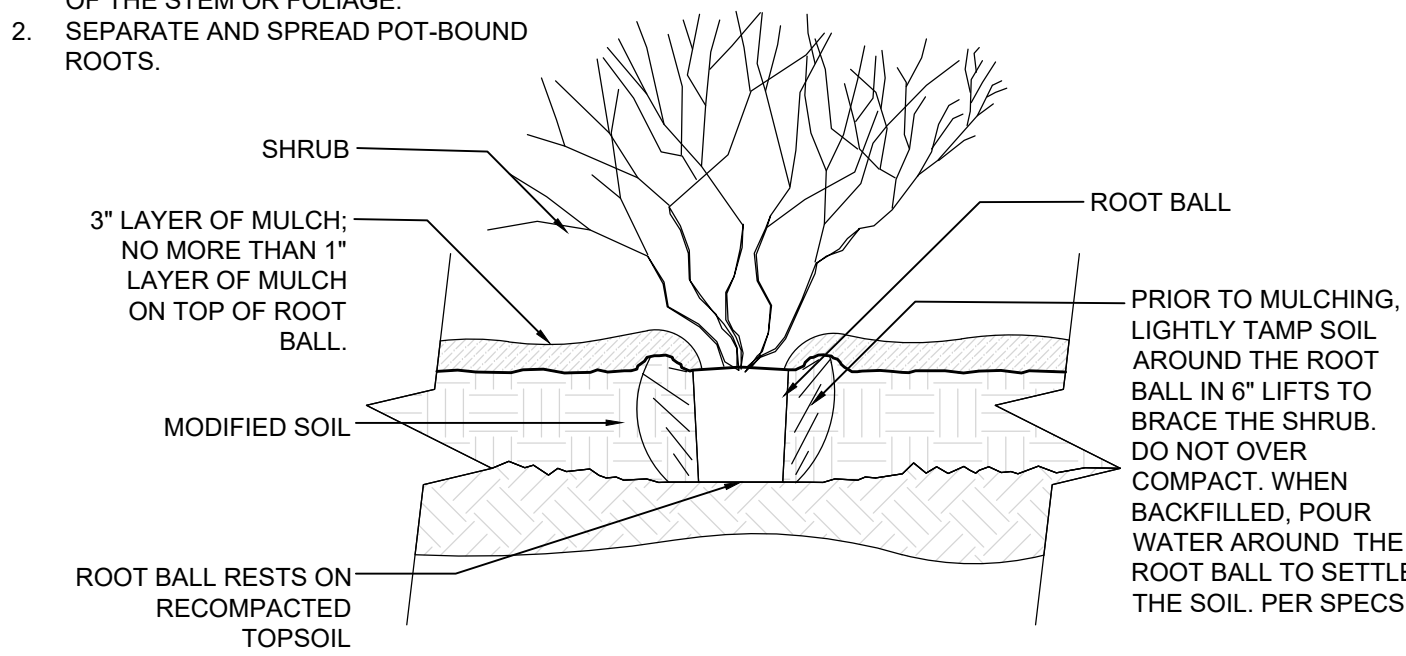
LATIN NAME	COMMON NAME	SIZE
Betula nigra 'NIMTIT' DURA-HEAT	Dura Heat River Birch	1.75" CAL.
Cotoneaster integrata var. Paul's Scarlet	Paul's Scarlet Hawthorn	1.5" CAL.
Gleditsia triacanthos var. inermis	Thornless Honeylocust 'Street Keeper'	1.75" CAL.
Gymnocladus dioica	Kentucky Coffeetree	1.75" CAL.
Nyssa sylvatica	Tupelo	1.75" CAL.
Prunus 'Weinmann'	Weinmann Flowering Cherry	1.5" CAL.
Quercus chrysolepis	Canyon Live Oak	1.75" CAL.
Quercus rubra	Red Oak	1.75" CAL.
Zelkova serrata	Zelkova	1.75" CAL.

LATIN NAME	COMMON NAME	SIZE
Aster novae-angliae	New England Aster	#1
Berberis thunbergii 'Golden Rocket'	Golden Rocket Barberry	#5
Berberis thunbergii 'SABOT'	Lane Nugget® Martha Barberry	#5
Choisya tomentosa 'Sundance'	Sundance Mexican Orange	#5
Cornus sericea 'Kelsey'	Kelsey's Dwarf Red Osier Dogwood	#3
Cotoneaster opulatus 'Tom Thumb'	Tom Thumb Cranberry Cotoneaster	#1
Festuca 'Sasky Blue'	Idaho Fescue	#1
Ilax glabra 'Shamrock'	Shamrock Inkberry	#5
Juncus effusus	Rush	#1
Mahonia aquifolium	Oregon Grape	#3
Phlox subulata 'Little Bunny'	Little Bunny Dwarf Fountain Grass	#1
Rosa 'NOBLESSE'	Flower Carpet® Amber Rose	#5
Schizanthus luteus 'Bliss'	Little Bluestem	#1
Spiraea betulifolia 'Tor'	Birch Leaf Spirea	#3
Vinca minor 'Bowles'	Bowles' Common Periwinkle	4"

— LAWN

NOTE:

1. ALL MULCH AND WOOD CHIPS SHALL BE REMOVED FROM THE CROWN OF THE PLANT, NOT COVERING ANY PART OF THE STEM OR FOLIAGE.
2. SEPARATE AND SPREAD POT-BOUND ROOTS.

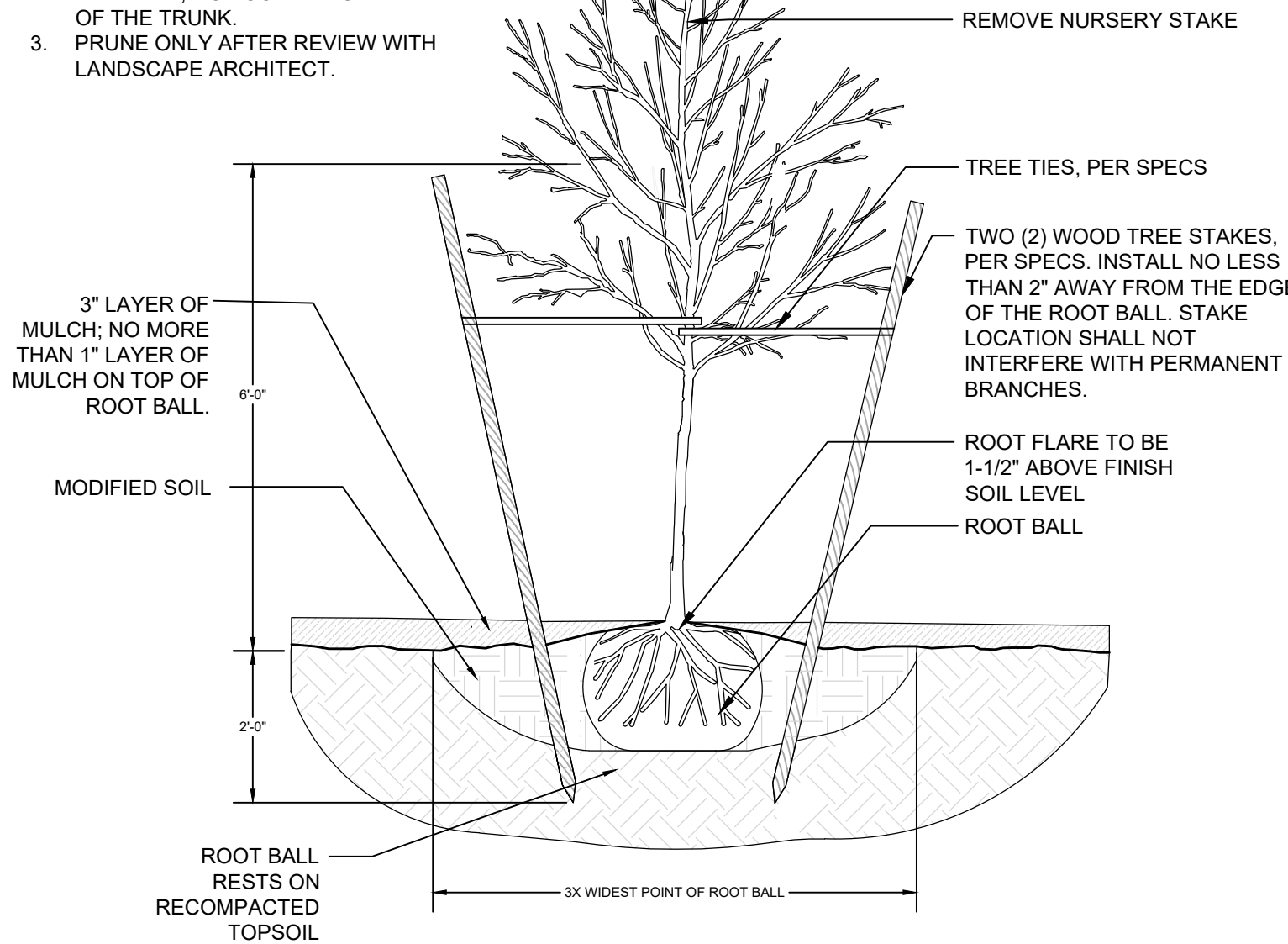


2 SHRUB PLANTING

SCALE: 1/2" = 1'-0"

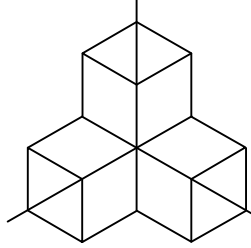
NOTE:

1. SCARIFY THE SIDES OF THE PLANTING HOLE PRIOR TO PLACING MODIFIED SOIL.
2. ALL MULCH AND WOOD CHIPS SHALL BE REMOVED FROM THE CROWN OF THE TREE, NOT COVERING ANY PART OF THE TRUNK.
3. PRUNE ONLY AFTER REVIEW WITH LANDSCAPE ARCHITECT.



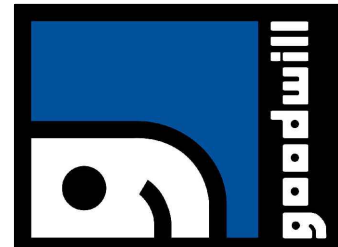
3 TREE PLANTING

SCALE: 1/2" = 1'-0"



Stamp

SOUTHERN OREGON GOODWILL
GOODWILL CENTRAL POINT
BIDDLE ROAD
MAP AND TAX LOT: 372W01C 807



Project

Consultant

Revisions

No. Description Date

Date 10/28/24

Job No. 24_34

Drawn By JA

Checked By SS

PLANNING SET

Date

09/19/24

Project Number

24_34

Drawing Title

LANDSCAPE PLAN

Sheet No

L1.1

V. CONDITIONAL USE PERMIT

Central Point Municipal Code	Compliance Narrative:
Chapter 17.46 C-5, THOROUGHFARE COMMERCIAL DISTRICT 17.46.030 Conditional uses. <i>The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:</i> 15. Secondhand store or thrift shop	The proposed development is a second hand retail/ thrift store, office, and warehouse facility. As per Section 17.46.030 Conditional uses, of the City of Central Point Zoning Ordinance, the proposed use requires a Conditional Use Permit in the C-5 zone.
17.46.060 General requirements. <i>A. Uses that are normally permitted in the C-5 district but that are referred to the planning commission for further review, per Section 17.46.030(26), will be processed according to application procedures for conditional use permits. No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination or glare, or are found to involve any hazard of fire or explosion.</i> <i>B. No use shall be permitted and no process, equipment or materials shall be used unless in compliance with all applicable state and federal environmental, health and safety regulations.</i> <i>C. Wherever the side or rear property lines of a parcel in the C-5 district abut parcels in a residential (R) district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on that property line and continuously maintained to ensure effective buffering and visual screening between the two land uses. Where a public alley or street separates the two properties, the barrier or screen shall be placed on the C-5 property at the time of construction and may include driveway and pedestrian openings to the alley or street, as approved by the planning commission.</i> <i>D. Whenever feasible, buildings shall be located toward the rear of the lot with parking toward the street in the front yard area for easy access and to minimize traffic noise at the rear of the property, especially when the rear property line abuts a residential (R) district.</i>	A. The proposed use of a second hand store is listed as a conditional use in section 17.46.030(15). This use will create the same level of sensory impacts to the surrounding vicinity as any other retail use, which is a permitted use within this zone. Southern Oregon Goodwill operates its stores in a thoughtful and clean way so as to not impact the views, sounds, or smells of their neighbors. B. Goodwill operates its locations in accordance with local, state, and federal environmental, health, and safety regulations. C. The subject property does not abut a residential district. D. The proposed building is located in the center of the lot so as to provide parking between the building and Biddle Road, and between the building and the western retail street. The area south of the building has been reserved for back of house activities such as loading as it is the farthest point from public view.
Chapter 17.76 CONDITIONAL USE PERMITS 17.76.040 Findings and conditions.	

<i>The planning commission in granting a conditional use permit shall find as follows:</i> <i>A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;</i> <i>B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;</i> <i>C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;</i> <i>D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;</i>	A. The size and shape of the proposed parcel will easily accommodate the proposed second hand retail use. The parcel is 2.97 acres and broadly L shaped, with 205 feet of frontage on Biddle Rd, 265 along the west access road, and 357 along the south access road. These wide points of access allow for multiple access driveways of adequate width, without compromising the City's street standards. All site design standards have been met in the proposed plans, as well as specific needs of the proposed use. B. A Traffic Impact Study has been prepared by a traffic engineer and has been included as part of this application. The study analyzes potential impacts on the surrounding area from the proposed development, including access points, circulation, and safety on local streets. The study concludes that proposed development can be approved without creating adverse impacts on the transportation system. C. The proposed use will have no adverse impacts on abutting properties or existing permitted uses. The proposed development differs insignificantly from permitted uses, such as commercial retail use. Site design standards for typical commercial development have all been met. D. The proposed use will comply with all applicable health and safety regulations and will not have any negative impacts to the surroundings, the land, or general welfare of the community.
17.05.900 Traffic impact analysis. <i>A. When a Traffic Impact Analysis Is Required. The city shall require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access in the following situations:</i> <i>2. If the application does not include residential development, a TIA shall be required when a land use application involves one or more of the following actions:</i> <i>a. A change in zoning or a plan amendment designation;</i> <i>b. Any proposed development or land use action that a road authority, including the city, Jackson County or ODOT, states may have operational or safety concerns along its facility(ies);</i> <i>c. An increase in site traffic volume generation by two hundred fifty average daily trips (ADT) or more;</i>	The proposed project includes a proposed use that requires a conditional use permit within the C-5 zone. The proposed uses include a 10,450 sf second hand retail store, 1,960 sf office space, and an 8,070 sf warehouse space. Based on a preliminary review of the proposed use by the City during a pre-application (PRE-24007), it was determined that a TIA would not be required for the application, however a Traffic Impact Study has been prepared by a traffic engineer and has been included as part of this application. The study analyzes potential impacts on the surrounding area from the proposed development, including access points, circulation, and safety on local streets. The study determines that the ADT, peak hour trips, and vehicle weight, are in accordance with that of permitted uses. Locations of access driveways and streets meet the minimum sight distance requirements and internal circulation and parking

<i>d. An increase in peak hour volume of a particular movement to and from the state highway by twenty percent or more;</i> <i>e. An increase in use of adjacent streets by vehicles exceeding twenty thousand pounds gross vehicle weight by ten vehicles or more per day;</i> <i>f. The location of the access driveway does not meet minimum sight distance requirements, as determined by the city engineer, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard in the discretion of the community development director; or</i> <i>g. A change in internal traffic patterns that, in the discretion of the community development director, may cause safety problems, such as backup onto a street or greater potential for traffic accidents.</i>	on site cause no safety concerns such as backing up into streets or causing obstructions. All intersections and access conditions meet the standard at full capacity. The proposal meets the CUP approval criteria of causing no significant adverse impact on surrounding areas when compared to the impacts of permitted development.
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Southern Oregon Goodwill Type III Procedure

Traffic Impact Analysis

October 9, 2024

Prepared By:



*TRANSPORTATION
ENGINEERING, LLC*

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

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I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic analysis for a proposed Goodwill in Central Point, located on parcel 2 within the Hamrick Business Park subdivision bounded by Biddle Road to the north and a private backage road to the south. Proposed development includes 20,480 square foot store with retail area, a job connection space, and warehousing. Access to the site is proposed from north-south and east-west private retails roads within the Hamrick Business Park subdivision.

The proposed Southern Oregon Goodwill is estimated to generate 492 net average daily trips with 42 new peak hour trips occurring during the p.m. peak hour. One study area intersection and three site driveways were evaluated under existing year 2024, design year 2025 no-build, and design year 2025 build conditions to address local development impacts.

Conclusions

The findings of the traffic impact analysis conclude that the proposed Southern Oregon Goodwill on parcel 2 of the Hamrick Business Park subdivision can be approved without creating adverse impacts to the transportation system. Results of the analysis are as follows:

1. The intersection of Meadowbrook Drive and Biddle Road is shown to operate acceptably under existing year 2024, design year 2025 no-build, and design year 2025 build conditions during the p.m. peak hour. No other intersection in the local area is impacted by 25 or more peak hour trips.
2. Right turn lane criterion was evaluated eastbound on Biddle Road at Meadowbrook Drive and shown not to be met during the p.m. peak hour under design year 2025 build conditions. The proposed development is not open during the a.m. peak hour.
3. All study area 95th percentile queue lengths are shown to stay within available link distances under existing year 2024, design year 2025 no-build, and design year 2025 build conditions.
4. No safety concerns are identified from crash data gathered at the intersection of Meadowbrook Drive / Biddle Road over the most recent five-year period.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision in Central Point is shown to be in compliance with the Central Point Comprehensive Plan and Land Development Code. Streets that serve the subject property will accommodate projected peak hour traffic volumes while maintaining acceptable performance standards.

II. INTRODUCTION

Background

Southern Oregon Transportation Engineering, LLC prepared a traffic analysis for a proposed Goodwill store located within the Hamrick Business Park subdivision, south of Biddle Road, in Central Point, Oregon.

A traffic impact analysis is required by the City of Central Point in their land development code section 17.05.900 to address impacts for a Type III procedural application. An analysis is also prepared for Jackson County review because Biddle Road is under County jurisdiction.

The scope of the analysis includes evaluating impacts at the intersection of Meadowbrook Drive / Biddle Road and three site driveways located on private retail roads within the Hamrick Business Park subdivision. Two site driveways are proposed along a north-south retail road south of Meadowbrook Drive and one along an east-west retail road, west of Hamrick Road along the southern boundary of the site. The analysis evaluates impacts during the p.m. peak hour only because the proposed Goodwill store is not open during the a.m. peak hour. The study area was determined by the City of Central Point during the scoping process and includes all intersections reached with 25 or more peak hour trips.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision is 20,480 square feet (SF) in size with approximately 10,450 SF of retail area, 1,960 SF of job connection space, and 8,070 SF of warehousing.

Project Location

The subject property is located on parcel 2 within the Hamrick Park Business subdivision on Township 37S Range 2W Section 1C, Tax Lot 807 in Central Point, Oregon. Refer to Figures 1 and 2 for a vicinity map and site plan.

Project Description

The subject property is zoned C-5 for Thoroughfare Commercial. It is currently vacant. Proposed development is estimated to generate 492 net daily trips on the transportation system with 42 new trips occurring during the p.m. peak hour. Access will be taken on both a north-south private retail road south of Meadowbrook Drive (approximately 275 feet and 380 feet south of Biddle Road, respectively) and on a private east-west retail road west of Hamrick Road along the southern boundary of the site. The closest access on the north-south retail road is proposed between two existing Les Schwab driveways. The furthest access lines up directly across from the southern Les Schwab driveway. The access on the east-west retail road is proposed approximately 315 feet west of the north-south retail road at the southwest corner of the property. Refer to Figure 2 for further details.

Figure 1 : Vicinity Map

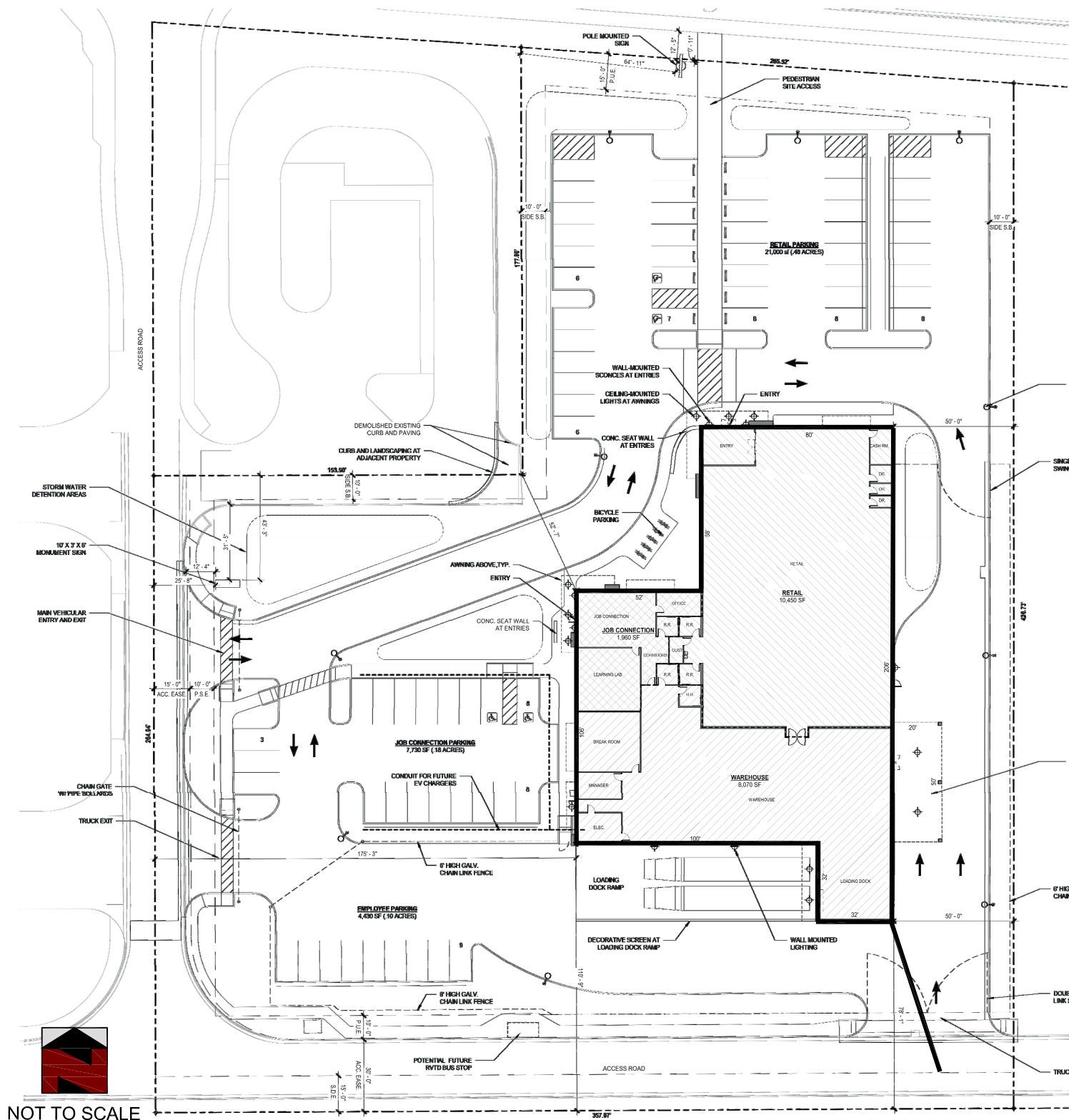


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Figure 2 : Site Plan



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III. EXISTING YEAR 2024 NO-BUILD CONDITIONS

Site Conditions

The subject property is located on parcel 2 within the Hamrick Business Park subdivision on Township 37S Range 2W Section 01C, Tax Lot 807 in Central Point, Oregon. The site is currently vacant. Access will be taken from private retail roads within the subdivision.

Roadway Characteristics

The project study area includes the intersection of Meadowbrook Drive / Biddle Road and three site driveways along a north-south private retail road and a private east-west retail road. Study area intersections and driveways are analyzed in accordance with City of Central Point and Jackson County standards.

Table 1 provides a summary of existing roadway classifications and descriptions in the study area.

Table 1 - Roadway Classifications and Descriptions					
Roadway	Jurisdiction	Functional Classification	Lanes	Operational Standard	Posted Speed (MPH)
Biddle Road	Jackson County	Minor Arterial ¹	5	V/C 0.95	45
Meadowbrook Drive, north of Biddle Road	City of Central Point	Collector ²	2	LOS D	25
N-S Retail Road, south of Biddle Road	Private	Private Drive ²	2	None	Not Posted
E-W Retail Road, west of Hamrick Rd	Private	Private Drive ²	2	None	Not Posted

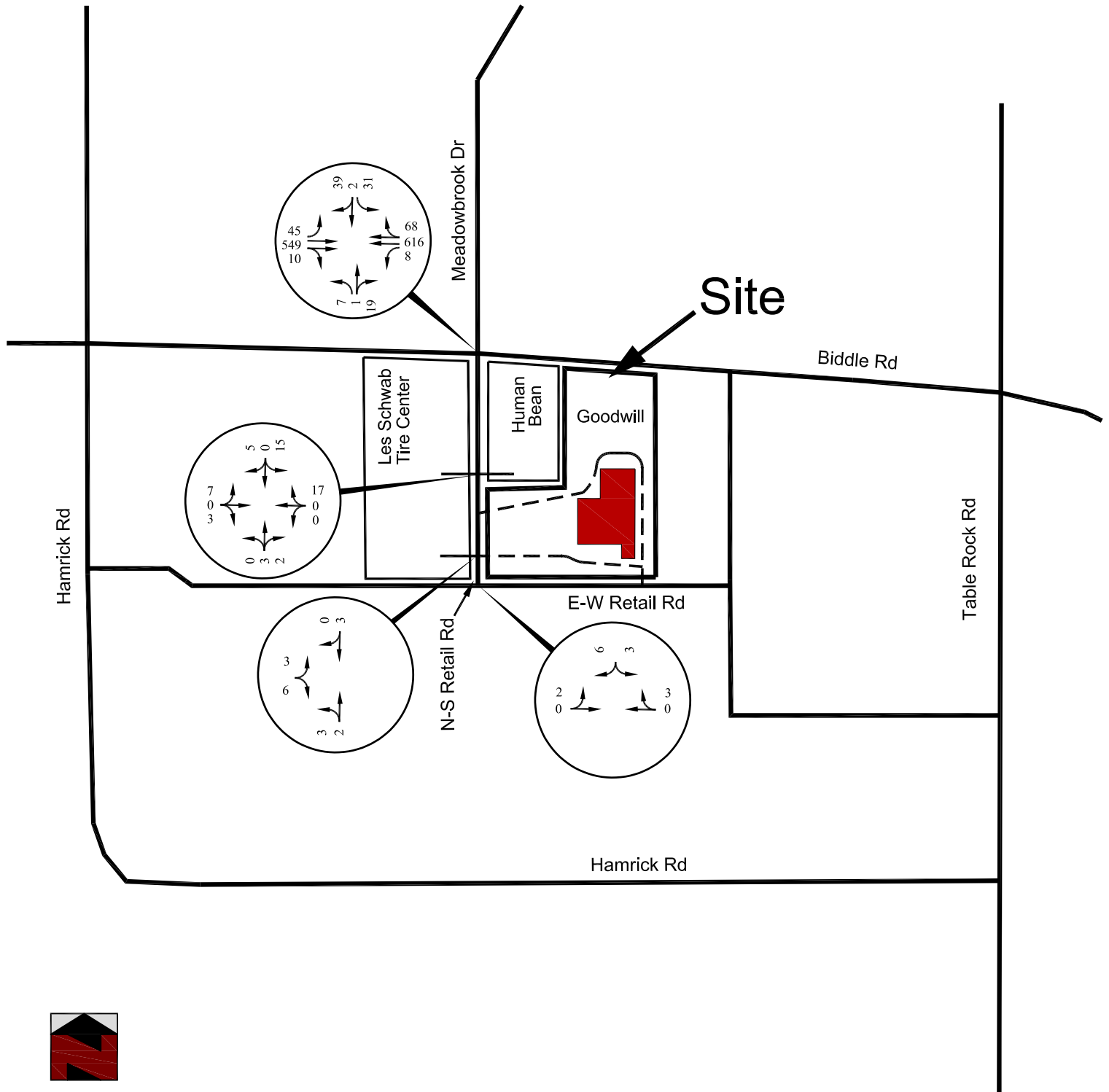
1. Jackson County TSP Figure 12B

2. Central Point TSP 7.1

Traffic Counts

Manual traffic counts were gathered in September of 2024 at the Meadowbrook Drive / Biddle Road intersections and at driveways within the Hamrick Business Park subdivision. Counts were gathered from 3:00-6:00 p.m. to capture school traffic. 4:00 -5:00 p.m. was shown to be the p.m. peak hour. Year 2024 count data was seasonally adjusted to represent peak conditions. A 2% growth rate was applied to year 2024 seasonally adjusted traffic volumes to develop design year 2025 no-build conditions. Background growth in the analysis was kept consistent with growth used in the I-5 Exit 33 IAMP and City of Central Point TSP for consistency. Growth was determined using model runs provided by ODOT's Transportation Planning Analysis Unit (TPAU). Count data included traffic from Les Schwab and the Human Bean. Refer to Figure 3 for year 2024 no-build traffic volumes during the p.m. peak hour. Counts are provided in Appendix A.

Figure 3: Year 2024 No-Build Traffic Volumes, PM Peak Hour



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Intersection Capacity and Level of Service

Intersection capacity calculations were conducted utilizing the methodologies presented in the *Highway Capacity Manual (HCM 6th Edition)*. Capacity and level of service calculations for signalized and unsignalized intersections were prepared using “SYNCHRO” Version 11 timing software.

Level of service quantifies the degree of comfort afforded to drivers as they travel through an intersection or along a roadway section. The level of service methodology was developed to quantify the quality of service of transportation facilities. Level of service is based on total delay, defined as the total elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. Level of service ranges from “A” to “F,” with “A” indicating the most desirable condition and “F” indicating an unsatisfactory condition. The HCM LOS designations for stop-controlled intersections are provided in Table 2.

Table 2 – HCM Level of Service Designations for Stop-Controlled Intersections	
Level of Service	Delay Range
A	< 10
B	>10 – 15
C	>15 – 25
D	>25 – 35
E	>35 – 50
F	> 50

Streets within the study area are under City of Central Point and Jackson County jurisdiction. The City of Central Point requires all study area intersections to operate at acceptable levels of service (LOS). The minimum acceptable level of service for unsignalized intersection movements is LOS “D.” Jackson County’s operational standard considers a volume-to-capacity (V/C) ratio standard. The acceptable performance standard for unsignalized intersections per the Jackson County Transportation System Plan is a v/c ratio no greater than 0.95 within the boundary of the Metropolitan Planning Organization (MPO) and 0.85 outside of the MPO boundary. All intersections under Jackson County jurisdiction are within the MPO. Mitigation is, therefore, required at study area intersections operating below a LOS “D” if under City jurisdiction and a v/c ratio of 0.95 if under Jackson County jurisdiction. For purposes of this analysis, we included both LOS and v/c output results for the intersection of Meadowbrook Drive / Biddle Road and considered both Jackson County and City of Central Point performance standards.

Year 2024 No-Build Intersection Operations

Study area intersections were evaluated under existing year 2024 no-build conditions during the p.m. peak hour. The a.m. peak hour was not evaluated because Goodwill is not open at that time. Results are summarized in Table 3.

Table 3 - Year 2024 No-Build Intersection Operations, PM Peak Hour			
Intersection	Performance Standard	Traffic Control	Year 2024 No-Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.19 (SB/L)

LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound L = left

Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show the study area intersection operates acceptably (within performance standards) under existing year 2024 no-build conditions during the p.m. peak hour. The northbound and southbound left turn movements on Meadowbrook Drive and the N-S retail road are both shown to operate at LOS “D.” The southbound left turn movement on Meadowbrook Drive has a higher v/c ratio of 0.19. Refer to Appendix C for synchro output sheets.

Year 2024 No-Build 95th Percentile Queuing

Queue lengths are reported as the average, maximum, or 95th percentile queue length. The 95th percentile queue length is used for design purposes and is the queue length reported in this analysis. Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths. Queues were evaluated at study area intersections under existing year 2024 no-build conditions. No queues were shown to exceed their available storage length. The critical movements at the Meadowbrook Drive / Biddle Road intersection are the northbound and southbound left turn movements. These were shown to have 25-foot and 50-foot queue lengths with 100 feet and 125 feet of available storage, respectively. The eastbound left and westbound left turn movements were 50 feet and 25 feet with 200 feet of available storage, respectively. Refer to Appendix C for a full queuing and blocking report.

Crash History

Crash data for the most recent five-year period was provided from ODOT’s crash analysis unit. Results were provided for the period of January 1, 2018 through December 31st, 2022. Crash data was analyzed 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 at an intersection. Study area intersection crash rates were also compared to the ODOT critical crash rate. Tables 4 and 5 provide a summary of results. Crash data is provided in Appendix B.

Table 4 - Study Area Intersection Crash Rates, 2018-2022									
Intersection	2018	2019	2020	2021	2022	Total Crashes	ADT	Crash Rate	ODOT 90 th %
Meadowbrook / Biddle	1	0	1	0	1	3	13,950	0.118	0.408

Table 5 - Crash History by Type, 2018-2022							
Intersection	Collision Type				Severity		
	Rear-End	Turning /Angle	Other	Pedestrian/Bicyclist	Non-Injury	Injury	Fatal
Meadowbrook / Biddle	0	3	0	0	2	1	0

Three reported crashes occurred at the intersection of Meadowbrook Drive and Biddle Road during the most recent five-year period. All three were turning collisions and all three involved vehicular turns to/from the north (two left and one right). One cause was due to an improper turn and the remaining two causes were failure to yield right-of-way. Two resulted in property damage only and one in minor injury.

No fatalities or pedestrian related crashes were shown to occur. The study area intersection crash rate is less than the ODOT 90th percentile rate (critical crash rate), and the intersection is not identified as a SPIS site. No further investigation is shown to be necessary.

IV. DESIGN YEAR 2025 NO-BUILD CONDITIONS

Design Year 2025 No-Build Description

Design year 2025 no-build conditions represent development build year conditions for a study area without consideration of proposed development trips. This condition is evaluated to determine how a study area will be impacted by area background growth. Background growth in the analysis, as previously stated, was kept consistent with growth used in the I-5 Exit 33 IAMP and City of Central Point TSP for consistency. Growth (~2% per year) was determined using model runs provided by ODOT’s Transportation Planning Analysis Unit (TPAU). Refer to Figure 4 for design year 2025 no-build traffic volumes during the p.m. peak hour.

Design Year 2025 No-Build Intersection Operations

Study area intersections were evaluated under design year 2025 no-build conditions during the p.m. peak hour. Results are summarized in Table 6.

Table 6 – Design Year 2025 No-Build Intersection Operations, PM Peak Hour			
Intersection	Performance Standard	Traffic Control	Year 2025 No-Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.20 (SB/L)

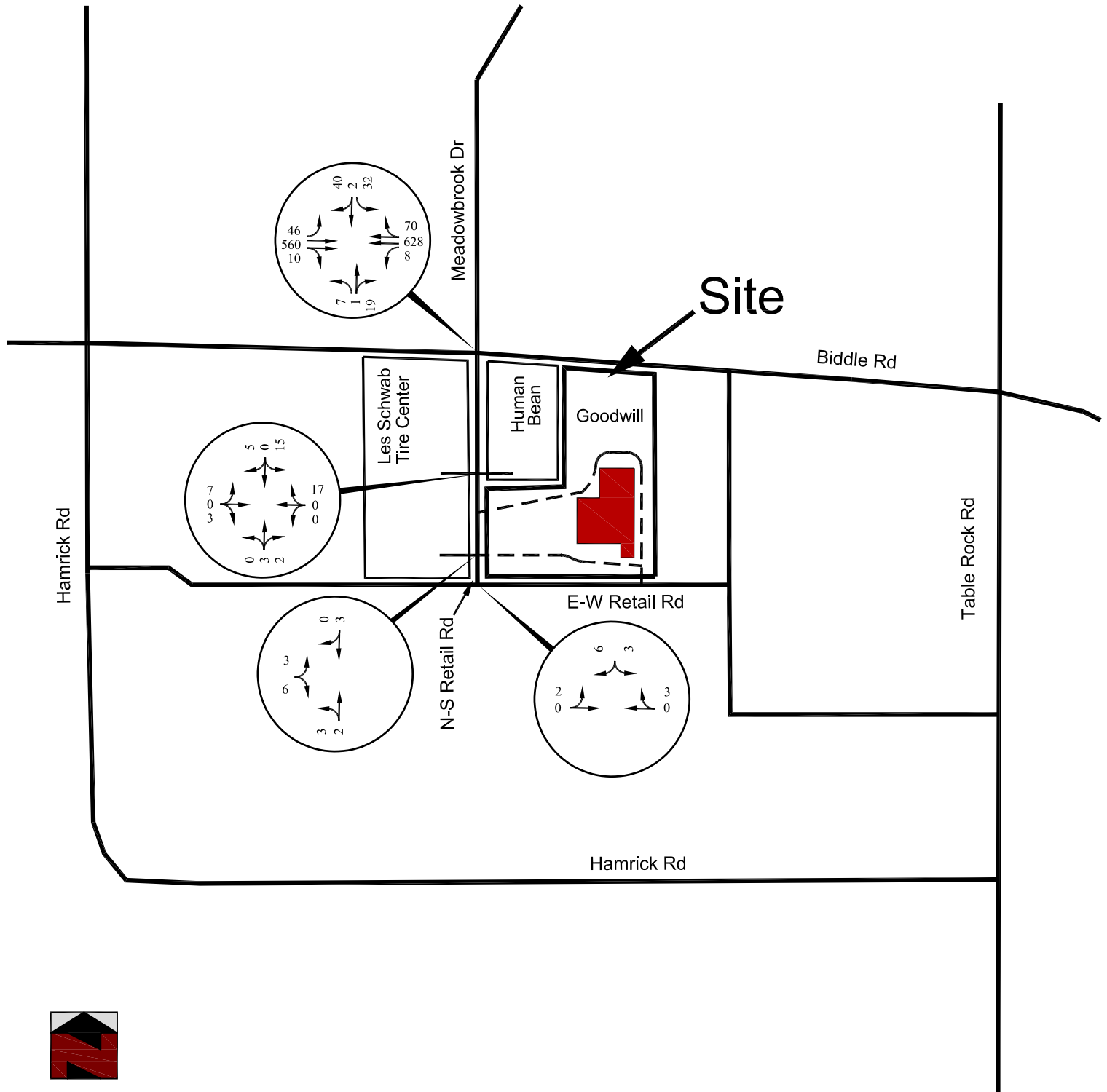
LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound L = left
Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show the study area intersection of Meadowbrook Drive and Biddle Road continues to operate acceptably (within performance standards) under design year 2025 no-build conditions during the p.m. peak hour. Refer to Appendix D for synchro output sheets.

Design Year 2025 No-Build 95th Percentile Queuing

Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths within the study area under design year 2025 no-build conditions. All study area links were reported to stay within available storage lengths during the p.m. peak hour. Queue lengths were shown to be unchanged from year 2024 no-build volumes. Refer to Appendix D for a full queuing and blocking report.

Figure 4: Design Year 2025 No-Build Traffic Volumes, PM Peak Hour



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V. SITE TRAFFIC

Trip Generation

Trip generation calculations for the proposed Southern Oregon Goodwill were prepared utilizing the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition. ITE rates were used for land use codes (LUC) 815 Free-Standing Discount Store, 715 – Small Office Building, and 150 - Warehousing. Pass-by trip reductions were considered in accordance with ITE recommended practices for LUC 815.

For background purposes, the proposed Goodwill store is 20,480 SF in size with 10,450 SF of retail area, 1,960 SF of job connection space, and 8,070 SF of warehousing. The ITE LUC for a Free-Standing Discount Store was applied to the retail space, LUC 715 to the job connection space, and LUC 150 to the warehouse space. The retail area and warehouse space have operating hours of 10:00 a.m. to 7:00 p.m. seven days a week. The job connection space has operating hours of 9:00 a.m. to 1:00 p.m. Monday through Friday. For this reason, daily and p.m. peak hour trips were generated for the retail and warehouse space, and daily trips for the job connection space. No trips were generated for the a.m. peak hour because none of the uses at the proposed Goodwill facility are open during the a.m. peak hour of the adjacent street system. Similarly, no trips during the p.m. peak hour were generated for the job connection space because it is not open during the p.m. peak hour of the adjacent street system. Table 7 provides a summary of results. ITE graphs and descriptions are provided in Appendix B.

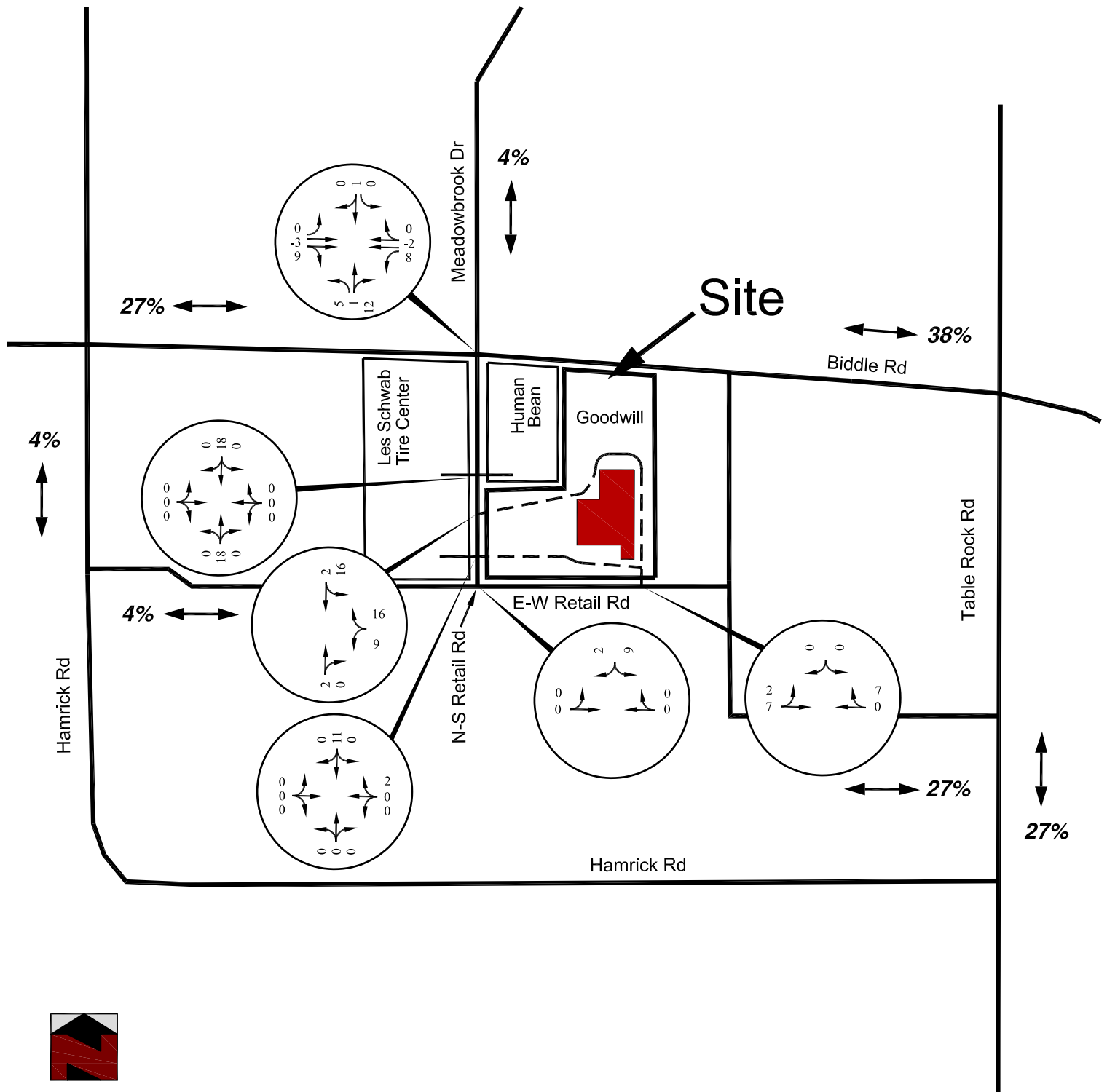
Table 7 – Development Trip Generations								
ITE Land Use - Description	Unit	Size	Daily Rate	Daily Trips	PM Rate	PM Peak Hour		
						Total	In	Out
815 – Free-Standing Discount Store	Sq. Ft.	10,450	53.87	563	4.86	51	25	26
<i>Pass-by 20%</i>				-113		-10	-5	-5
715 – Small Office Building	Sq. Ft.	1,960	14.39	28	NA	---	---	---
150 - Warehousing	Sq. Ft.	8,070	1.71	14	0.18	1	0	1
Gross Trips (at site driveways)				605		52	25	27
Net Primary Trips (on the transportation system)				492		42	20	22

Sq. Ft. = square foot

Trip Distribution and Assignment

Development trips were distributed in accordance with existing traffic volumes within the study area and engineering judgement. Trips to/from Les Schwab and the Human Bean were considered as well as overall splits at the Meadowbrook Drive / Biddle Road intersection. Under current conditions, trips to/from the Human Bean primarily use the Meadowbrook Drive / Biddle Road intersection. The Les Schwab, which has driveways on the N-S retail road near the Meadowbrook intersection as well as near the E-W retail road, has trips split in both directions. Fifty-five percent of exiting trips are to/from the north and 45% to/from the south along the N-S retail road. Similarly, 63% of entering trips are to/from the north and 37% to/from the south. We applied similar splits to the Goodwill store because it will have two driveways on the N-S retail road and one driveway on the E-W retail road. Trip distributions are shown in Figure 5.

Figure 5: Development Trip Distributions, PM Peak Hour



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VI. DESIGN YEAR 2025 BUILD CONDITIONS

Design Year 2025 Build Description

Build conditions represent no-build conditions for a study area with the addition of proposed development trips considered. Build conditions are compared to no-build conditions to determine what impacts and/or mitigation measures will result from proposed development. Build conditions in the design year 2025 are for the proposed Southern Oregon Goodwill development.

Design Year 2025 Build Intersection Operations

Design year 2025 build traffic volumes were evaluated at study area intersections during the p.m. peak hour to compare build conditions to no-build conditions. Results are summarized in Table 8.

Table 8 – Design Year 2025 Build Intersection Operations, PM Peak Hour

Intersection	Performance Standard	Traffic Control	Year 2025 Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.21 (SB/L)
Main Site Access / N-S Retail Rd	None	TWSC	A (WB/LR)
Site Access 2 / N-S Retail Rd	None	TWSC	A (WB/LTR)
Drop-off Access / E-W Retail Rd	None	TWSC	A (EB/LT)

LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound WB = westbound, EB = eastbound, L = left, T = through, R = right

Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show study area intersections and site driveways continue to operate acceptably (within performance standards) under design year 2025 build conditions during the p.m. peak hour. The critical movement LOS at the intersection of Meadowbrook Drive and Biddle Road stays the same (“D”) but there is a slight increase in v/c due to additional development trips. Site driveways are shown to operate at LOS “A.” Synchro output sheets are provided in Appendix E for further reference.

Design Year 2025 Build 95th Percentile Queuing

Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths at study area intersections under design year 2025 build conditions. No significant changes were shown to occur at study area intersections and site driveways. Queues continue to stay within available storage lengths. The northbound left and through/right turn movements on the N-S retail road at Biddle Road increase slightly but all other queue lengths remain unchanged. Refer to Appendix E for a full queuing and blocking report.

Sight Distance

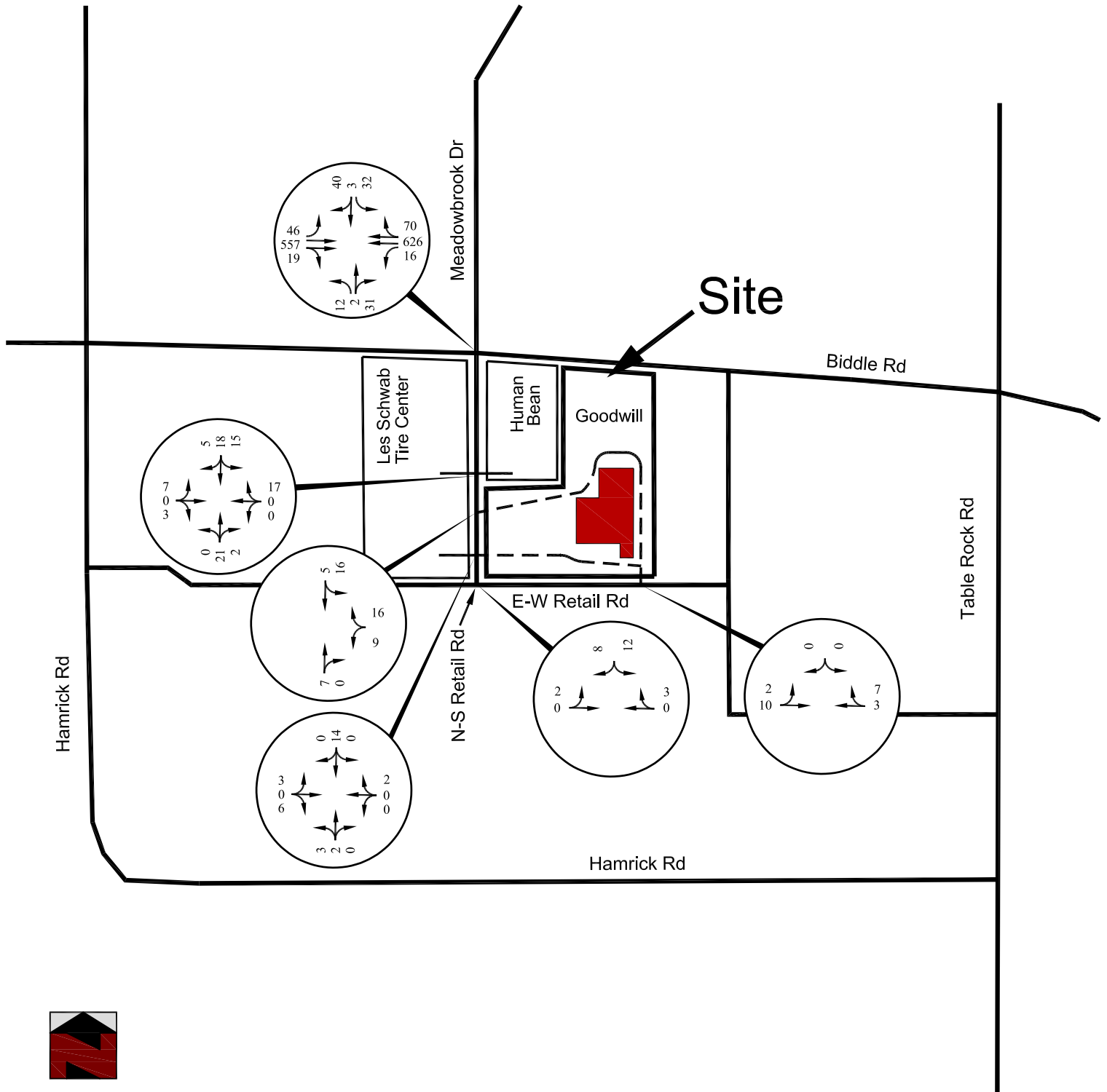
The proposed Goodwill store will have site driveways on an existing N-S and E-W retail road within the Hamrick Business Park subdivision. Sight distance is clear in both directions at all three driveways. At Biddle Road across from Meadowbrook Drive, sight distance continues to be clear in both directions. Additionally, a center two-way-left-turn-lane (TWLTL) exists on Biddle Road to help side street traffic during peak conditions. Clear sight distance is shown to the east through the signalized intersection at Table Rock Road (approximately 1175 feet) and to the west through the signalized intersection at Hamrick Road (approximately 875 feet). Jackson County require a minimum of 315 feet of adequate sight distance on a minor arterial with a posted speed of 45 miles per hour (mph). This is shown to be met.

Design Year 2025 Build Turn Lane Criterion

Right Turn Lane

Right turn lane criterion was evaluated on Biddle Road at the N-S retail road in the eastbound direction. Currently, a right turn taper exists. Previous lane utilization studies showed approximately 60% of eastbound traffic uses the inside lane and 40% the outside lane on Biddle Road so this was used in our turn lane analysis. Results show criterion is not met (warranted) for an eastbound right turn lane during the p.m. peak hour, but the provided taper on Biddle Road helps move traffic out of the adjacent through lane to reduce the potential for rear-end collisions. Refer to Appendix H for a right turn lane graph.

Figure 6: Design Year 2025 Build Traffic Volumes, PM Peak Hour



NOT TO SCALE



**SOUTHERN OREGON
TRANSPORTATION ENGINEERING, LLC**

Medford, Oregon 97504
ph 541.608.9923 fax 541.535.6873
email: kim.parducci@gmail.com

**Southern Oregon Goodwill
Type III Application
Traffic Impact Analysis
Central Point, Oregon**

VII. CONCLUSIONS

Conclusions

The findings of the traffic impact analysis conclude that the proposed Southern Oregon Goodwill on parcel 2 of the Hamrick Business Park subdivision can be approved without creating adverse impacts to the transportation system. Results of the analysis are as follows:

1. The intersection of Meadowbrook Drive and Biddle Road is shown to operate acceptably under existing year 2024, design year 2025 no-build, and design year 2025 build conditions during the p.m. peak hour. No other intersection in the local area is impacted by 25 or more peak hour trips.
2. Right turn lane criterion was evaluated eastbound on Biddle Road at Meadowbrook Drive and shown not to be met during the p.m. peak hour under design year 2025 build conditions. The proposed development is not open during the a.m. peak hour.
3. All study area 95th percentile queue lengths are shown to stay within available link distances under existing year 2024, design year 2025 no-build, and design year 2025 build conditions.
4. No safety concerns are identified from crash data gathered at the intersection of Meadowbrook Drive / Biddle Road over the most recent five-year period.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision in Central Point is shown to be in compliance with the Central Point Comprehensive Plan and Land Development Code. Streets that serve the subject property will accommodate projected peak hour traffic volumes while maintaining acceptable performance standards.

PUBLIC WORKS STAFF REPORT

October 16, 2024

AGENDA ITEM: Site Plan and Architectural Review (SPAR-24007) application to construct an approximately 20,480 square foot retail, donation, warehouse and job connection facility on approximately 2.97 acres in the C-5, Thoroughfare Commercial zoning district - 37S 2W 01C, Tax Lot 807.

Agent: arkitek, LLC

Traffic:

A Traffic Impact Analysis was performed by Southern Oregon Transportation Engineering, LLC. The proposed development will generate 492 average daily trips (ADT), which is less than the threshold of 750 ADT requiring a Traffic Impact Analysis per **320.10.03 – Traffic Impact Analysis Applicability of the Public Works Standards and Specifications**. The City uses the International Transportation Engineers Manual 10th generation, and based on the studies, this development will generate 42 peak-hour trips that can be distributed to two locations: Hamrick Road and Biddle Road.

The City concurs with the study conclusions that the additional traffic from the proposed development will not affect the operation of the traffic system or degrade the level of service at any of the study intersections.

Existing Infrastructure:

Water: A 12-inch DI waterline exists on the private street along the west border of the site and an 8-inch DI waterline on the private street along the south border.

Streets: Private streets border the site to the south and west. Biddle Road, a major arterial street, borders the site on the north side.

Stormwater: There is a 36-inch storm drain, owned by Jackson County, draining east to west along the north border of the property, and a 24-inch storm drain in the private street on the south side of the property.

Background:

This application is for a new Goodwill store adjacent to existing public infrastructure.

Issues:

The applicant must connect to public infrastructure to service the parcel, including water and stormwater. Access directly from Biddle Road will not be allowed. Access must be accomplished via the existing private streets adjacent to the site.

Conditions of Approval:

Prior to building permit issuance and the start of construction, the following conditions shall be satisfied:

1. **Civil Improvement Plan.** The applicant shall submit and receive approval of civil improvement plans demonstrating compliance with Public Works Department Standard Specifications for public works construction, including but not limited to landscape row, utilities, sidewalks, access approach and protection of public infrastructure.
 - a. **Landscape Plan.** The applicant shall prepare a landscape and irrigation plan to install ground cover along the Biddle Road frontage and street trees and landscaping along the private streets.
 - b. **Sidewalks.** A private sidewalk is required along the west and south sides of the private streets. Sidewalk widths shall match the existing sidewalk on the west side of the existing private street. ADA-compliant ramps will be required at all access entrances.

2. **Stormwater Management**

- a. NPDES Stormwater Management Plan - The applicant shall submit to Public Works for review and approval a stormwater management plan in accordance with the Rogue Valley Stormwater Quality Design Manual, which requires stormwater quantity and quality treatment of all proposed impervious surfaces proposed as part of the partition.
- b. Civil Improvement Plan Review – The applicant shall submit civil improvement plans for stormwater infrastructure construction, including but not limited to storm drain lines, detention facilities, and the proposed outfall.
- c. Erosion and Sediment Control – Construction of required improvements will disturb more than one acre. The applicant shall obtain an erosion and sediment control permit (NPDES 1200-C) from the Department of Environmental Quality (DEQ) and provide a copy to the Public Works Department.

Prior to Public Works final inspection, the following conditions shall be satisfied:

1. **PW Standards and Specifications** – Applicant shall demonstrate that all Public Works infrastructure construction complies with the Standards Specifications and Uniform Details for Construction. Installation of civil improvement, including but not limited to landscaping, irrigation and sidewalks, shall be installed per approved plans.
2. **Stormwater Quality Operations & Maintenance** – The Applicant shall record an Operations and Maintenance Agreement for all new stormwater quality features and provide a copy of the Public Works Department's recorded document.



JACKSON COUNTY

Roads

Nancy Coates
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6261
Fax: (541) 774-6295
CoatesN@jacksoncounty.org

www.jacksoncounty.org

October 25, 2024

Attention: Justin Gindlesperger
City of Central Point Planning
140 South Third Street
Central Point, OR 97502

RE: Planning File: CUP-24002 & SPAR-24007 – Revision 1
Conditional Use Permit for second hand store/thrift shop
Site Plan and Architectural Review to construct retail shop/warehouse off:
Biddle Road – a county maintained road.

Dear Justin:

Thank you for the opportunity to comment on Conditional Use Permit and Site Plan and Architectural Review approval to construct an approximately 20,480 square foot retail store, donation center, warehouse facility on the 2.97-acre site. The project site is located at 4751 Biddle Road in the C-5, Thoroughfare Commercial zoning district and is identified on the Jackson County Assessor's Map as 37S-2W-01C, Tax Lot 807.

Jackson County Roads has the following comments:

1. The applicant shall submit construction drawings as they pertain to Biddle Road frontage, to Jackson County Roads and obtain County permits if required.
2. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk. The developer's frontage improvements shall provide smooth and ADA compliant connections to existing ADA ramps and sidewalk.
3. Any new or improved roads inside the Urban Growth Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Central Point.
4. We concur with any City requested right-of-way dedication and/or frontage improvements.
5. Utility Permits are required from Jackson County Roads for any utility work within the Biddle Road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the County Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.

6. Per Oregon Revised Statute 209.150, any survey monuments of record removed, disturbed or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.
7. Jackson County Roads reserves the right to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
8. If frontage improvements are required along Biddle Road, they shall be permitted and inspected by Jackson County Roads. Jackson County Roads does not maintain planter strips. The developer shall obtain a Minor Road Improvement Permit before commencing work in the County right-of-way.
9. Landscaping within the Biddle Road Right-of-Way shall provide sight distance throughout all stages of growth. At no time shall the landscaping become invasive to the storm drain system.
10. The applicant shall contact the city of Central Point for storm drainage concerns and comments.
11. Public improvement construction plans shall be prepared in accordance with the "Standards and Specifications for County Roads" (also known as the County Road Standards).
12. Biddle Road is an Urban Minor Arterial maintained by the County. The Average Daily Traffic count was 9,501 for Eastbound lanes, 450 feet East of Hamrick Road on July 7, 2020 and 9,239 for Westbound lanes, 450 feet East of Hamrick Road on July 7, 2020.
13. We would like to be notified of future development proposals, as County permits may be required.
14. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.

Respectfully,

A handwritten signature in black ink, appearing to read "Nancy Coates", with a stylized, flowing script.

Nancy Coates
Construction Manager

Justin P. Gindlesperger

From: Steve Darnell <SteveD@jcfd3.com>
Sent: Wednesday, October 23, 2024 5:08 PM
To: Justin P. Gindlesperger
Subject: Re: Request for Comments - CUP-24002 & SPAR-24007

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



Hey Justin, I concur with basically what Mark already has at the prior meeting. From my review of the information the building will be sprinkled. Sprinkler specifics can be discussed at a later date. They are providing a new fire hydrant and FDC near the western truck exit gate. This will be a good spot for crews to pull in at western entrance and grab the hydrant. Access roads still need to be marked for fire lane parking/no parking. I see 3 entrances into the parking lot and 1 gated truck exit. The main entrance into the parking lot is not gated if I am correct. The SW truck entry gate which is a large double 50' gate will need click to enter for FD access. The E gate is a 20' double gate and will need click to enter as well. I am not sure if bark mulch will be used near or up against the building from the plans, but I would say no bark or mulch up against or near building. Knox box will be required. Mark will be back on Monday and can weigh in as well.

Thanks,
Steve

Sent from my U.S.Cellular© Smartphone
Get [Outlook for Android](#)

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Wednesday, October 23, 2024 3:49:16 PM
To: Steve Darnell <SteveD@jcfd3.com>
Subject: RE: Request for Comments - CUP-24002 & SPAR-24007

Hey Steve-

Just following up to see if FD#3 has any comments to submit for this application.

Thanks.

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development

From: Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>
Sent: Wednesday, October 16, 2024 10:55 AM
To: Steve Darnell <SteveD@jcfd3.com>
Cc: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Subject: FW: Request for Comments - CUP-24002 & SPAR-24007

Steve,

The type of construction has not yet been identified, most likely it will be Type II-B.

Derek Zwagerman, P.E.
City of Central Point – Building Dept.
541-423-1024

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Wednesday, October 16, 2024 10:49 AM
To: Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>
Subject: FW: Request for Comments - CUP-24002 & SPAR-24007

See Steve's question below.

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development

From: Steve Darnell <SteveD@jcfd3.com>
Sent: Wednesday, October 16, 2024 9:28 AM
To: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Subject: RE: Request for Comments - CUP-24002 & SPAR-24007

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Good morning Justin,
Do you know what construction type the goodwill building will be? Type IA, IIA, IB, IIB, IIIA, IIIB, IVA, IVB?

Thanks



Steve Darnell
Deputy Fire Marshal
Jackson County Fire District 3



541-831-2714



Steved@jcfd3.com



8383 Agate Road White City, OR 97503



<https://link.edgepilot.com/s/6876cf30/opbrJS1uXka9DS04whHf6Q?u=http://www.jcfd3.com>



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

October 15, 2024

City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: CUP-24002 & SPAR-24004 - Goodwill, Map 37 2w 01C 807

There is an existing 8 inch sewer running east to west along the southern property boundary of tax lot 807 to the south. Sewer service can be had by connecting to one of the existing 4 inch services stubbed into the lot.

Rogue Valley Sewer Services requests that approval of this development be subject to the following conditions:

1. All proposed sewer construction shall be performed per RVSS standards.
2. Prior to the issuance of sewer connection permits the developer must submit architectural plumbing plans to RVSS for the calculation of sewer SDC's.
3. The developer must obtain sewer tap and/or connection permits and pay all related fees to RVSS.

Feel free to call me if you have any questions.

Sincerely,

Nicholas R Bakke, PE
District Engineer

Justin P. Gindlesperger

From: Carrie Andries <AndrieCW@jacksoncountyor.gov>
Sent: Wednesday, October 16, 2024 2:42 PM
To: Justin P. Gindlesperger
Subject: RE: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



Hi Justin,

The Airport requests an Avigation, Noise and Hazard Easement be a requirement of this project (CUP-24002). In addition, due to the proximity to the Airport, the applicant needs to contact the FAA regarding filing a 7460-1 Notice of Proposed Construction or Alteration. The FAA contact is: Paul Holmquist, phone (206) 231-2990.

I have inserted some information below from the FAA's website:

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- Your structure will exceed 200 ft above ground level
- Your structure will be in proximity to an airport and will exceed the slope ratio
- Your structure involves construction of a traverseway (i.e. highway, railroad, waterway, etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- Your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- Your structure will be in an instrument approach area and might exceed part 77 Subpart C
- Your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- Your structure will be on an airport or heliport
- Filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airport Region/District Office for On Airport construction.

Results

You exceed the following Notice Criteria:

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

The FAA requests that you file

Thank you,

Carrie Andries

Contract Coordinator
Rogue Valley International-Medford Airport (MFR)



1000 Terminal Loop Parkway, Suite 201
Medford, Oregon 97504
541-776-7222

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From: Amber Judd <JuddAJ@jacksoncountyor.gov>
Sent: Tuesday, October 15, 2024 11:28 AM
To: Carrie Andries <AndrieCW@jacksoncountyor.gov>
Subject: FW: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Tuesday, October 15, 2024 11:14 AM
To: Matt Samitore <Matt.Samitore@centralpointoregon.gov>; Greg Graves <Greg.Graves@centralpointoregon.gov>; Mike Ono <Mike.Ono@centralpointoregon.gov>; Stephanie Powers <stephanie.powers@centralpointoregon.gov>; Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>; 'markn@jcf3.com' <markn@jcf3.com>; Mark Kimmelshue <mark.kimmelshue@centurylink.com>; 'David.McFadden@avistacorp.com' <David.McFadden@avistacorp.com>; Chadd Griffin <chadd.griffin@centralpointoregon.gov>; Ed Devries <Ed.Devries@pacifiCorp.com>; emalanche@roguedisposal.com; lbrown@roguedisposal.com; Nick Bakke <nbakke@rvss-or.gov>; Sean Eisma <seisma@rvtd.org>; 'chad.murders@ecso911.com' <chad.murders@ecso911.com>; 'ptownsend@rvtd.org' <ptownsend@rvtd.org>; RoadsInfo <RoadsInfo@jacksoncountyor.gov>; ODOT Region 3 Development Review (R3DevRev@odot.state.or.us) <R3DevRev@odot.state.or.us>; Amber Judd <JuddAJ@jacksoncountyor.gov>
Subject: EXT: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

Good morning,

The City received an application requesting approval for a Conditional Use Permit and Site Plan and Architectural Review for the construction of an approximately 20,480 square foot retail, donation and warehouse facility for Southern Oregon Goodwill in the C-5, Thoroughfare Commercial zoning district. The property is located at 4571 Biddle Road and identified on the Jackson County Assessor's map as 37S 2W 01C, Tax Lot 807.

The complete application is available at: www.centralpointoregon.gov/cd/project/southern-oregon-goodwill

Please review and submit comments or written reports setting forth any necessary conditions as required by your department/agency to the Planning Department no later than **Tuesday, October 29, 2024**. If no comments are received within the review period, it will be assumed that there are no comments.

Thank you for your time and consideration of this request. If you have questions, please let me know

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development
City of Central Point
140 South Third Street
Central Point, OR 97502
Desk: 541-664-3321 (x245)
Fax: 541-664-6384
www.centralpointoregon.gov

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From: planning group
Sent: Monday, October 21, 2024 9:08 AM
To: Justin P. Gindlesperger
Cc: Karin Skelton
Subject: FW: biddle road businesses

FYI

Stephanie Powers, CHPC
Planning Director
Community Development
City of Central Point
140 South Third Street
Central Point, OR 97502
Desk: 541-664-3321 (x244)
Fax: 541-664-6384
www.centralpointoregon.gov

From: christine evenson <tqmom@outlook.com>
Sent: Sunday, October 20, 2024 4:08 AM
To: planning group <planning@centralpointoregon.gov>
Subject: biddle road businesses

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello, I got a letter in the mail informing us that a goodwill store may be built along biddle road. Though we understand progress is inevitable, we are very concerned about the increase in traffic along the road. We live along meadowbrook drive and already the traffic has increa

CGBANNERINDICATOR

Hello, I got a letter in the mail informing us that a goodwill store may be built along biddle road. Though we understand progress is inevitable, we are very concerned about the increase in traffic along the road. We live along meadowbrook drive and already the traffic has increased so it is hard to get on and off of biddle road. we are concerned with more businesses being built in the

area, the traffic is only going to get worse. What are the city's plans of dealing with this? Any traffic lights, road changes being planned?
Thanks for any info,
christine

PLANNING COMMISSION RESOLUTION NO. 923

A RESOLUTION OF THE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR A SECONDHAND STORE ON PROPERTY LOCATED AT 4571 BIDDLE ROAD IN THE THOROUGHFARE COMMERCIAL ZONE (C-5).

(File No: CUP-24002)

WHEREAS, the applicant has submitted an application for approval of a Conditional Use Permit to develop a 2.97-acre site within the Thoroughfare Commercial zone with a 20,4800 square foot commercial building that includes 10,450 square foot of secondhand retail; and,

WHEREAS, the project site is located at 4571 Biddle Road, which is identified on the Jackson County Assessor's Map as 37S 2W 12 01C, Tax Lot 807; and,

WHEREAS, secondhand stores require a Conditional Use Permit in accordance with CPMC 17.46.030(A)(15); and,

WHEREAS, on November 5, 2024 the City of Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the Staff Report and heard testimony and comments on the application; and,

WHEREAS, the application has been found to be consistent with the approval criteria applicable to Conditional Use Permits in accordance with Section 17.76 of the Central Point Municipal Code as conditioned per the Staff Report dated November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED that

Section 1: The City of Central Point Planning Commission hereby approves the Conditional Use Permit application File No. CUP-24002 subject to the conditions in the Staff Report dated November 5, 2024 (Exhibit 1).

Section 2: This decision is based upon the Planning Department Staff Report dated November 5, 2024, attached hereto as Exhibit 1, including all exhibits thereto.

PASSED by the Planning Commission and signed by me in authentication of its passage this 5th day of November, 2024

Planning Commission Chair

ATTEST:

City Representative

Planning Commission Resolution No. 923 (11/05/2024)

Staff Report

Southern Oregon Goodwill
Site Plan and Architectural Review
File No. SPAR-24007

November 5, 2024

Item Summary

Consideration of a Site Plan and Architectural Review application to construct a 20,480 square foot building for use as a secondhand retail, warehouse, donation center, warehouse and job connection office. The proposed project includes site improvements for access, parking, circulation and landscape areas. The 2.97 acre site is located at 4571 Biddle Road in the Thoroughfare Commercial (C-5) zoning district and is identified on the Jackson County Assessor's map as 37S 2W 01C, Tax Lot 807.

Applicant: Southern Oregon Goodwill (Dave Traphagen);

Agent: arkitek, LLC design & architecture (Christopher Brown)

Staff Source

Justin Gindlesperger, Community Planner III

Background

The Applicant is proposing to develop a facility for the purpose of receiving, storing and selling secondhand merchandise; and providing job connection services for community members. The proposed site and building design plans illustrate the proposed improvements, including a 20,480 square foot building, off-street parking and maneuvering areas and site landscaping. The Site Plan and Architectural Review process assures the proposed site and building design are consistent with the land use and development in accordance with CPMC 17.72, Site Plan and Architectural Review.

Project Description:

Site Design:

The Site Plan (Attachment "A-1") depicts the location of the structure along with proposed parking, service and stormwater areas. The Landscape Plan (Attachment "A-2") depicts proposed landscape areas along street frontages, around the perimeter of the site and within the parking lot. There is ample landscaping to comply with, or exceed, landscape standards in CPMC 17.75.039. In order to mitigate the large surface of the parking area, the applicant is proposing a pedestrian access to the front of the building from the Biddle Road right-of-way, shading of 40% of the surface area by the proposed trees at maturity, and a landscape row with street trees along the private retail street.

Access:

The proposed Site Plan (Attachment "A-1"), fronts Biddle Road, a Minor County Arterial, and takes access from existing private retail streets on the west and south sides of the project site. The private retail streets provide access and circulation to the subject property and adjacent

commercial properties that are part of a 24 acre commercial area. There are five (5) existing connections Table Rock, Hamrick and Biddle Road.

Traffic Impacts:

As documented in the Traffic Impact Analysis (Attachment “C”), the proposed development is estimated to generate 492 average daily trips (ADT) and 42 peak hour trips during the p.m. peak hour. The TIA considers traffic impacts from the site development at three locations: 1) Biddle Road/Private Retail Street; 2) West site driveway/Private Retail Street; and 3) South site driveway/Private Retail Street during AM and PM peak hours. The TIA concludes that the proposed project for the secondhand retail store, warehouse, donation center and job connection office will not adversely affect any of the studied intersections and the streets will continue to operate at acceptable performance standards consistent with City and County requirements

Building Design:

As depicted on the Building Plans (Attachment “A-3”), the main entrance is oriented north towards Biddle Road and features varied roof lines and changes in eave height in order to break up the building massing. Vertical and horizontal changes in plane, color and material further divide the building facades, creating interest, scale and shadowing that divide the facades into smaller visual units. Maximum building height is approximately 25-feet, below the maximum of 35-feet in the C-5 zoning district.

Issues

In reviewing this application, the City received written comments on October 20, 2024 that raised issues with traffic volumes along Biddle Road in the area of the proposed development. As noted in the Public Works Staff Report (Attachment “D”), the project is not expected to generate trips beyond the threshold for a TIA. Although the private retail streets within the Hamrick Business Park connect to the public right-of-way in five (5) locations (i.e.. three (3) along Biddle Road, one (1) on Hamrick Road and one (1) along Table Rock Road) only the full-movement accesses along Hamrick Road and Biddle Road were considered for trip distribution in the TIA.

Comment: The Applicant submitted a TIA that examines trip generation for the proposed development to determine the effects on adjacent streets with current and future traffic volumes (Attachment “C”). The findings of the TIA conclude that the proposed development, including the secondhand retail store, donation center, warehouse and job connection office will not create adverse impacts on the transportation system. As noted in the Public Works Staff Report (Attachment “D”), the City concurs with the conclusions of the TIA. Therefore, no further action is required at this time.

Findings of Fact & Conclusions of Law

The Planning Commission can approve, approve with conditions or deny the application based on findings set forth in CPMC 17.72.040. The Site Plan and Architectural Review criteria are addressed in the Applicant’s Findings dated June 18, 2024 (Attachment “B”) and the Planning Department Supplemental Findings set forth below. Where there is a conflict between the Applicant’s Findings and the Planning Department Findings, the latter shall apply.

CPMC 17.72.040, Site Plan and Architectural Standards

In approving, conditionally approving, or denying any site plan and architectural review application, the approving authority shall base its decision on compliance with the following criteria:

- A. *The application is complete in accordance with Section [17.72.030](#);*

Finding CPMC 17.72.040(A): As evidenced in the Planning Application file SPAR-24007, herein incorporated by reference, the application was submitted on September 19, 2024, reviewed for completeness in accordance with this section. In a letter dated October 9, 2024, the City notified the applicant that the Site Plan & Architectural Review application was accepted as complete in accordance with CPMC 17.72.

Conclusion CPMC 17.72.040(A): Complies.

- B. *The proposal complies with all applicable provisions of the zoning district in which it is located including but not limited to setbacks, building height, lot area and dimensions, density and floor area, lot coverage, building design, etc.;*

Finding CPMC 17.72.040(B): As demonstrated on the Site Plan (Attachment “A-1”), the Building Elevations (Attachment “A-3”) and the Applicant’s Findings (Attachment “B”), the proposed land use, site development and building design is consistent with the applicable regulations for the C-5, Thoroughfare Commercial zoning district in which the proposal is located.

Conclusion CPMC 17.72.040(B): Consistent.

- C. *The proposal includes any required improvements needed to address nonconforming situations in accordance with Chapter [17.56](#);*

Finding CPMC 17.72.040(C): As demonstrated by the current aerial photography for the site and the Applicant’s Findings (Attachment “B”), the site is vacant and therefore has no non-conforming uses, structures or developments.

Conclusion CPMC 17.72.040(C): Not applicable.

- D. *The proposal complies with all design and development standards including but not limited to:*

1. *Chapter [17.75](#), Design and Development Standards;*

Finding CPMC 17.72.040(D)(1): Based on the Applicant’s Findings in Attachment “B”, the proposed site plan, landscaping and architectural standards can comply as conditioned.

Conclusion CPMC 17.72.040(D)(1): Complies as conditioned.

2. Chapter [17.67](#), Design Standards--TOD Overlay;

Finding CPMC 17.72.040(D)(2): The proposed site development is located in the C-5, Thoroughfare Commercial Zoning District and per the City of Central Point Official Zoning Map and General Land Use Plan Map, is not within a TOD Overlay.

Conclusion CPMC 17.72.040(D)(2): Not applicable.

3. Chapter [17.64](#), Off-Street Parking and Loading; and

Finding CPMC 17.040(D)(3): As demonstrated in the Applicant's Findings (Attachment "B"), the proposed site development proposes 71 off-street parking spaces, which is less than the 74 maximum allowed.

Conclusion CPMC 17.72.040(D)(3): Consistent.

4. Chapter [17.57](#), Fences;

Finding CPMC 17.72.040(D)(4): As demonstrated on the Site Plan (Attachment "A-1"), the proposed site includes fencing around the south side of the building and southern parking area with gates at the proposed truck entrance and exit. Setback standards in Table 17.57.01 require a 20-foot setback for gates.

The intent of requiring a setback for the gates is to prevent queuing on a street and impacting through-traffic. Whereas setbacks are typically measured from the property line, the property lines with the proposed gates are along the private retail streets and the property line is the centerline of the street, As demonstrated on the Site Plan (Attachment "A-1"), the southern gate is approximately 10-feet from the travel-way of the private retail street. Therefore, the setbacks for the gates shall be measured from the travel-way as necessary to avoid traffic conflicts and associated safety concerns. As a condition of approval, the south gate must be relocated to provide a 20-foot setback to the travel-way of the private retail street.

Conclusion CPMC 17.72.040(D)(4): Complies as conditioned.

E. *The proposal complies with the city of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction;*

Finding CPMC 17.72.040(E): As demonstrated in the Public Works Staff Report dated October 16, 2024 (Attachment "D") the proposed site development and public infrastructure, including access and frontage improvements, are consistent with the Public Works Standard Specifications as conditioned. The conditions assure that civil improvement design, construction timing and implementation remains consistent with the

Public Works Standards and County Road Standards until the project receives final inspection and Certificate of Occupancy.

Conclusion CPMC 17.72.040(E): Complies as conditioned.

- F. The proposal provides for accessible and sufficient fire fighting facilities necessary to provide for the reasonable safety of life, limb and property, including, but not limited to, suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus.*

Finding CPMC 17.72.040(F): As evidenced by FD3's email dated October 23, 2024 (Attachment "F"), the proposed site development must be consistent with the Oregon Fire Code. The proposed development includes a new fire hydrant and access for emergency response. As conditioned, the Applicant will be required to provide 'click to enter' gates and a Knox Box on the proposed building. This condition shall be administered through the building permit process.

Conclusion CPMC 17.72.040(F): Complies as conditioned.

Summary Conclusion:

The Site Plan and Architectural Review application to develop 2.97 acres at 4571 Biddle Road with an approximately 20,480 square foot secondhand retail store, warehouse, donation center and job connection office as been reviewed against the applicable approval criteria in CPMC 17.72.040 for the C-5 zone and found to comply as conditioned based on the Applicant's Findings of Fact in Attachment "B", the Planning Department Supplemental Findings presented in this Staff Report dated November 5, 2024 and Attachments "A-1", "A-2", "A-3", "C", "D", "E", "F", "G" and "H".

Recommended Conditions of Approval

1. Prior to building permit issuance for the proposed building, the applicant shall satisfy the following conditions of approval:
 - a. Submit an irrigation plan that depicts irrigation to all landscape areas on site;
 - b. Submit a revised site plan that depicts the gate a minimum of 20-feet from the travel-way along the southern private retail street.
 - c. Demonstrate compliance with the Public Works Department Staff Report (Attachment "D"), including but not limited to:
 - i. Submit and receive approval for Civil Improvement Plans demonstrating compliance with Public Works Department Standard Specifications for public works construction that includes, but is not limited to, the proposed sidewalks, utilities, and the protection of public infrastructure.

- ii. Submit and receive approval for a stormwater management plan demonstrating compliance with the MS4 Phase II stormwater quality standards.
 - iii. Submit and receive approval for an erosion and sediment control permit (NPDES-1200CN).
 - iv. Pay all System Development Charges and permit fees.
 - d. Demonstrate compliance with the Jackson County Roads Department Staff Report and supplemental comments (Attachment “E”), including but not limited to:
 - i. Submit and receive approval for construction plans demonstrating compliance with the “Standards and Specifications for County Roads” for public works within the County Roads right-of-way.
 - ii. Submit and receive approval for a stormwater management plan for any drainage facilities directed to Jackson County stormwater facilities.
 - e. Demonstrate compliance with Fire District No. 3 Staff Comments (Attachment “F”), including but not limited to:
 - i. Include fire-resistant landscape materials within proposed landscape areas, as endorsed by Firewise landscaping principles.
 - ii. Install sprinklers and provide a Knox Box on the building.
 - iii. Include a ‘click-to-enter’ or other entry mechanism on the proposed gates.
 - iv. Designate access lanes and circulation lanes as “Fire Lane” with no parking signs.
 - f. Demonstrate compliance with Rogue Valley Sewer Services Staff report (Attachment “G”), including obtaining a connection permit and paying all applicable fees.
 - g. Demonstrate compliance with Rogue Valley International – Medford Airport Staff Comments (Attachment “H”), including but not limited to:
 - i. Provide a recorded copy of an Avigation, Noise and Hazard Easement.
 - ii. File a Notice of Proposed Construction or Alteration with Federal Aviation Administration.
- 2. Prior to Public Works Final Inspection, the applicant shall demonstrate compliance with the following:

- a. Complete public infrastructure and civil improvements per Civil Improvement Plans approved by the Public Works Department and a fully executed development agreement and bond, if applicable. The Engineer-of-Record shall certify that all improvements were constructed per the approved plans.
 - b. Complete public infrastructure and civil improvements per construction plans approved by the Jackson County Roads Department.
 - c. Complete stormwater management improvements per the Stormwater Management Plan approved by the Public Works Department. The Engineer-of-Record shall certify that the construction of the drainage system was constructed per the approved plans.
 - d. Record an operations and maintenance agreement for all new stormwater quality features.
3. Any modifications to the site layout, including but not limited to stormwater quality treatment facility type and location, shall be subject to review in accordance with CPMC 17.09, Modifications to Approved Plans and Conditions of Approval.

Attachments

Attachment "A-1" – Master Site Plan

Attachment "A-2" – Landscape Plan

Attachment "A-3" – Building Elevations

Attachment "B" – Applicant's Findings, dated 09/19/2024

Attachment "C" – Traffic Impact Analysis, dated 10/09/2024

Attachment "D" – Public Works Department Staff Report, dated 10/16/2024

Attachment "E" – Jackson County Roads Staff Report, dated 10/25/2024

Attachment "F" – Fire District No. 3 Staff Report, dated 10/24/2024

Attachment "G" – Rogue Valley Sewer Services Staff Report, dated 10/15/2024

Attachment "H" – Rogue Valley International – Medford Airport, dated 10/16/2024

Attachment "I" – Public Comments, dated 10/20/2024

Attachment "J" – Resolution No. 924

Action

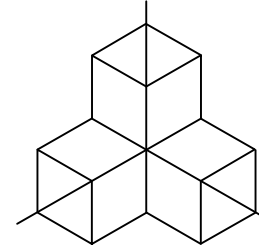
Open a public hearing and consider the proposed Site Plan & Architectural Review application and 1) approve; 2) approve with revisions; or 3) deny the application.

Recommendation

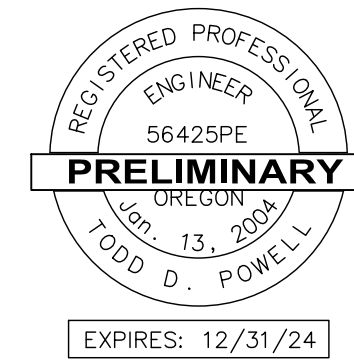
Approve Resolution No. 924, a Resolution recommending approval of the Site Plan & Architectural Review application for the Southern Oregon Goodwill development plan.

Recommended Motion

I move to approve Resolution No. 924, a Resolution recommending approval of the Site Plan & Architectural Review application for the Southern Oregon Goodwill development plan per the Revised Staff Report dated November 5, 2024.



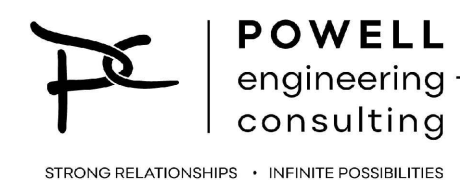
Stamp



SOUTHERN OREGON GOODWILL
GOODWILL CENTRAL POINT
BIDDLE ROAD
MAP AND TAX LOT: 372W01C 807



Consultant



100 E. Main St., Suite O
Medford, OR 97501

541.613.0723 phone

www.powellengineeringconsulting.com

Revisions

No.	Description	Date
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Date	10/28/24
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Job No.	24_34
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Drawn By	TDP
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Checked By	TDP
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PLANNING SET

Date

10/28/24

Project Number

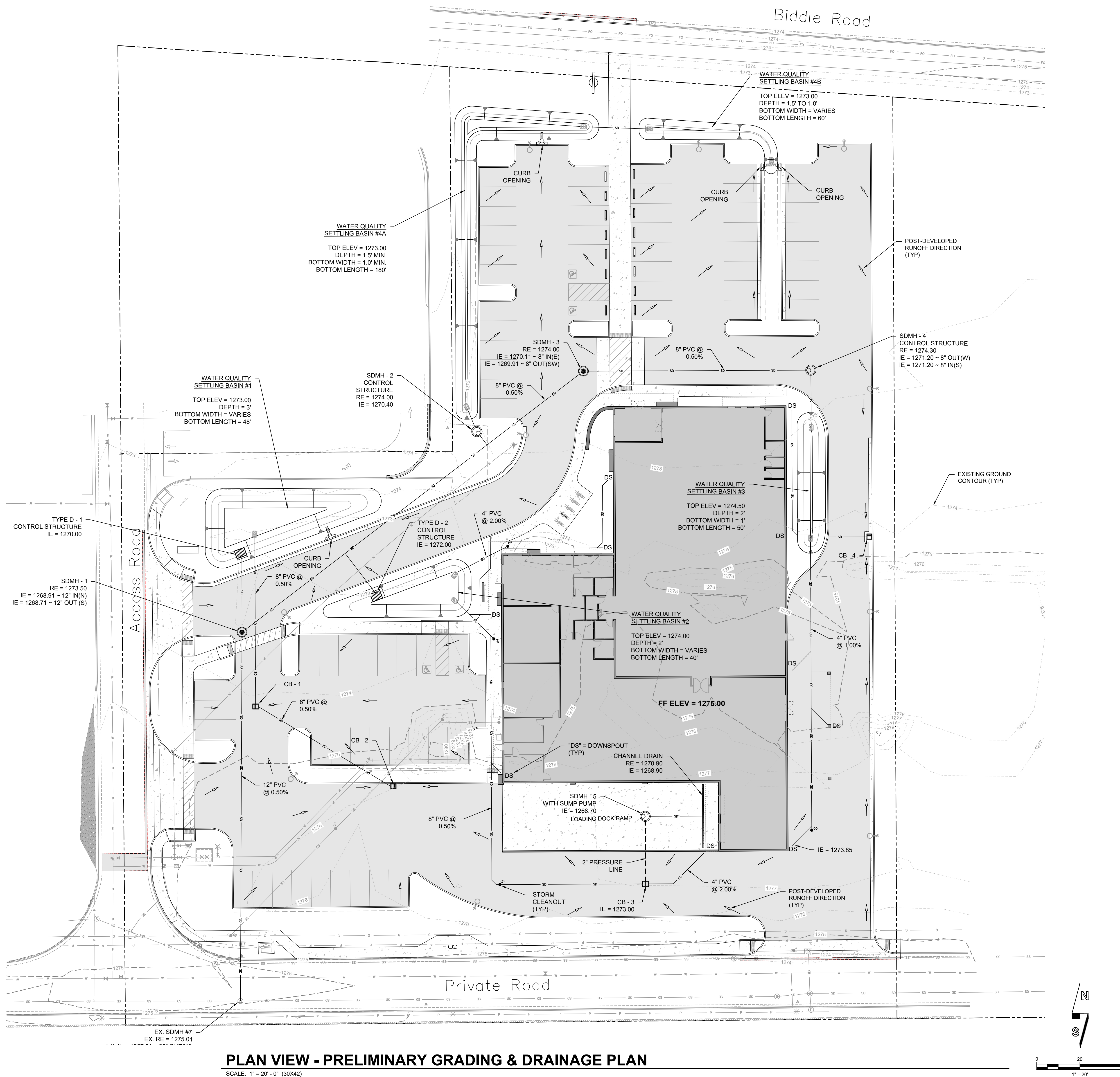
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Drawing Title

GRADING &
DRAINAGE PLAN

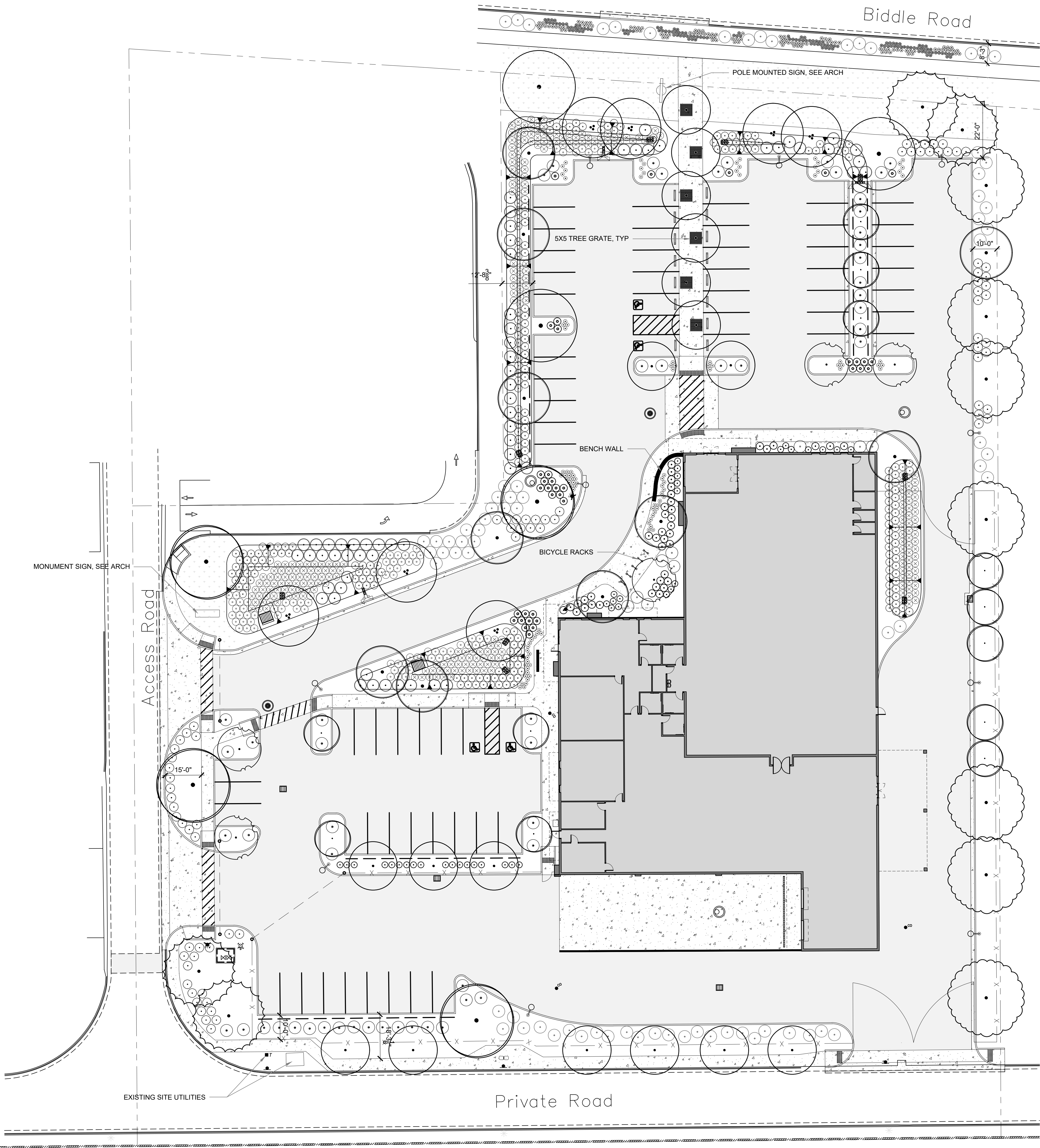
Sheet No.

C4.0



1 LANDSCAPE PLAN

SCALE: 1" = 20'-0"



SHEET NOTES:

1. SEE CIVIL PLANS FOR PROPOSED UTILITY CONNECTIONS, GRADING, DRAINAGE, PROPOSED PAVED SURFACES, RAMPS, WALLS, AND STORMWATER SYSTEM.
2. EXAMINE SITE FOR CONDITIONS THAT WILL ADVERSELY EFFECT EXECUTION, PERFORMANCE, QUALITY OF WORK, AND SURVIVAL OF PLANT MATERIAL.
3. PROTECT UTILITY LINES AND SITE IMPROVEMENTS.
4. NEWLY DEVELOPED PLANTING BEDS TO RECEIVE 3" LAYER OF SHREDDED HEMLOCK OR FIR, 3/4" SCREENED, BARK MULCH.
5. NURSERY STOCK SHALL BE HEALTHY, WELL BRANCHED AND ROOTED, FULL FOLIAGE WHEN IN LEAD, FREE OF DISEASE, INJURY, INSECTS, WEEDS, AND WEED ROOTS.
6. IRRIGATION WILL BE AN AUTOMATIC SYSTEM AND WILL INCLUDE A NEW POINT OF CONNECTION WITH APPROVED BACKFLOW PREVENTION DEVICE, VALVES, AND WIRE.
7. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF SUFFICIENTLY SIZED SLEEVES FOR CONTROL WIRES AND PIPING UNDER PAVED AREAS.

PLANT LIST:

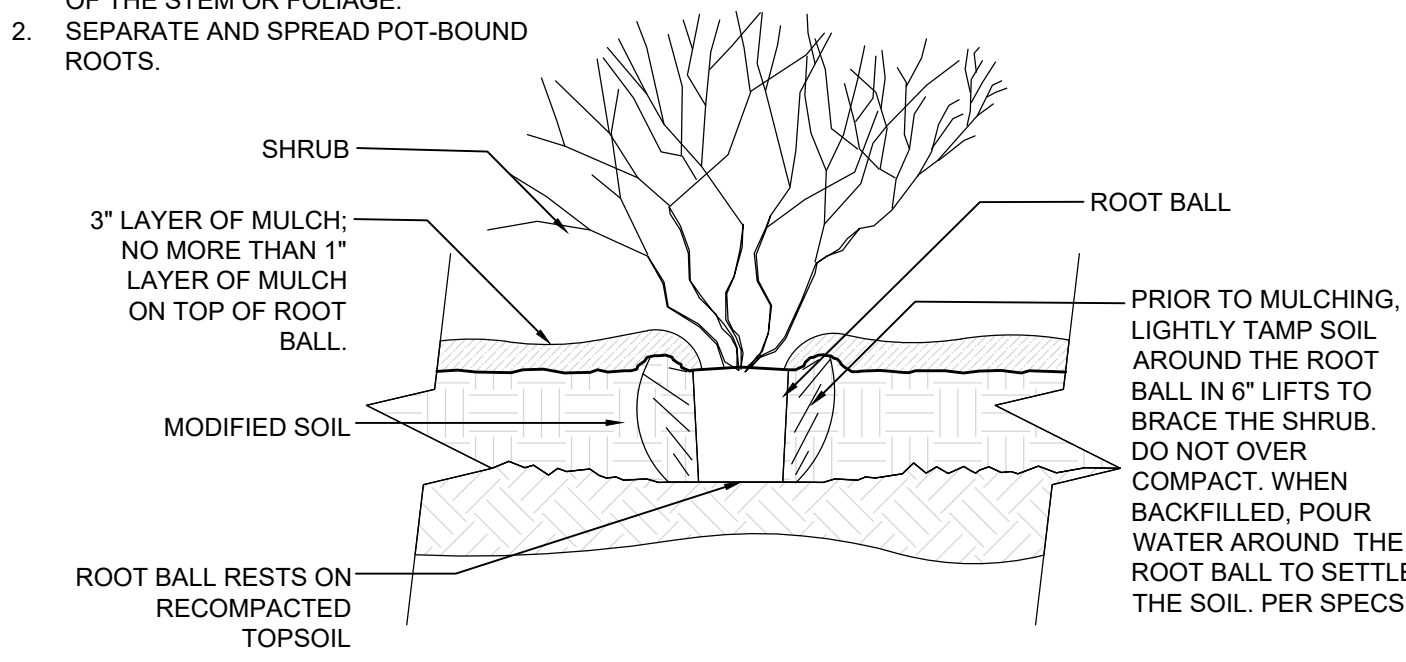
LATIN NAME	COMMON NAME	SIZE
Betula nigra 'NIMTIT' DURA-HEAT	Dura Heat River Birch	1.75" CAL.
Cotoneaster integrata var. Paul's Scarlet	Paul's Scarlet Hawthorn	1.5" CAL.
Gleditsia triacanthos var. inermis	Thornless Honeylocust 'Street Keeper'	1.75" CAL.
Gymnocladus dioica	Kentucky Coffeetree	1.75" CAL.
Nyssa sylvatica	Tupelo	1.75" CAL.
Prunus 'Weinmann'	Newman Flowering Cherry	1.5" CAL.
Quercus chrysolepis	Canyon Live Oak	1.75" CAL.
Quercus rubra	Red Oak	1.75" CAL.
Zelkova serrata	Zelkova	1.75" CAL.

LATIN NAME	COMMON NAME	SIZE
Aster novae-angliae	New England Aster	#1
Berberis thunbergii 'Golden Rocket'	Golden Rocket Barberry	#5
Berberis thunbergii 'SABOT'	Lane Nugget® Martha Barberry	#5
Choisya tomentosa 'Sundance'	Sundance Mexican Orange	#5
Cornus sericea 'Yellow'	Kelsey's Dwarf Red Osier Dogwood	#3
Cotoneaster opulatus 'Tom Thumb'	Tom Thumb Cranberry Cotoneaster	#1
Festuca 'Sasky Blue'	Idaho Fescue	#1
Ilax glabra 'Shamrock'	Shamrock Inkberry	#5
Juncus effusus	Rush	#1
Mahonia aquifolium	Oregon Grape	#3
Phlox subulata 'Little Bunny'	Little Bunny Dwarf Fountain Grass	#1
Rosa 'NOBLESSE'	Flower Carpet® Amber Rose	#5
Schizanthus luteus 'Blaze'	Little Bluestem	#1
Spiraea betulifolia 'Tor'	Birch Leaf Spirea	#3
Vinca minor 'Bowles'	Bowles' Common Periwinkle	4"

— LAWN

NOTE:

1. ALL MULCH AND WOOD CHIPS SHALL BE REMOVED FROM THE CROWN OF THE PLANT, NOT COVERING ANY PART OF THE STEM OR FOLIAGE.
2. SEPARATE AND SPREAD POT-BOUND ROOTS.

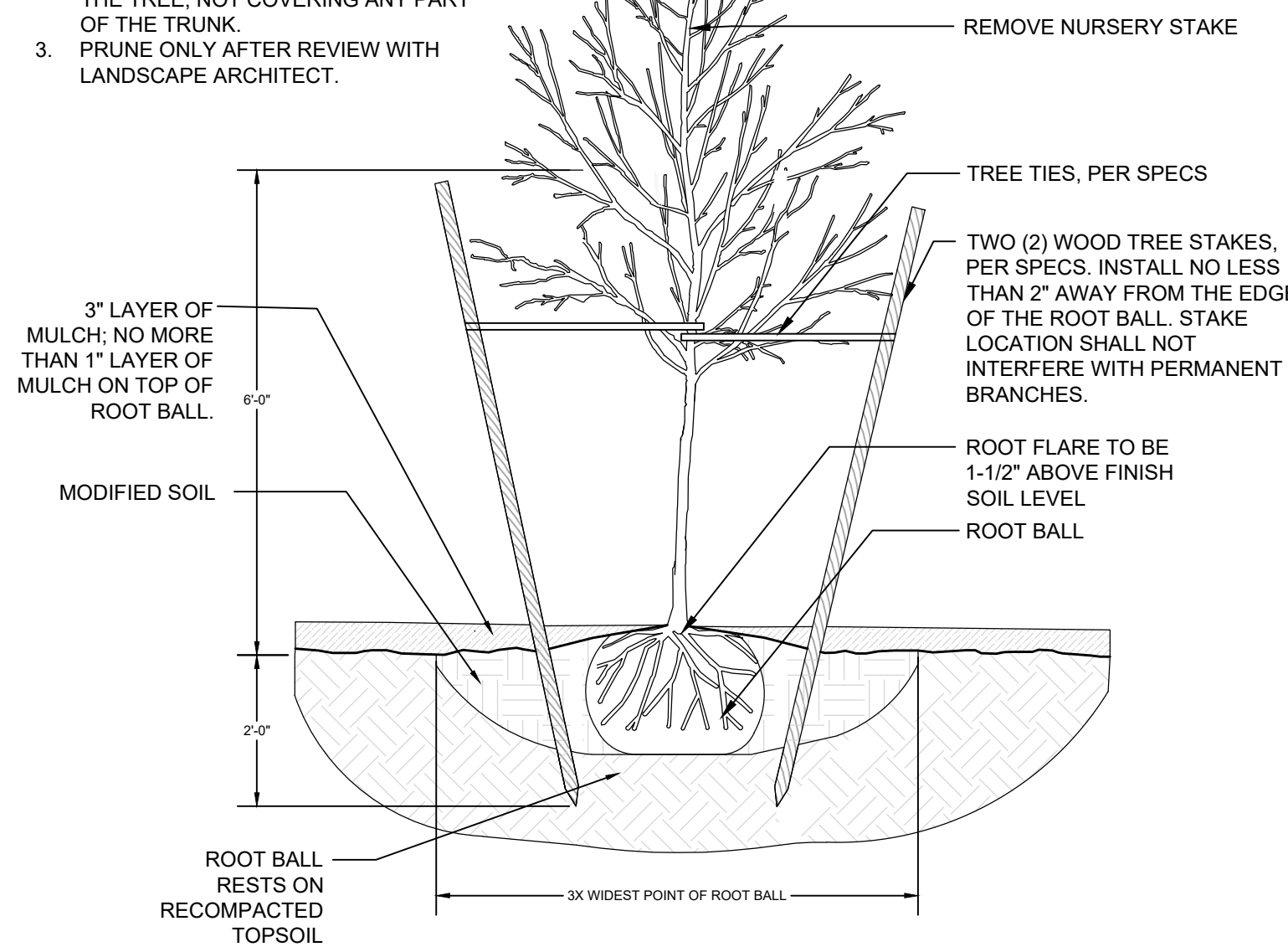


2 SHRUB PLANTING

SCALE: 1/2" = 1'-0"

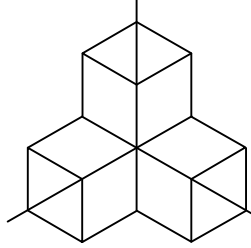
NOTE:

1. SCARIFY THE SIDES OF THE PLANTING HOLE PRIOR TO PLACING MODIFIED SOIL.
2. ALL MULCH AND WOOD CHIPS SHALL BE REMOVED FROM THE CROWN OF THE TREE, NOT COVERING ANY PART OF THE TRUNK.
3. PRUNE ONLY AFTER REVIEW WITH LANDSCAPE ARCHITECT.

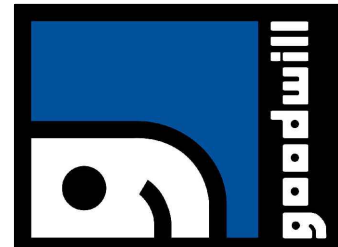


3 TREE PLANTING

SCALE: 1/2" = 1'-0"



Stamp



Project

Consultant

Revisions

No. Description Date

Date 10/28/24

Job No. 24_34

Drawn By JA

Checked By SS

PLANNING SET

Date

09/19/24

Project Number

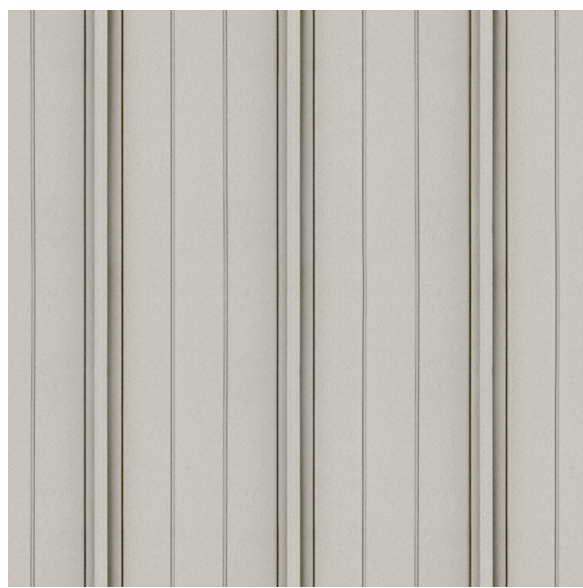
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Drawing Title

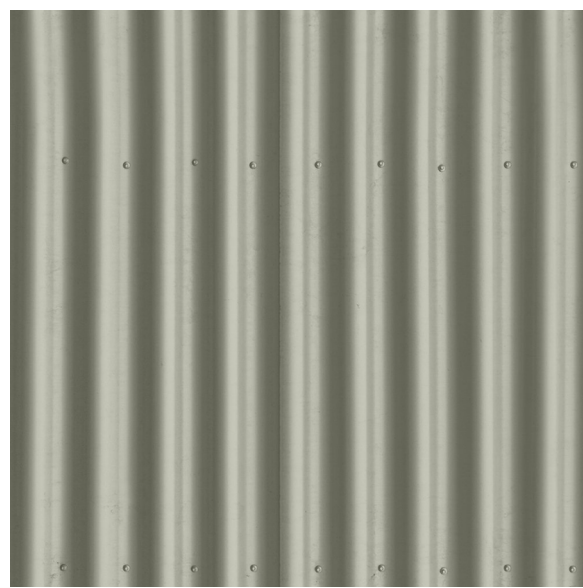
LANDSCAPE PLAN

Sheet No

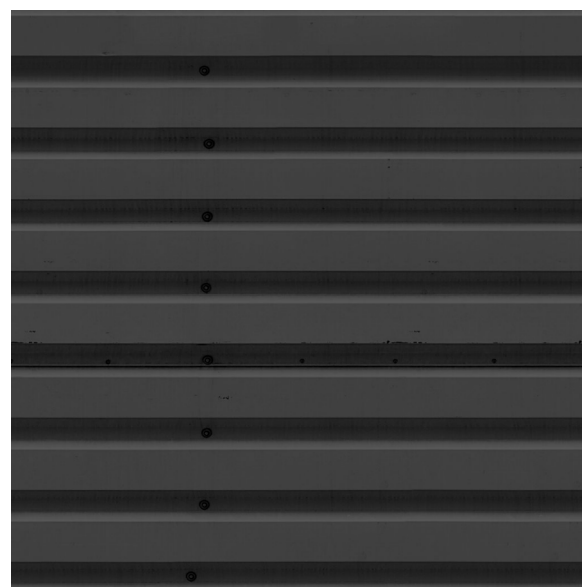
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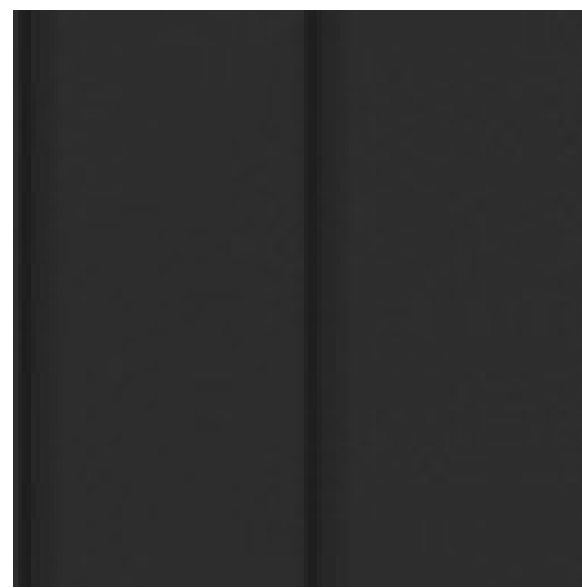
VERTICAL METAL SIDING PANEL



CORRUGATED EXPOSED FASTENER SIDING PANEL



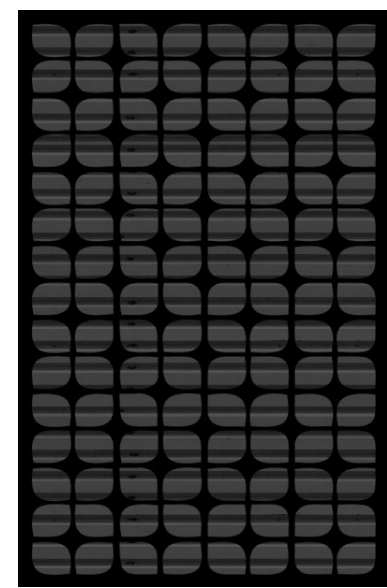
7.2 RIBBED EXPOSED FASTENER SIDING PANEL



STANDING SEAM METAL ROOF



STONE VENEER ACCENT

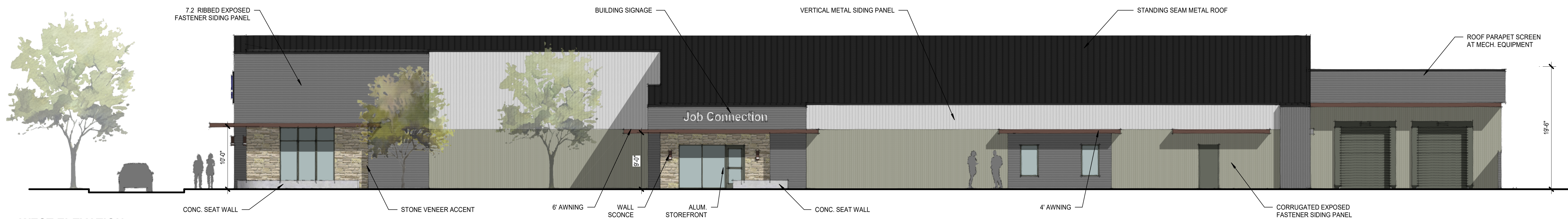


DECORATIVE SCREEN PANEL

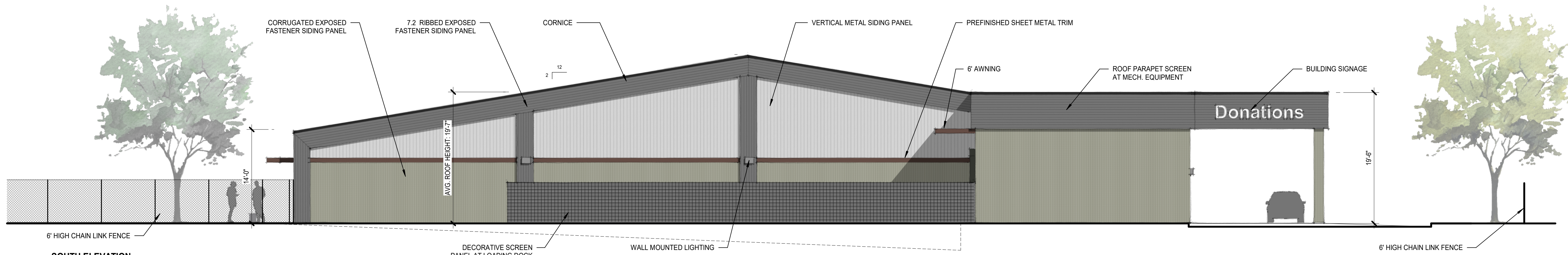
MATERIAL



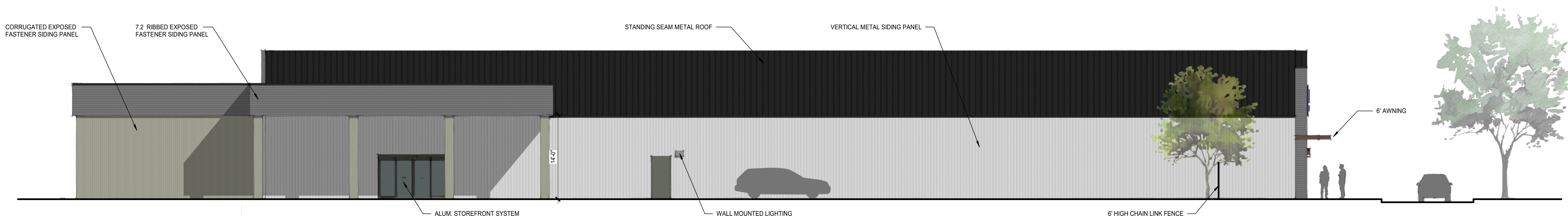
NORTH ELEVATION



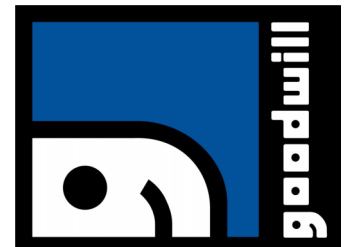
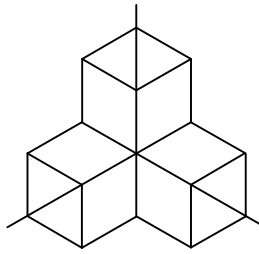
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION





Southern Oregon Goodwill

Goodwill Central Point

Biddle Road Site,
Central Point, OR 97501



Type III Planning Application - Written Findings

September 19, 2024

Goodwill Retail Store & Job Connection

Type III Planning Application - Written Findings

09/19/2024

I. Project Information

Pre-Application:	PRE-24007
Property Owner:	TFTM LLC ET AL (FEATHER SEVEN, LLC) PO BOX 970 Medford, OR 97502
Applicant:	Southern Oregon Goodwill 11 W Jackson Street Medford, OR 97501
Subject Site:	Biddle Road, Central Point, OR 97501
Map & Tax Lot #:	372W01C 807
Zoning:	C-5 (Thoroughfare Commercial)
Overlay Zone:	Airport Overlays: 20:1
Total Acreage:	2.97 Ac (129,438 SF)
Use:	Vacant undeveloped land

II. Schedule of exhibits

The following exhibits have been submitted as part of this Application, which by this reference are incorporated herein and deemed a part of the Application:

- Exhibit A CP Goodwill Land Use Set - Civil
- Exhibit B CP Goodwill Land Use Set - Landscape
- Exhibit C CP Goodwill Land Use Set - Architecture
- Exhibit D Traffic Analysis

III. Project Scope

The anticipated development at Biddle Road, proposed by the Southern Oregon Goodwill, includes a new 20,480 sf retail, donation and warehouse facility. The new facility will serve as the primary retail store, warehouse space, job connection services office and donation drop-off for Goodwill in Central Point. The retail area will be approximately 10,450 sf, the Job Connection area will be approximately 1,960 sf, and the Warehouse area will be approximately 8,070 sf. In addition to the new building, miscellaneous site improvements are proposed including new paved parking, sidewalks, loading dock, fire lane, and landscaping.

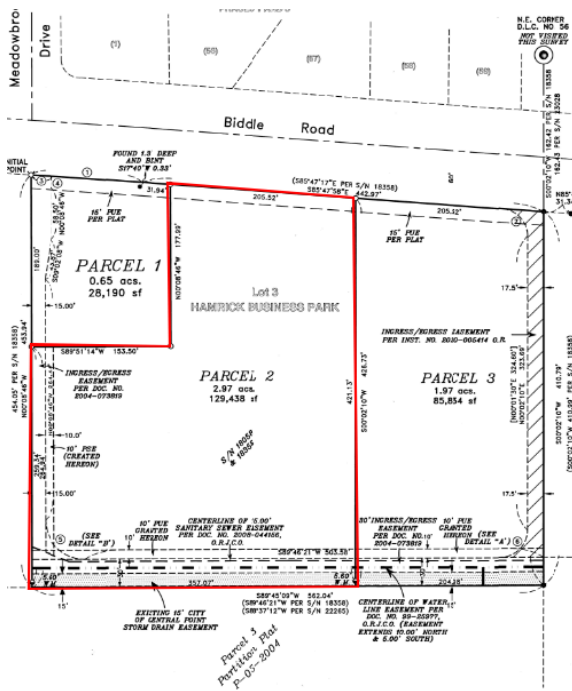
IV. Site Description

The certain real property located at Biddle Road, in Central Point, OR is currently owned by TFTM LLC et All, including Feather Seven LLC. Southern Oregon Goodwill ("Applicant") is in the process of purchasing the property for the

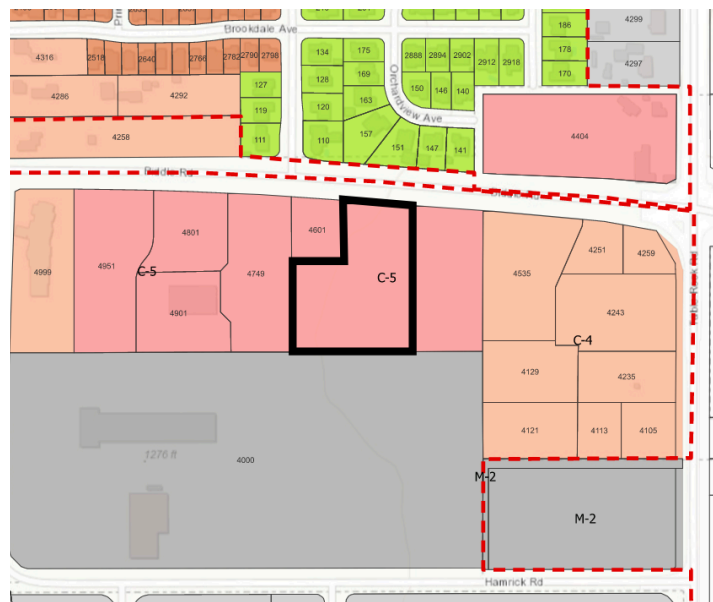
intended project outlined in this application. The subject property is located in Jackson County in the 4600 block of Biddle Road within the C-5 Thoroughfare Commercial Zone. The property is parcel 2 of the Hamrick Business Park subdivision bounded by Biddle Rd to the north and private retail streets to the south, east and west. Across the street along Biddle Road is a housing subdivision and the site is boarded to the northwest by a Human Bean coffee shop and a trucking company to the south. The property to the immediate east is undeveloped land.

The uses previously on site included farmland, a home site, and most recently vacant, idle land. The 2.97 acre 'L' shaped property is currently undeveloped land with 205.52 feet of frontage on Biddle Road and contains no structures, pavement, or driveways. The site is accessed via a shared private retail street to the west, and another retail street to the south. Jackson county utility services run along Biddle Road, however the City of Central Point provides water, sewer, and power to the site along an easement that runs east-west along the southern boundary. A Pacific Power transformer is located at the south west corner of the property and Avista gas currently supplies the site with natural gas.

The site is relatively flat, gently sloping down towards the North. No significant trees, waterways, or geologic features exist on site.



Subject parcel



Central point existing zoning map

V. CONDITIONAL USE PERMIT

Central Point Municipal Code	Compliance Narrative:
Chapter 17.46 C-5, THOROUGHFARE COMMERCIAL DISTRICT 17.46.030 Conditional uses. <i>The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:</i> 15. Secondhand store or thrift shop	The proposed development is a second hand retail/ thrift store, office, and warehouse facility. As per Section 17.46.030 Conditional uses, of the City of Central Point Zoning Ordinance, the proposed use requires a Conditional Use Permit in the C-5 zone.
17.46.060 General requirements. <i>A. Uses that are normally permitted in the C-5 district but that are referred to the planning commission for further review, per Section 17.46.030(26), will be processed according to application procedures for conditional use permits. No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination or glare, or are found to involve any hazard of fire or explosion.</i> <i>B. No use shall be permitted and no process, equipment or materials shall be used unless in compliance with all applicable state and federal environmental, health and safety regulations.</i> <i>C. Wherever the side or rear property lines of a parcel in the C-5 district abut parcels in a residential (R) district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on that property line and continuously maintained to ensure effective buffering and visual screening between the two land uses. Where a public alley or street separates the two properties, the barrier or screen shall be placed on the C-5 property at the time of construction and may include driveway and pedestrian openings to the alley or street, as approved by the planning commission.</i> <i>D. Whenever feasible, buildings shall be located toward the rear of the lot with parking toward the street in the front yard area for easy access and to minimize traffic noise at the rear of the property, especially when the rear property line abuts a residential (R) district.</i>	A. The proposed use of a second hand store is listed as a conditional use in section 17.46.030(15). This use will create the same level of sensory impacts to the surrounding vicinity as any other retail use, which is a permitted use within this zone. Southern Oregon Goodwill operates its stores in a thoughtful and clean way so as to not impact the views, sounds, or smells of their neighbors. B. Goodwill operates its locations in accordance with local, state, and federal environmental, health, and safety regulations. C. The subject property does not abut a residential district. D. The proposed building is located in the center of the lot so as to provide parking between the building and Biddle Road, and between the building and the western retail street. The area south of the building has been reserved for back of house activities such as loading as it is the farthest point from public view.
Chapter 17.76 CONDITIONAL USE PERMITS 17.76.040 Findings and conditions.	

<i>The planning commission in granting a conditional use permit shall find as follows:</i> <i>A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;</i> <i>B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;</i> <i>C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;</i> <i>D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;</i>	A. The size and shape of the proposed parcel will easily accommodate the proposed second hand retail use. The parcel is 2.97 acres and broadly L shaped, with 205 feet of frontage on Biddle Rd, 265 along the west access road, and 357 along the south access road. These wide points of access allow for multiple access driveways of adequate width, without compromising the City's street standards. All site design standards have been met in the proposed plans, as well as specific needs of the proposed use. B. A Traffic Impact Study has been prepared by a traffic engineer and has been included as part of this application. The study analyzes potential impacts on the surrounding area from the proposed development, including access points, circulation, and safety on local streets. The study concludes that proposed development can be approved without creating adverse impacts on the transportation system. C. The proposed use will have no adverse impacts on abutting properties or existing permitted uses. The proposed development differs insignificantly from permitted uses, such as commercial retail use. Site design standards for typical commercial development have all been met. D. The proposed use will comply with all applicable health and safety regulations and will not have any negative impacts to the surroundings, the land, or general welfare of the community.
17.05.900 Traffic impact analysis. <i>A. When a Traffic Impact Analysis Is Required. The city shall require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access in the following situations:</i> <i>2. If the application does not include residential development, a TIA shall be required when a land use application involves one or more of the following actions:</i> <i>a. A change in zoning or a plan amendment designation;</i> <i>b. Any proposed development or land use action that a road authority, including the city, Jackson County or ODOT, states may have operational or safety concerns along its facility(ies);</i> <i>c. An increase in site traffic volume generation by two hundred fifty average daily trips (ADT) or more;</i>	The proposed project includes a proposed use that requires a conditional use permit within the C-5 zone. The proposed uses include a 10,450 sf second hand retail store, 1,960 sf office space, and an 8,070 sf warehouse space. Based on a preliminary review of the proposed use by the City during a pre-application (PRE-24007), it was determined that a TIA would not be required for the application, however a Traffic Impact Study has been prepared by a traffic engineer and has been included as part of this application. The study analyzes potential impacts on the surrounding area from the proposed development, including access points, circulation, and safety on local streets. The study determines that the ADT, peak hour trips, and vehicle weight, are in accordance with that of permitted uses. Locations of access driveways and streets meet the minimum sight distance requirements and internal circulation and parking

<i>d. An increase in peak hour volume of a particular movement to and from the state highway by twenty percent or more;</i> <i>e. An increase in use of adjacent streets by vehicles exceeding twenty thousand pounds gross vehicle weight by ten vehicles or more per day;</i> <i>f. The location of the access driveway does not meet minimum sight distance requirements, as determined by the city engineer, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard in the discretion of the community development director; or</i> <i>g. A change in internal traffic patterns that, in the discretion of the community development director, may cause safety problems, such as backup onto a street or greater potential for traffic accidents.</i>	on site cause no safety concerns such as backing up into streets or causing obstructions. All intersections and access conditions meet the standard at full capacity. The proposal meets the CUP approval criteria of causing no significant adverse impact on surrounding areas when compared to the impacts of permitted development.
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VI. SITE PLAN & ARCHITECTURAL REVIEW

Central Point Municipal Code	Compliance Narrative:
Chapter 12.36 TREES 12.36.090 Street and frontage tree planting--When required. <i>A. All new multifamily development, commercial or industrial development, subdivisions, partitions, or parking lots fronting a public roadway which has a designated curbside planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 12.36.100.</i> <i>B. Frontage trees shall be required as a condition of new development. The standards for the planting of such trees are those listed in Section 12.36.100. The number and location of frontage trees shall be determined by the Central Point planning commission during the site plan, tentative plan or other discretionary permit review process for new development.</i>	A. The proposed new commercial development has frontage along Biddle Road, which has a dedicated curbside planting strip. Therefore, the proposed project will be developed in conformance with this section. B. The subject parcel has 205 feet of frontage along Biddle Road and includes 8 new street trees in the proposed planting design.
12.36.100 Street tree standards. <i>A. The species of the street trees to be planted shall be chosen from the approved street tree list unless approval of another species is given by the Central Point planning commission.</i> <i>B. Street trees shall be a minimum of one and one-half inches in caliper measured at six inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.</i> <i>C. Small or narrow stature trees (under twenty-five feet tall and less than sixteen feet wide branching) should be spaced no greater than twenty feet apart; medium sized trees (twenty-five feet to forty feet tall, sixteen feet to thirty-five feet wide branching) should be spaced no greater than thirty feet apart; and large trees (over forty feet tall and more than thirty-five feet wide branching) should be spaced no greater than forty feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the city for specific site limitations and safety purposes. Within commercial and industrial development, staggered or irregular spacing is permitted, as may be approved by the Central Point planning commission.</i> <i>D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three feet in width.</i>	A. The proposed street trees have been chosen from the City's street tree list. See the attached landscape plan for details. B. The proposed street trees are 1-½" caliper in accordance with this code section. See the attached landscape plan for details. C. Street tree spacing has been designed in accordance with this code section. Due to a variety of tree species used, the tree spacing is not consistent across the entire street frontage. D. The existing planting strip between Biddle Rd and the existing sidewalk measures at 7.5 feet wide. The proposed street tree plantings have been placed in the

<i>Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half feet from the face of a curb.</i> <i>E. Street trees shall not be planted within ten feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty feet of street light standards or street intersections, or within five feet of an existing street tree. Variations to these distances may be granted by the public works director and as may be required to ensure adequate clear vision.</i> <i>F. Existing street trees shall be retained unless approved by the city manager for removal during site development or in conjunction with a street construction project. Sidewalks of a variable width and elevation may be utilized as approved by the city manager or his designee to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way shall be replaced at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the removed tree shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal," published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.</i>	center of that strip, with a distance of 3.75 feet from the curb and 3.75 feet from the sidewalk. E. No obstructions currently exist along the planting strip on Biddle Rd. F. No existing street trees are present.
Chapter 17.46 C-5, THOROUGHFARE COMMERCIAL DISTRICT 17.46.040 Height regulations. <i>No building or structure shall exceed thirty-five feet in height in the C-5 district.</i>	The proposed building has a total height of 19 feet-7 inches, which is below the maximum required within the C-5 zone.
17.46.050 Area, width and yard requirements. <i>A. Lot Area. No requirements except as necessary to comply with applicable yard and parking and loading requirements.</i> <i>B. Lot Width. The minimum lot width shall be fifty feet.</i> <i>C. Lot Depth. The minimum lot depth shall be one hundred feet.</i> <i>D. Front Yard. The front yard shall be a minimum of ten feet and shall be maintained as landscaped open space. When off-street parking is located in the front yard area, the landscaped strip may be reduced to not less than six feet with planning commission approval of the site plan.</i>	A. See findings below regarding yard requirements. B. The lot width is 205.52 feet. C. The lot depth is 426.73 feet. D. The front yard is 15 feet. E. The side yard is 10 feet. F. The rear yard is 15 feet.

<i>E. Side Yard. The side yard shall be a minimum of five feet, except when abutting structures are proposed with a common wall that complies with the Uniform Building Code.</i> <i>F. Rear Yard. No rear yard shall be required in the C-5 district except when the rear lot line abuts property in a residential (R) district and then the rear yard shall be a minimum of twenty feet. Where property in the C-5 district is separated from property in a residential (R) district by a public alley or street, no rear yard setback shall be required.</i> <i>G. Lot Coverage. No requirements except as necessary to comply with applicable yard, parking and loading requirements.</i>	G. See findings below regarding parking, loading, and street frontage requirements.										
17.46.070 Signs and lighting of premises. <i>A. No illuminated sign or lighting standard used for the illumination of premises shall be so designed and installed that its direct rays are toward or parallel to a public street or highway or directed toward any property that lies within a residential (R) district.</i> <i>B. No red, green or amber lights or illuminated signs may be placed in such a location or position that they could be confused with, or may interfere with, any official traffic control device, traffic signal or directional guide signs.</i> <i>C. Signs in the C-5 district shall be permitted and designed in accordance with Chapter 15.24 and with Section 17.60.110.</i>	A. The attached site plan shows the proposed locations of parking lot light and signage. The attached building elevations show the proposed exterior mounted lights. The combined effect of the proposed lighting layout will create a safely illuminated property without illuminating adjacent properties or public streets. B. No red, green, or amber lights are included in the proposed development plans. C. The attached site plan shows a pole mounted sign at Biddle Road, and a monument sign at the western entrance. The attached building elevations show a wall mounted sign facing Biddle Road, and a smaller wall mounted sign facing west to indicate the Job Connection entrance. All of the proposed signs will be permitted separately during the building permitting process and will be designed in accordance with section 17.60.110.										
Chapter 17.57 FENCES Table 17.57.01 – Fence Regulations <i>The following applies to C-5 zones.</i> <table border="1"> <tr> <td>Max Height</td><td>6 Feet</td></tr> <tr> <td>Front Yard Setback</td><td>20 Feet</td></tr> <tr> <td>Side Yard Setback</td><td>0 Feet</td></tr> <tr> <td>Rear Yard Setback</td><td>0 Feet</td></tr> <tr> <td>Gates</td><td>20 Feet</td></tr> </table>	Max Height	6 Feet	Front Yard Setback	20 Feet	Side Yard Setback	0 Feet	Rear Yard Setback	0 Feet	Gates	20 Feet	The proposed fence is a 6 ft tall galvanized chain link fence that runs along the side and rear of the property. The proposed design is in compliance with this section.
Max Height	6 Feet										
Front Yard Setback	20 Feet										
Side Yard Setback	0 Feet										
Rear Yard Setback	0 Feet										
Gates	20 Feet										
Chapter 17.64 OFF-STREET PARKING AND LOADING 17.64.030 Off-street loading. <i>C. Location.</i>											

1. Off-street loading facilities shall be located on the same lot or parcel as the structure they are intended to serve.
2. Off-street loading areas shall not be placed between a building and street frontage unless the following apply:
 - a. The site has frontage along a public street on two or more sides;
 - b. The off-street loading area is not located on the primary building facade.
3. Off-street loading areas shall not be within any required front, side or rear yard setback.
4. Loading spaces shall not project into any public right-of-way or otherwise interfere with the public use of streets or alleys, sidewalks, or any clear vision triangle.

Use Category	Min. Requirement
Warehousing - less than 12,500	1
Retail - less than 12,500	0
Offices - 0-50,000	0

D. Loading Berth Dimensions. A loading berth shall not be less than ten feet wide, thirty-five feet long and shall have a minimum height clearance of twelve feet. Where vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

E. Landscaping. Off-street loading areas shall be landscaped in accordance with applicable standards in Sections 17.67.050 and 17.75.039 for street frontage, abutting land use perimeter, and parking/loading/maneuvering area requirements for interior and perimeter landscaping.

1. Two loading areas are proposed on site.
2. Both loading areas are placed to the side or the rear of the building, away from Biddle Rd.
3. Both loading areas are in compliance with this subsection.
4. Both loading areas are in compliance with this subsection.

D. Both loading areas are in compliance with this subsection.

E. Both loading areas are in compliance with this subsection.

17.64.040 Off-street parking requirements

Use Type	Min.	Max.
Retail - Sales Oriented	0	5 spaces per 1,000 square feet of gross floor area
Professional Office	0	4 spaces per 1,000 square feet of gross floor area
Warehousing and Storage	0	0.5 spaces per 1,000 square feet of gross floor area, plus 1 space per employee on the largest shift

Vehicle Parking Compliance:

Use Type	Max Allowed	Provided
Retail - Sales Oriented	10,450 SF / 1000 x 5 = 52	—
Professional Office	1,960 sf / 1000 x 4 = 8	—
Warehousing and Storage	8,070 SF / 1000 x .5 = 4 + 10 Employees	—
TOTAL:	74 spaces	71 Spaces

17.64.050 Bicycle parking

Use Type	Min.
Retail Sales	0.33 spaces per 1,000 sq. ft.
Office	2 spaces, or 1 space per 1,000 sq. ft., whichever is greater

Bicycle Parking Compliance:

Use Type	Min. Required	Provided
Retail Sales	10,450 SF / 1000 x .33 = 4	—
Office	1,960 sf / 1000 x 2 = 4	—
Warehouse	2	—
TOTAL:	10	10

<table border="1"> <tr> <td data-bbox="99 142 289 226">Warehouse</td><td data-bbox="289 142 808 226">2 spaces, or 0.1 space per 1,000 sq. ft., whichever is greater</td></tr> </table>	Warehouse	2 spaces, or 0.1 space per 1,000 sq. ft., whichever is greater	
Warehouse	2 spaces, or 0.1 space per 1,000 sq. ft., whichever is greater		
Chapter 17.72 SITE PLAN AND ARCHITECTURAL REVIEW 17.72.020 Applicability <i>B. Major Projects. The following are “major projects” for the purposes of the site plan and architectural review process and are subject to Type II procedural requirements as set forth in Chapter 17.05</i> <i>1. New construction, including private and public projects, that:</i> <i>a. Includes a new building or building addition of five thousand square feet or more;</i>	The proposed development includes the construction of a new Goodwill retail store and job connection location on an undeveloped parcel. Therefore, the project is considered a Major project.		
17.72.040 Approval criteria. <i>In approving, conditionally approving, or denying any site plan and architectural review application, the approving authority shall base its decision on compliance with the following criteria:</i> <i>A. The application is complete in accordance with Section 17.72.030;</i> <i>B. The proposal complies with all applicable provisions of the zoning district in which it is located including but not limited to setbacks, building height, lot area and dimensions, density and floor area, lot coverage, building design, etc.;</i> <i>C. The proposal includes any required improvements needed to address nonconforming situations in accordance with Chapter 17.56;</i> <i>D. The proposal complies with all design and development standards including but not limited to:</i> <i>1. Chapter 17.75, Design and Development Standards;</i> <i>2. Chapter 17.67, Design Standards--TOD Overlay;</i> <i>3. Chapter 17.64, Off-Street Parking and Loading; and</i> <i>4. Chapter 17.57, Fences;</i> <i>E. The proposal complies with the city of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction;</i>	A. The application is complete. Please see the attached evidence of record and signed application forms. The parcel has been professionally surveyed. The proposed civil site plan locates and dimensions all required and permitted elements of the site. The architectural drawings include building elevations that depict compliant materials and colors. The civil grading and drainage plan shows how stormwater and site utilities are routed on site. The landscape plan illustrates the trees and plantings proposed on site, including street frontage and parking lots. The mobility plan depicts the available and proposed transportation facilities that pertain to the proposed development. B. The proposed design complies with all applicable code sections pertaining to the C-5 zone and design and development standards outlined in this narrative. C. Not applicable D. The proposal complies with all applicable development standards. The proposed project is not located within the TOD overlay, therefore chapter 17.64 is not addressed in this proposal. E. The proposal complies with the Public Works standards. See the attached civil drawings for proposed site improvements, including driveways, sidewalks, and public utility connections. F. The proposed design accommodates a fire lane that encircles the building and is accessed via the existing retail streets.		

<i>F. The proposal provides for accessible and sufficient fire fighting facilities necessary to provide for the reasonable safety of life, limb and property, including, but not limited to, suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus.</i>	
Chapter 17.75 DESIGN AND DEVELOPMENT STANDARDS 17.75.031 General connectivity, circulation and access standards. <i>D. Pedestrian Circulation. Attractive access routes for pedestrian travel shall be provided through the public sidewalk system, and where necessary supplemented through the use of pedestrian accessways as required to accomplish the following:</i> <i>1. Reducing distances between destinations or activity areas such as public sidewalks and building entrances;</i> <i>2. Bridging across barriers and obstacles such as fragmented pathway systems, wide streets, heavy vehicular traffic, and changes in level by connecting pedestrian pathways with clearly marked crossings and inviting sidewalk design;</i> <i>3. Integrating signage and lighting system which offers interest and safety for pedestrians;</i> <i>4. Connecting parking areas and destinations with retail streets or pedestrian accessways identified through use of distinctive paving materials, pavement striping, grade separation, or landscaping.</i> <i>F. Retail Street. Retail streets may be used to meet the block requirements of subsection B of this section. When used retail streets shall be developed as illustrated in Figure 17.75.02.</i>	D. The attached site plan shows the pedestrian circulation system that is proposed both internal and to the site and along existing streets. The pedestrian circulation system also relates to the broader system within the vicinity, which is represented in the attached Mobility Plan. 1. In order to reduce walking distances between destinations, sidewalks encircle the property along existing streets, and two new pedestrian sidewalks are proposed to connect the new building entrance to Biddle Rd and to the retail street to the west. 2. The new sidewalk system has been designed with landscaping and shade trees to make the crossing of large parking lots more inviting and easy to navigate. 3. Wayfinding and street signage has been integrated into the design to aid navigation for both vehicles and pedestrians. Pole mounted lighting has been designed to illuminate all accessible areas of the site for safety and security purposes. Lighting design does not include any up lighting or underlighting that would create a glare or dark spots for pedestrians. 4. There are two public parking lots on site and one area that is reserved for employees. Both public lots are equipped with a clear pedestrian route that connects them to the building and also to nearby streets. These sidewalks are constructed of concrete and lined with plantings and shade trees. The cohesive planting scheme will make the site and route identifiable. F. Retail streets have been used to meet the block standards of subsection B to reduce overall block width. There are retail streets on site, one running north-south on the west side, and the other running east-west on the south side. Both retail streets have been designed according to figure 17.75.02, with a 5 foot sidewalk and a 5 foot planter strip. There are two locations along the street where obstructions and driveway entrances prevent the sidewalk from running adjacent to the road curb, however the width requirements for sidewalk and planter have still been met. At the southwest corner of the property, an electric transformer and telephone pedestal cause the sidewalk to curve around the utilities. At the west side of the property, two driveways are proposed with just 55 feet of sidewalk in between. There is a wide curb radius needed for fire apparatus and trucks. The proposed design places the pedestrian route in the location

	that will be the safest and most user-friendly due to the design parameters.																								
17.75.039 Off-street parking design and development standards. <i>All off-street vehicular parking spaces shall be improved to the following standards:</i> A. Connectivity. <i>Parking lots for new development shall be designed to provide vehicular and pedestrian connections to adjacent sites unless as a result of any of the following such connections are not possible:</i> <i>1. Topographic constraints;</i> <i>2. Existing development patterns on abutting property which preclude a logical connection;</i> <i>3. Traffic safety concerns; or</i> <i>4. Protection of significant natural resources.</i> G. Parking/Loading Facility and Street Frontage Landscaping and Screening. <i>Parking lot landscaping shall be used to reinforce pedestrian and vehicular circulation, including parking lot entries, pedestrian accessways, and parking aisles. To achieve this objective the following minimum standards shall apply; however, additional landscaping may be recommended during the site plan and architectural review process (Chapter 17.72). All parking lots shall be landscaped in accordance with the following standards:</i> 1. Perimeter and Street Frontage Landscaping Requirements. <i>The perimeter and street frontage for all parking facilities shall be landscaped according to the standards set forth in Table 17.75.03.</i> TABLE 17.75.03 PARKING/LOADING FACILITY PERIMETER AND STREET FRONTAGE LANDSCAPING STANDARDS <table><tr><th rowspan="2">Street Frontage</th><th rowspan="2">Min. Planting Area Width</th><th colspan="2">Plants Required per 100 Lineal Ft. of Street Frontage</th></tr><tr><th>Trees</th><th>Shrubs</th></tr><tr><td>Arterial/Collector</td><td>15 ft.</td><td>4</td><td>20</td></tr><tr><td>Local</td><td>10 ft.</td><td>3</td><td>15</td></tr><tr><th rowspan="4">Perimeter (Abutting) Land Use</th><th rowspan="4"></th><th colspan="2">Plants Required per 100 Lineal Ft. of Abutting Property</th></tr><tr><td>4</td><td>20</td></tr><tr><td>3</td><td>15</td></tr><tr><td>2</td><td>10</td></tr></table> 2. Terminal and Interior Islands. <i>For parking lots in excess of ten spaces all rows of parking spaces must provide terminal a minimum of six feet in width to protect parked vehicles, provide visibility, confine traffic to aisles and driveways, and provide a minimum of five feet of space for landscaping. In addition, when ten or more vehicles would be parked</i>	Street Frontage	Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage		Trees	Shrubs	Arterial/Collector	15 ft.	4	20	Local	10 ft.	3	15	Perimeter (Abutting) Land Use		Plants Required per 100 Lineal Ft. of Abutting Property		4	20	3	15	2	10	A. Three parking lots are proposed on site for employees and customers. Each parking lot has been designed to provide vehicular access to the existing retail streets which have been designed to handle the anticipated traffic volume of proposed development. Each parking lot is also designed with pedestrian connectivity in mind; sidewalks are used to connect the building entrances to the parking lots and the parking lots to the nearby streets, which then connect to adjacent sites. Due to concerns with traffic safety, a direct connection from the adjacent Human Bean site (Parcel 1), a direct connection between Goodwill and Human Bean has not been made. Concerns with a shared driveway between the two establishments are based on the traffic patterns of a drive through coffee stand. 1. Parking lot landscaping has been used to meet the requirements of this section. ● Parking with street frontage along Biddle Rd includes a 22 foot planting width, and 4 trees & more than 20 shrubs per 100 feet of frontage ● Parking with street frontage along retail streets includes a 10 foot planting width, and 3 trees & more than 15 shrubs per 100 feet of frontage ● Parking that abuts adjacent commercially zoned properties (parcels 1 & 3) to the northwest and to the east includes a 10 foot planting width, 3 trees & more than 15 shrubs per 100 feet of frontage 2. The attached civil site plan shows parking lots designed in compliance with this section. Each parking lot proposed on site includes terminal islands that are 8 feet in width and interior landscape islands that are 8 feet in width throughout.
Street Frontage			Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage																					
	Trees	Shrubs																							
Arterial/Collector	15 ft.	4	20																						
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Perimeter (Abutting) Land Use		Plants Required per 100 Lineal Ft. of Abutting Property																							
		4	20																						
		3	15																						
		2	10																						

side-by-side in an abutting configuration, interior landscaped islands a minimum of eight feet wide must be located within the parking row. Location of interior landscape islands may be consolidated subject to the site plan and architectural review approval as necessary to address site constraints or to provide continuous canopy coverage per subsection I of this section.

The minimum number of trees required in the interior landscape area shall be dependent upon the size and location of the parking lot in relation to the building and public right-of-way. Parking lots greater than or equal to one-half acre shall be subject to the requirements of subsection I of this section for large parking lot design and mitigation. Parking lots less than one-half acre in size shall provide trees at the following minimum ratios:

- a. Where the parking lot is located between the building and the public right-of-way, one tree for every four spaces;*
- b. Where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces;*
- c. Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces.*

3. Bioswales. The use of bioswales within parking lots is encouraged and may be located within landscape areas subject to site plan and architectural review. The tree planting standards may be reduced in areas dedicated to bioswales subject to site plan and architectural review.

H. Bicycle Parking. *The amount of bicycle parking shall be provided in accordance with Section 17.64.050 and constructed in accordance with the following standards:*

1. Location of Bicycle Parking. Required bicycle parking facilities shall be located on site in well-lit, secure locations within fifty feet of well-used entrances. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

2. Bicycle Parking Design Standards. All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards:

- a. Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as a motor vehicle parking area or with a minimum of a three-inch thickness of hard*

All three proposed parking lots on site are under 1/2 acre in size. The northern parking lot is measured at 21,000 sf, the central parking lot is measured at 7,730 sf, and the southern parking lot is measured at 4,430 sf. Thus, all three parking lots are not subject to subsection I of this section for large parking lot design.

- a. The northern parking lot is located between the building and the public right of way at Biddle Road. This parking lot includes 22 trees for a total of 43 spaces.
- b. The central parking lot is located to the side of the building and includes 12 trees for a total of 19 spaces.
- c. The southern parking lot is located behind the building and includes 5 trees for a total of 9 spaces.

3. Bioswales are incorporated into the parking lot located to the north of the building and throughout the site. The bioswales located between the north parking lot and Biddle Road and between the north parking lot and the western property line are within the required landscape area.

H. The number of bicycle parking spaces meets the minimum requirements outlined in section 17.64.050.

- 1. Ten bicycle parking spaces are positioned on site in a well lit area directly next to the primary entrance driveway and sidewalk. The bike parking area is located within 50 feet of both the main retail entrance and the secondary job connection entrance.

- a. The bicycle parking is positioned on a 4 inch concrete slab, designed to drain without puddling.

<i>surfacing (i.e., asphalt, concrete, pavers or similar material). This surface will be maintained in a smooth, durable and well-drained condition.</i> <i>b. Parking Space Dimension Standard. Bicycle parking spaces shall be at least six feet long and two feet wide with minimum overhead clearance of seven feet.</i> <i>c. Lighting. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use.</i> <i>d. Aisles. A five-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.</i> <i>e. Signs. Where bicycle parking facilities are not directly visible from the public rights-of-way, entry and directional signs shall be provided to direct bicycles from the public rights-of-way to the bicycle parking facility.</i>	b. Each bicycle parking space has an area that is 2 ft by 6 ft and does not overlap with other parking spaces. There are no obstructions overhead. c. The site lighting design will illuminate all parking lots, building entrances, driveways, and sidewalk areas on site, including the bicycle parking area which is adjacent to each of those elements. d. only one row of parking is proposed, therefore an aisle is not required. e. The bicycle parking area is clearly visible from both entrances, therefore signs are not required.
17.75.042 Commercial building design standards. <i>The following design standards are applicable to development in all commercial zoning districts, and are intended to assure pedestrian scale commercial development that supports and enhances the small town character of the community. All publicly visible buildings shall comply with the standards set forth in this section.</i> A. Massing, Articulation, Transparency, and Entrances. 1. Building Massing. <i>The top of the building shall emphasize a distinct profile or outline with elements such as a projecting parapet, cornice, upper level setback, or pitched roofline.</i> 2. Facade Articulation. <i>Facades longer than forty feet and fronts on a street, sidewalk, accessway or residential area shall be divided into small units through the use of articulation, which may include offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs, or other elements of the building's mass.</i> <i>For purposes of complying with the requirements in this subsection "facade articulation" shall consist of a combination of two of the following design features:</i>	The proposed development meets the requirements of the Commercial Building Design Standards. See Architectural Elevations. 1. The building's pitched roof lines and varied roof types emphasize a distinctive profile or outline. The main building roof is a 2:12 gable form with the main ridge line running north/south. There is change in eave height mid span along the west side of the roof which further breaks up the gable form massing. There is also a flat roof portion of the building at the south east corner that creates a distinct yet complementary building form. 2. The north, west, and south building elevations meet the Facade Articulation requirements through the use of a combination of design features "a" and "b".

<i>a. Changes in plane with a depth of at least twenty-four inches, either horizontally or vertically, at intervals of not less than twenty feet and not more than forty feet; or</i> <i>b. Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than twenty feet and not more than one hundred feet; or</i> <i>c. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.</i> 3. Pedestrian Entrances. <i>For buildings facing a street, a primary pedestrian entrance shall be provided that is easily visible, or easily accessible, from the street right-of-way, or a pedestrian accessway. To ensure that building entrances are clearly visible and identifiable to pedestrians the principal entry to the building shall be made prominent with canopies or overhangs.</i> <i>To achieve the objectives of this subsection the design of a primary entrance should incorporate at least three of the following design criteria:</i> <i>a. For building facades over two hundred feet in length facing a street or accessway provide two or more public building entrances off the street;</i> <i>b. Architectural details such as arches, friezes, tile work, murals, or moldings;</i> <i>c. Integral planters or wing walls that incorporate landscape or seating;</i> <i>d. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights;</i> <i>e. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets; and</i> <i>f. A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.</i> 4. Transparency. <i>Transparency (glazing) provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street/parking, promotes reusability, and provides a human-scale element on building facades. The transparency standard applies to a building's principal facade. Projects subject to this section shall meet the following glazing requirements:</i>	a. Vertical and horizontal changes in plane of 24" are located on all three building elevations indicated, through the use of framed architectural elements at the entries and corners. b. Vertical and horizontal changes in color, texture, and material are present on all three building elevations indicated, with varying types of materials of varying color used to divide the building facades into smaller visual units, including vertical metal siding panels, corrugate exposed fastener siding panels, ribbed exposed fastener siding panels, and stone veneer. 3. Primary pedestrian entrances are provided on the north and west building elevations. These entrances meet the Pedestrian Entrance requirements through the use of a combination of design criteria "c", "d", and "e". c. Both entrances will feature concrete seat walls. d. Both entrances will feature wall sconces at either side of the entrance doors. e. Both entrances will feature distinct inverted "U" shaped architectural features that emphasize and identify them as separate from the rest of the building. These elements will include protruding vertical and horizontal forms clad in horizontal ribbed metal panels, stone veneer accents, 6' deep awnings, and building signage. 4. The north building elevation, which is the building's principle facade, meets the Transparency requirements through the use of a combination of design elements "e.i", "e.v", "e.x", "e.xi", and "e.xii".
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<i>a. A minimum of forty percent of a facade wall face area, the area from finished ground floor elevation to twelve feet above finished floor elevation, shall be comprised of transparent glazing from windows or doors. Reflective or tinted glass or film is not permitted on ground floor facade windows. The forty percent minimum transparency requirement may be reduced through the site plan and architectural review process upon demonstration that a proposed alternative design achieves the transparency objectives. See subsection (A)(4)(e) of this section for alternative design solutions.</i> <i>b. The second floor must provide a minimum of twenty-five percent glazing between three and eight feet, as measured from that story's finished floor level. The twenty-five percent minimum transparency requirement may be reduced through the site plan and architectural review process upon demonstration that the proposed alternative design achieves the transparency objectives. See subsection (A)(4)(e) of this section for alternative design solutions.</i> <i>c. If a single-story building has a facade taller than twenty feet, the facade area above fifteen feet is subject to the same window requirement as the second floor requirement in subsection (A)(4)(b) of this section.</i> <i>d. Any building wall facade that is built up to an interior mid-block property line is not required to have glazing on that facade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the facade.</i> <i>e. Where transparent windows are not provided on at least forty percent of a building wall facade (or portions thereof) to meet the intent of this section, at least three of the following elements shall be incorporated:</i> <i>i. Masonry (but not flat concrete block);</i> <i>ii. Concrete or masonry plinth at wall base;</i> <i>iii. Belt courses of a different texture and color;</i> <i>iv. Projecting cornice;</i> <i>v. Projecting awning/canopy (minimum four-foot overhang);</i> <i>vi. Decorative tile work;</i> <i>vii. Trellis containing planting;</i> <i>viii. Artwork of a scale clearly visible from the associated right-of-way;</i> <i>ix. Vertical articulation;</i> <i>x. Lighting fixtures;</i> <i>xi. Recesses or bays;</i>	i. Stone veneer accents are used at building entrances. v. Awnings are located at building entrances and above windows. x. Sconces are located at building entrances. xii. Varying materials and architectural features are used to provide additional visual interest to the principal facade.
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<i>xii. Use of other architectural elements not listed that is demonstrated to meet the intent of this section.</i> 5. Wall Faces. <i>As used in this section there are three types of wall faces. To ensure that buildings do not display unembellished walls visible from a public street or residential area the following standards are imposed:</i> <i>a. Facade Wall Face. Facade wall faces greater than forty feet in length shall be divided into small units through the use of articulation, which may include offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs, or other elements of the building's mass.</i> <i>For purposes of complying with the requirements in this subsection facade wall faces shall consist of a combination of two of the following design features:</i> <i>i. Changes in plane with a depth of at least twenty-four inches, either horizontally or vertically, at intervals of not less than twenty feet and not more than forty feet; or</i> <i>ii. Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than twenty feet and not more than one hundred feet; or</i> <i>iii. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches at intervals of not less than twenty feet and not more than forty feet.</i> <i>b. Building Wall Face. As applicable each building wall face shall be given architectural treatment to meet the intent of this section by using three or more of the following:</i> <i>i. Varying rooflines with one foot or greater changes of height at least every forty feet;</i> <i>ii. Transparent windows that comprise at least forty percent of the visible facade;</i> <i>iii. Secondary entrances that include glazing and landscape treatment;</i> <i>iv. Balconies;</i> <i>v. Awnings/canopies;</i> <i>vi. Planted trellises;</i> <i>vii. Projecting cornices at least twelve inches in height;</i> <i>viii. Variation in building form and materials demonstrated to meet the intent of this section.</i> 6. Screening of Service Areas and Rooftop Equipment. <i>Publicly visible service areas, loading zones, waste disposal, storage areas, and rooftop equipment (mechanical and</i>	a. The north building elevation meets the Facade Wall Face requirements through the use of a combination of design features "i" and "ii". i. The architectural feature at the main entrance creates changes in plane of 24". ii. Horizontal and vertical changes in color, texture, and material are present. b. The west and south building elevations meet the Building Wall Face requirements through a use of a combination of design elements "v", "vii", and "viii". v. Awnings are located at building entrances, above windows, and above the loading dock doors. vii. A projecting cornice is located along the south building elevation gable roof line. viii. An architectural feature is located at the main entrance at the west building elevation. Vertical and horizontal material changes and accents are located at the west and south building elevations. A repeating pattern of pilasters projecting from the building wall are located along the south building elevation.
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<i>communications) shall be fully screened from the ground level of nearby streets and residential areas within two hundred feet; the following standards apply:</i> <i>a. Service Areas.</i> <i>i. A six-foot masonry enclosure, decorative metal fence enclosure, a wood enclosure, or other approved materials complementary to adjacent buildings; or</i> <i>ii. A six-foot solid hedge or other plant material screening as approved.</i> <i>b. Rooftop Equipment.</i> <i>i. Mechanical equipment shall be screened by extending parapet walls or other roof forms that are integrated with the architecture of the building. Painting of rooftop equipment or erecting fences are not acceptable methods of screening.</i> <i>ii. Rooftop-mounted voice/data transmission equipment shall be integrated with the design of the roof, rather than being simply attached to the roof-deck.</i>	a. The loading dock service area at the south building elevation will be screened with a six foot high decorative metal fence. b. Rooftop mechanical equipment will be screened by a roof parapet that is integrated into the architecture of the building.
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Southern Oregon Goodwill Type III Procedure

Traffic Impact Analysis

October 9, 2024

Prepared By:



*TRANSPORTATION
ENGINEERING, LLC*

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

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I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic analysis for a proposed Goodwill in Central Point, located on parcel 2 within the Hamrick Business Park subdivision bounded by Biddle Road to the north and a private backage road to the south. Proposed development includes 20,480 square foot store with retail area, a job connection space, and warehousing. Access to the site is proposed from north-south and east-west private retails roads within the Hamrick Business Park subdivision.

The proposed Southern Oregon Goodwill is estimated to generate 492 net average daily trips with 42 new peak hour trips occurring during the p.m. peak hour. One study area intersection and three site driveways were evaluated under existing year 2024, design year 2025 no-build, and design year 2025 build conditions to address local development impacts.

Conclusions

The findings of the traffic impact analysis conclude that the proposed Southern Oregon Goodwill on parcel 2 of the Hamrick Business Park subdivision can be approved without creating adverse impacts to the transportation system. Results of the analysis are as follows:

1. The intersection of Meadowbrook Drive and Biddle Road is shown to operate acceptably under existing year 2024, design year 2025 no-build, and design year 2025 build conditions during the p.m. peak hour. No other intersection in the local area is impacted by 25 or more peak hour trips.
2. Right turn lane criterion was evaluated eastbound on Biddle Road at Meadowbrook Drive and shown not to be met during the p.m. peak hour under design year 2025 build conditions. The proposed development is not open during the a.m. peak hour.
3. All study area 95th percentile queue lengths are shown to stay within available link distances under existing year 2024, design year 2025 no-build, and design year 2025 build conditions.
4. No safety concerns are identified from crash data gathered at the intersection of Meadowbrook Drive / Biddle Road over the most recent five-year period.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision in Central Point is shown to be in compliance with the Central Point Comprehensive Plan and Land Development Code. Streets that serve the subject property will accommodate projected peak hour traffic volumes while maintaining acceptable performance standards.

II. INTRODUCTION

Background

Southern Oregon Transportation Engineering, LLC prepared a traffic analysis for a proposed Goodwill store located within the Hamrick Business Park subdivision, south of Biddle Road, in Central Point, Oregon.

A traffic impact analysis is required by the City of Central Point in their land development code section 17.05.900 to address impacts for a Type III procedural application. An analysis is also prepared for Jackson County review because Biddle Road is under County jurisdiction.

The scope of the analysis includes evaluating impacts at the intersection of Meadowbrook Drive / Biddle Road and three site driveways located on private retail roads within the Hamrick Business Park subdivision. Two site driveways are proposed along a north-south retail road south of Meadowbrook Drive and one along an east-west retail road, west of Hamrick Road along the southern boundary of the site. The analysis evaluates impacts during the p.m. peak hour only because the proposed Goodwill store is not open during the a.m. peak hour. The study area was determined by the City of Central Point during the scoping process and includes all intersections reached with 25 or more peak hour trips.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision is 20,480 square feet (SF) in size with approximately 10,450 SF of retail area, 1,960 SF of job connection space, and 8,070 SF of warehousing.

Project Location

The subject property is located on parcel 2 within the Hamrick Park Business subdivision on Township 37S Range 2W Section 1C, Tax Lot 807 in Central Point, Oregon. Refer to Figures 1 and 2 for a vicinity map and site plan.

Project Description

The subject property is zoned C-5 for Thoroughfare Commercial. It is currently vacant. Proposed development is estimated to generate 492 net daily trips on the transportation system with 42 new trips occurring during the p.m. peak hour. Access will be taken on both a north-south private retail road south of Meadowbrook Drive (approximately 275 feet and 380 feet south of Biddle Road, respectively) and on a private east-west retail road west of Hamrick Road along the southern boundary of the site. The closest access on the north-south retail road is proposed between two existing Les Schwab driveways. The furthest access lines up directly across from the southern Les Schwab driveway. The access on the east-west retail road is proposed approximately 315 feet west of the north-south retail road at the southwest corner of the property. Refer to Figure 2 for further details.

Figure 1 : Vicinity Map

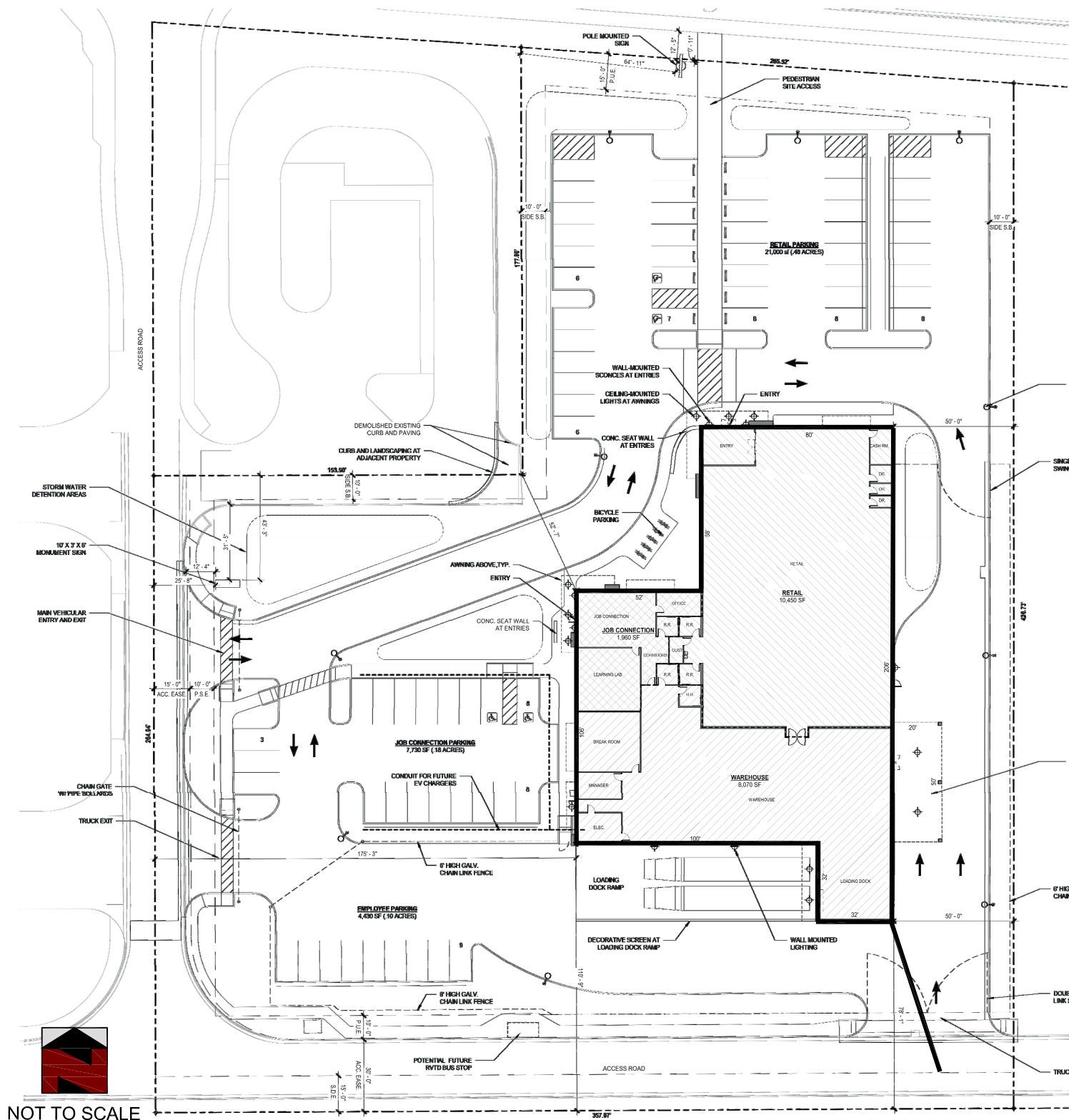


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Figure 2 : Site Plan



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III. EXISTING YEAR 2024 NO-BUILD CONDITIONS

Site Conditions

The subject property is located on parcel 2 within the Hamrick Business Park subdivision on Township 37S Range 2W Section 01C, Tax Lot 807 in Central Point, Oregon. The site is currently vacant. Access will be taken from private retail roads within the subdivision.

Roadway Characteristics

The project study area includes the intersection of Meadowbrook Drive / Biddle Road and three site driveways along a north-south private retail road and a private east-west retail road. Study area intersections and driveways are analyzed in accordance with City of Central Point and Jackson County standards.

Table 1 provides a summary of existing roadway classifications and descriptions in the study area.

Table 1 - Roadway Classifications and Descriptions					
Roadway	Jurisdiction	Functional Classification	Lanes	Operational Standard	Posted Speed (MPH)
Biddle Road	Jackson County	Minor Arterial ¹	5	V/C 0.95	45
Meadowbrook Drive, north of Biddle Road	City of Central Point	Collector ²	2	LOS D	25
N-S Retail Road, south of Biddle Road	Private	Private Drive ²	2	None	Not Posted
E-W Retail Road, west of Hamrick Rd	Private	Private Drive ²	2	None	Not Posted

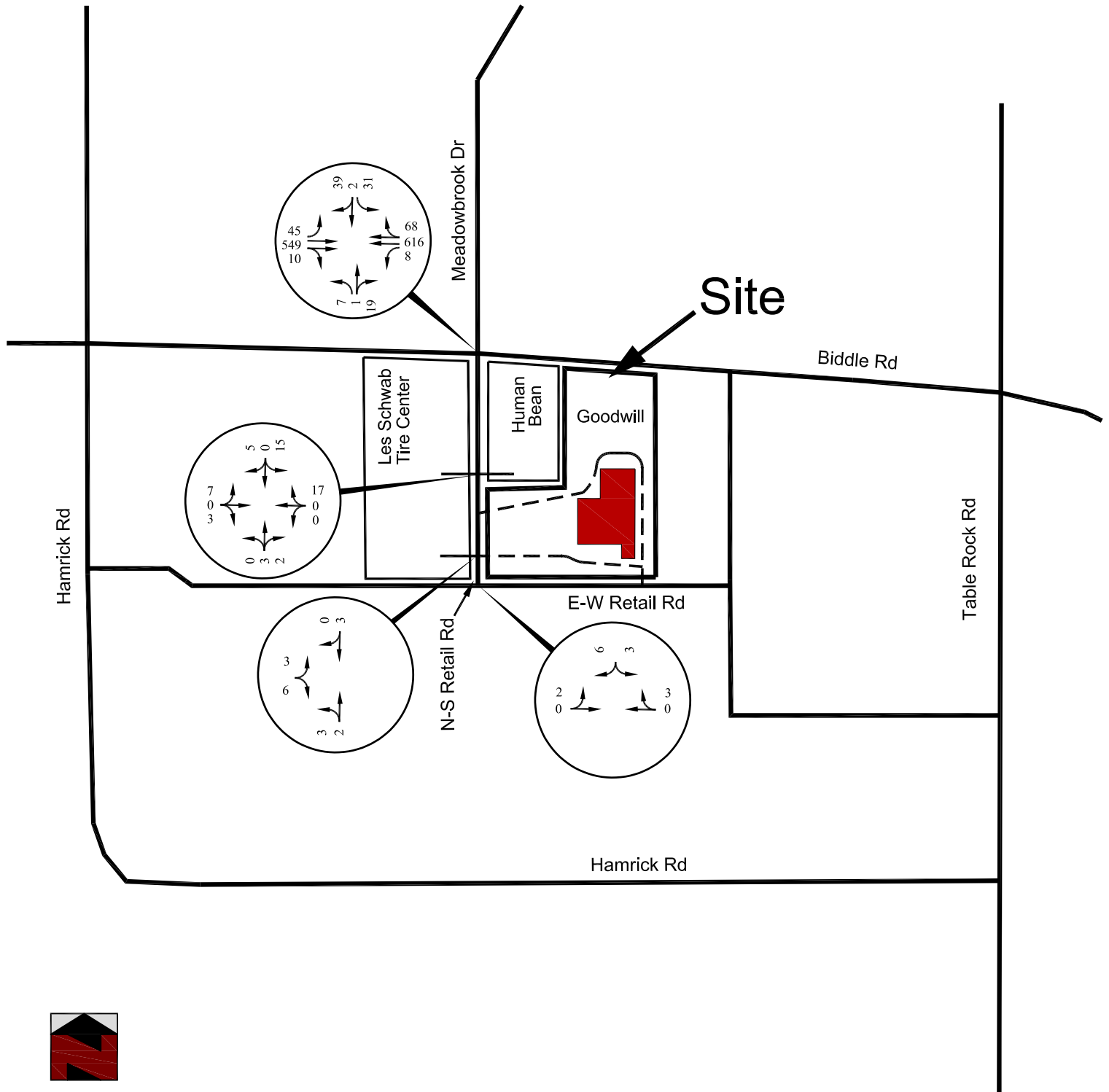
1. Jackson County TSP Figure 12B

2. Central Point TSP 7.1

Traffic Counts

Manual traffic counts were gathered in September of 2024 at the Meadowbrook Drive / Biddle Road intersections and at driveways within the Hamrick Business Park subdivision. Counts were gathered from 3:00-6:00 p.m. to capture school traffic. 4:00 -5:00 p.m. was shown to be the p.m. peak hour. Year 2024 count data was seasonally adjusted to represent peak conditions. A 2% growth rate was applied to year 2024 seasonally adjusted traffic volumes to develop design year 2025 no-build conditions. Background growth in the analysis was kept consistent with growth used in the I-5 Exit 33 IAMP and City of Central Point TSP for consistency. Growth was determined using model runs provided by ODOT's Transportation Planning Analysis Unit (TPAU). Count data included traffic from Les Schwab and the Human Bean. Refer to Figure 3 for year 2024 no-build traffic volumes during the p.m. peak hour. Counts are provided in Appendix A.

Figure 3: Year 2024 No-Build Traffic Volumes, PM Peak Hour



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Intersection Capacity and Level of Service

Intersection capacity calculations were conducted utilizing the methodologies presented in the *Highway Capacity Manual (HCM 6th Edition)*. Capacity and level of service calculations for signalized and unsignalized intersections were prepared using “SYNCHRO” Version 11 timing software.

Level of service quantifies the degree of comfort afforded to drivers as they travel through an intersection or along a roadway section. The level of service methodology was developed to quantify the quality of service of transportation facilities. Level of service is based on total delay, defined as the total elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. Level of service ranges from “A” to “F,” with “A” indicating the most desirable condition and “F” indicating an unsatisfactory condition. The HCM LOS designations for stop-controlled intersections are provided in Table 2.

Table 2 – HCM Level of Service Designations for Stop-Controlled Intersections	
Level of Service	Delay Range
A	< 10
B	>10 – 15
C	>15 – 25
D	>25 – 35
E	>35 – 50
F	> 50

Streets within the study area are under City of Central Point and Jackson County jurisdiction. The City of Central Point requires all study area intersections to operate at acceptable levels of service (LOS). The minimum acceptable level of service for unsignalized intersection movements is LOS “D.” Jackson County’s operational standard considers a volume-to-capacity (V/C) ratio standard. The acceptable performance standard for unsignalized intersections per the Jackson County Transportation System Plan is a v/c ratio no greater than 0.95 within the boundary of the Metropolitan Planning Organization (MPO) and 0.85 outside of the MPO boundary. All intersections under Jackson County jurisdiction are within the MPO. Mitigation is, therefore, required at study area intersections operating below a LOS “D” if under City jurisdiction and a v/c ratio of 0.95 if under Jackson County jurisdiction. For purposes of this analysis, we included both LOS and v/c output results for the intersection of Meadowbrook Drive / Biddle Road and considered both Jackson County and City of Central Point performance standards.

Year 2024 No-Build Intersection Operations

Study area intersections were evaluated under existing year 2024 no-build conditions during the p.m. peak hour. The a.m. peak hour was not evaluated because Goodwill is not open at that time. Results are summarized in Table 3.

Table 3 - Year 2024 No-Build Intersection Operations, PM Peak Hour			
Intersection	Performance Standard	Traffic Control	Year 2024 No-Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.19 (SB/L)

LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound L = left

Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show the study area intersection operates acceptably (within performance standards) under existing year 2024 no-build conditions during the p.m. peak hour. The northbound and southbound left turn movements on Meadowbrook Drive and the N-S retail road are both shown to operate at LOS “D.” The southbound left turn movement on Meadowbrook Drive has a higher v/c ratio of 0.19. Refer to Appendix C for synchro output sheets.

Year 2024 No-Build 95th Percentile Queuing

Queue lengths are reported as the average, maximum, or 95th percentile queue length. The 95th percentile queue length is used for design purposes and is the queue length reported in this analysis. Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths. Queues were evaluated at study area intersections under existing year 2024 no-build conditions. No queues were shown to exceed their available storage length. The critical movements at the Meadowbrook Drive / Biddle Road intersection are the northbound and southbound left turn movements. These were shown to have 25-foot and 50-foot queue lengths with 100 feet and 125 feet of available storage, respectively. The eastbound left and westbound left turn movements were 50 feet and 25 feet with 200 feet of available storage, respectively. Refer to Appendix C for a full queuing and blocking report.

Crash History

Crash data for the most recent five-year period was provided from ODOT’s crash analysis unit. Results were provided for the period of January 1, 2018 through December 31st, 2022. Crash data was analyzed 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 at an intersection. Study area intersection crash rates were also compared to the ODOT critical crash rate. Tables 4 and 5 provide a summary of results. Crash data is provided in Appendix B.

Table 4 - Study Area Intersection Crash Rates, 2018-2022									
Intersection	2018	2019	2020	2021	2022	Total Crashes	ADT	Crash Rate	ODOT 90 th %
Meadowbrook / Biddle	1	0	1	0	1	3	13,950	0.118	0.408

Table 5 - Crash History by Type, 2018-2022							
Intersection	Collision Type				Severity		
	Rear-End	Turning /Angle	Other	Pedestrian/Bicyclist	Non-Injury	Injury	Fatal
Meadowbrook / Biddle	0	3	0	0	2	1	0

Three reported crashes occurred at the intersection of Meadowbrook Drive and Biddle Road during the most recent five-year period. All three were turning collisions and all three involved vehicular turns to/from the north (two left and one right). One cause was due to an improper turn and the remaining two causes were failure to yield right-of-way. Two resulted in property damage only and one in minor injury.

No fatalities or pedestrian related crashes were shown to occur. The study area intersection crash rate is less than the ODOT 90th percentile rate (critical crash rate), and the intersection is not identified as a SPIS site. No further investigation is shown to be necessary.

IV. DESIGN YEAR 2025 NO-BUILD CONDITIONS

Design Year 2025 No-Build Description

Design year 2025 no-build conditions represent development build year conditions for a study area without consideration of proposed development trips. This condition is evaluated to determine how a study area will be impacted by area background growth. Background growth in the analysis, as previously stated, was kept consistent with growth used in the I-5 Exit 33 IAMP and City of Central Point TSP for consistency. Growth (~2% per year) was determined using model runs provided by ODOT's Transportation Planning Analysis Unit (TPAU). Refer to Figure 4 for design year 2025 no-build traffic volumes during the p.m. peak hour.

Design Year 2025 No-Build Intersection Operations

Study area intersections were evaluated under design year 2025 no-build conditions during the p.m. peak hour. Results are summarized in Table 6.

Table 6 – Design Year 2025 No-Build Intersection Operations, PM Peak Hour			
Intersection	Performance Standard	Traffic Control	Year 2025 No-Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.20 (SB/L)

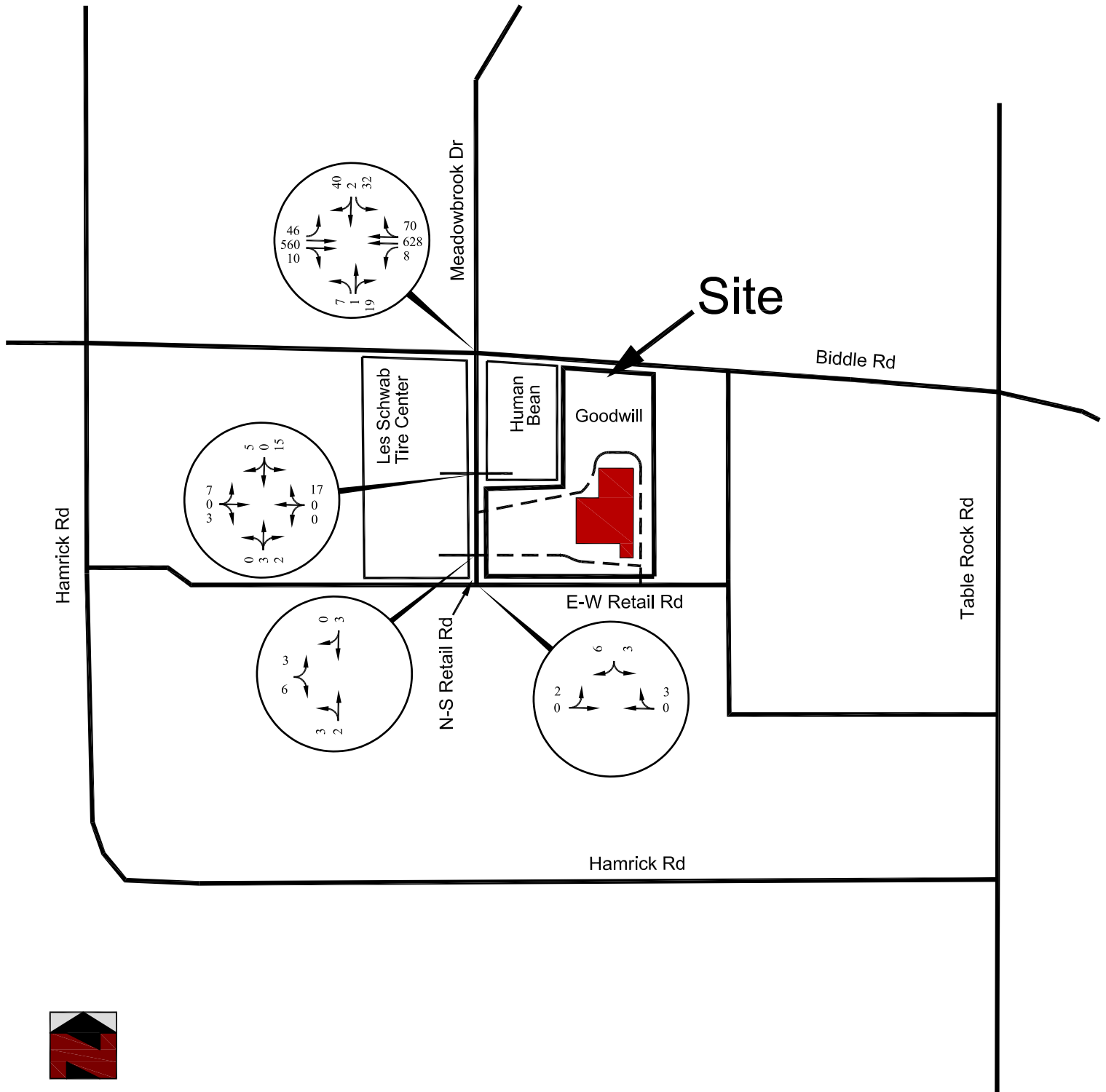
LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound L = left
Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show the study area intersection of Meadowbrook Drive and Biddle Road continues to operate acceptably (within performance standards) under design year 2025 no-build conditions during the p.m. peak hour. Refer to Appendix D for synchro output sheets.

Design Year 2025 No-Build 95th Percentile Queuing

Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths within the study area under design year 2025 no-build conditions. All study area links were reported to stay within available storage lengths during the p.m. peak hour. Queue lengths were shown to be unchanged from year 2024 no-build volumes. Refer to Appendix D for a full queuing and blocking report.

Figure 4: Design Year 2025 No-Build Traffic Volumes, PM Peak Hour



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V. SITE TRAFFIC

Trip Generation

Trip generation calculations for the proposed Southern Oregon Goodwill were prepared utilizing the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition. ITE rates were used for land use codes (LUC) 815 Free-Standing Discount Store, 715 – Small Office Building, and 150 - Warehousing. Pass-by trip reductions were considered in accordance with ITE recommended practices for LUC 815.

For background purposes, the proposed Goodwill store is 20,480 SF in size with 10,450 SF of retail area, 1,960 SF of job connection space, and 8,070 SF of warehousing. The ITE LUC for a Free-Standing Discount Store was applied to the retail space, LUC 715 to the job connection space, and LUC 150 to the warehouse space. The retail area and warehouse space have operating hours of 10:00 a.m. to 7:00 p.m. seven days a week. The job connection space has operating hours of 9:00 a.m. to 1:00 p.m. Monday through Friday. For this reason, daily and p.m. peak hour trips were generated for the retail and warehouse space, and daily trips for the job connection space. No trips were generated for the a.m. peak hour because none of the uses at the proposed Goodwill facility are open during the a.m. peak hour of the adjacent street system. Similarly, no trips during the p.m. peak hour were generated for the job connection space because it is not open during the p.m. peak hour of the adjacent street system. Table 7 provides a summary of results. ITE graphs and descriptions are provided in Appendix B.

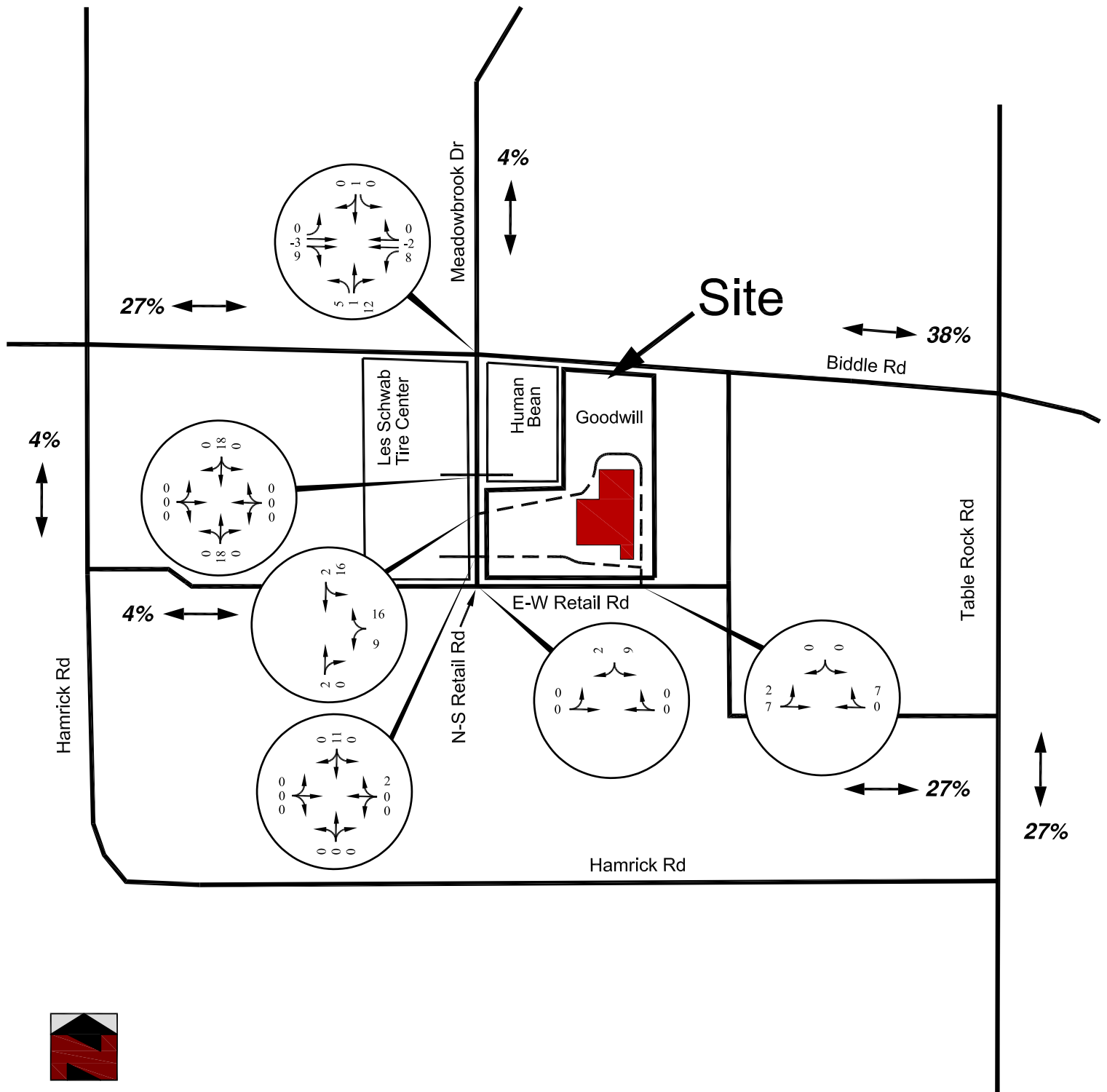
Table 7 – Development Trip Generations								
ITE Land Use - Description	Unit	Size	Daily Rate	Daily Trips	PM Rate	PM Peak Hour		
						Total	In	Out
815 – Free-Standing Discount Store	Sq. Ft.	10,450	53.87	563	4.86	51	25	26
<i>Pass-by 20%</i>				-113		-10	-5	-5
715 – Small Office Building	Sq. Ft.	1,960	14.39	28	NA	---	---	---
150 - Warehousing	Sq. Ft.	8,070	1.71	14	0.18	1	0	1
Gross Trips (at site driveways)				605		52	25	27
Net Primary Trips (on the transportation system)				492		42	20	22

Sq. Ft. = square foot

Trip Distribution and Assignment

Development trips were distributed in accordance with existing traffic volumes within the study area and engineering judgement. Trips to/from Les Schwab and the Human Bean were considered as well as overall splits at the Meadowbrook Drive / Biddle Road intersection. Under current conditions, trips to/from the Human Bean primarily use the Meadowbrook Drive / Biddle Road intersection. The Les Schwab, which has driveways on the N-S retail road near the Meadowbrook intersection as well as near the E-W retail road, has trips split in both directions. Fifty-five percent of exiting trips are to/from the north and 45% to/from the south along the N-S retail road. Similarly, 63% of entering trips are to/from the north and 37% to/from the south. We applied similar splits to the Goodwill store because it will have two driveways on the N-S retail road and one driveway on the E-W retail road. Trip distributions are shown in Figure 5.

Figure 5: Development Trip Distributions, PM Peak Hour



NOT TO SCALE



**SOUTHERN OREGON
TRANSPORTATION ENGINEERING, LLC**

Medford, Oregon 97504
ph 541.608.9923 fax 541.535.6873
email: kim.parducci@gmail.com

**Southern Oregon Goodwill
Type III Application
Traffic Impact Analysis
Central Point, Oregon**

VI. DESIGN YEAR 2025 BUILD CONDITIONS

Design Year 2025 Build Description

Build conditions represent no-build conditions for a study area with the addition of proposed development trips considered. Build conditions are compared to no-build conditions to determine what impacts and/or mitigation measures will result from proposed development. Build conditions in the design year 2025 are for the proposed Southern Oregon Goodwill development.

Design Year 2025 Build Intersection Operations

Design year 2025 build traffic volumes were evaluated at study area intersections during the p.m. peak hour to compare build conditions to no-build conditions. Results are summarized in Table 8.

Table 8 – Design Year 2025 Build Intersection Operations, PM Peak Hour			
Intersection	Performance Standard	Traffic Control	Year 2025 Build
Meadowbrook Dr / Biddle Rd	LOS D, V/C 0.95	TWSC	D, 0.21 (SB/L)
Main Site Access / N-S Retail Rd	None	TWSC	A (WB/LR)
Site Access 2 / N-S Retail Rd	None	TWSC	A (WB/LTR)
Drop-off Access / E-W Retail Rd	None	TWSC	A (EB/LT)

LOS = level of service, V/C = volume-to-capacity, TWSC = two-way stop control, SB = southbound WB = westbound, EB = eastbound, L = left, T = through, R = right

Note: Exceeded performance standards are shown in bold, italic

Results of the analysis show study area intersections and site driveways continue to operate acceptably (within performance standards) under design year 2025 build conditions during the p.m. peak hour. The critical movement LOS at the intersection of Meadowbrook Drive and Biddle Road stays the same (“D”) but there is a slight increase in v/c due to additional development trips. Site driveways are shown to operate at LOS “A.” Synchro output sheets are provided in Appendix E for further reference.

Design Year 2025 Build 95th Percentile Queuing

Five simulations were run and averaged in SimTraffic to determine 95th percentile queue lengths at study area intersections under design year 2025 build conditions. No significant changes were shown to occur at study area intersections and site driveways. Queues continue to stay within available storage lengths. The northbound left and through/right turn movements on the N-S retail road at Biddle Road increase slightly but all other queue lengths remain unchanged. Refer to Appendix E for a full queuing and blocking report.

Sight Distance

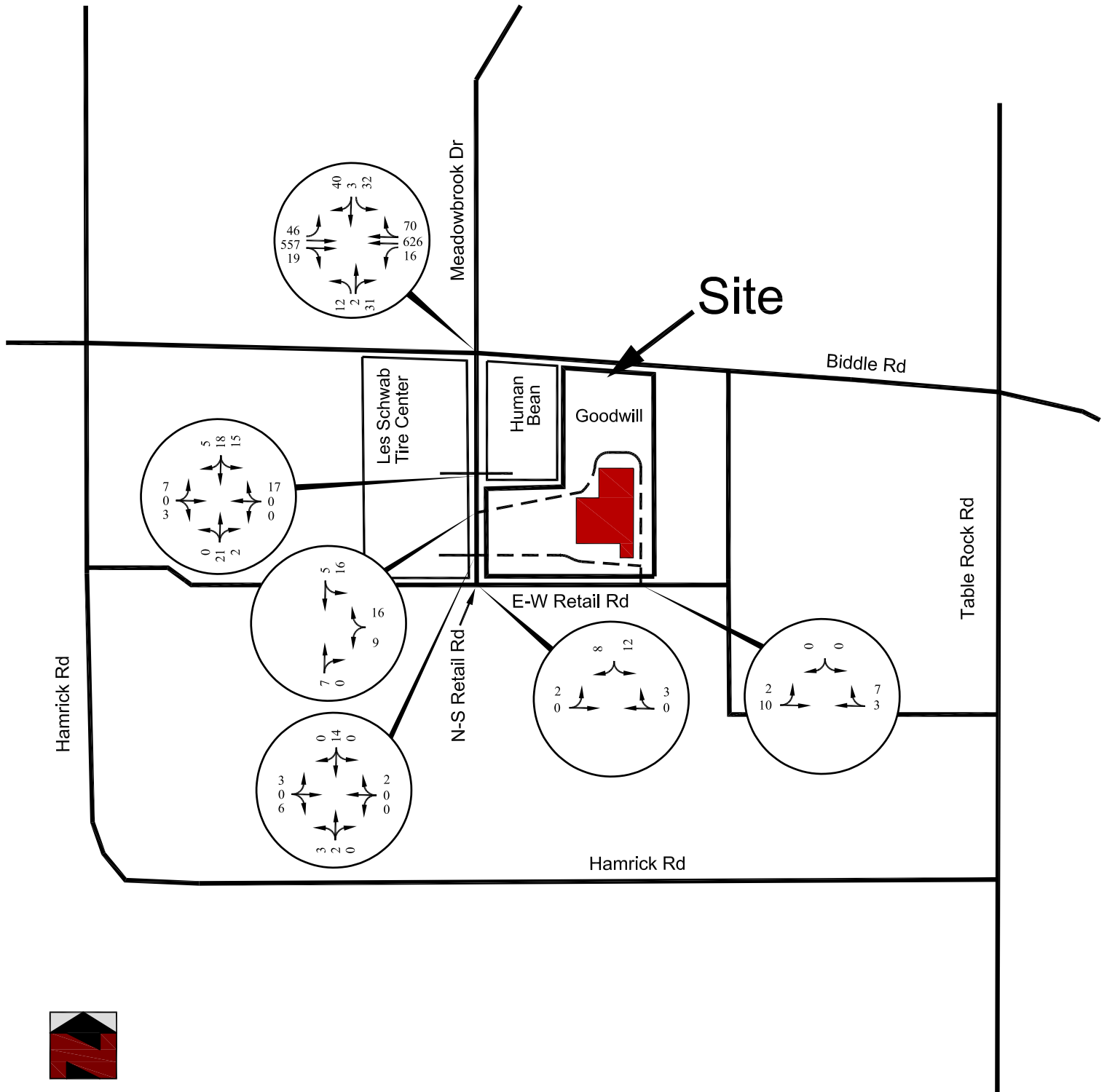
The proposed Goodwill store will have site driveways on an existing N-S and E-W retail road within the Hamrick Business Park subdivision. Sight distance is clear in both directions at all three driveways. At Biddle Road across from Meadowbrook Drive, sight distance continues to be clear in both directions. Additionally, a center two-way-left-turn-lane (TWLTL) exists on Biddle Road to help side street traffic during peak conditions. Clear sight distance is shown to the east through the signalized intersection at Table Rock Road (approximately 1175 feet) and to the west through the signalized intersection at Hamrick Road (approximately 875 feet). Jackson County require a minimum of 315 feet of adequate sight distance on a minor arterial with a posted speed of 45 miles per hour (mph). This is shown to be met.

Design Year 2025 Build Turn Lane Criterion

Right Turn Lane

Right turn lane criterion was evaluated on Biddle Road at the N-S retail road in the eastbound direction. Currently, a right turn taper exists. Previous lane utilization studies showed approximately 60% of eastbound traffic uses the inside lane and 40% the outside lane on Biddle Road so this was used in our turn lane analysis. Results show criterion is not met (warranted) for an eastbound right turn lane during the p.m. peak hour, but the provided taper on Biddle Road helps move traffic out of the adjacent through lane to reduce the potential for rear-end collisions. Refer to Appendix H for a right turn lane graph.

Figure 6: Design Year 2025 Build Traffic Volumes, PM Peak Hour



NOT TO SCALE



**SOUTHERN OREGON
TRANSPORTATION ENGINEERING, LLC**

Medford, Oregon 97504
ph 541.608.9923 fax 541.535.6873
email: kim.parducci@gmail.com

**Southern Oregon Goodwill
Type III Application
Traffic Impact Analysis
Central Point, Oregon**

VII. CONCLUSIONS

Conclusions

The findings of the traffic impact analysis conclude that the proposed Southern Oregon Goodwill on parcel 2 of the Hamrick Business Park subdivision can be approved without creating adverse impacts to the transportation system. Results of the analysis are as follows:

1. The intersection of Meadowbrook Drive and Biddle Road is shown to operate acceptably under existing year 2024, design year 2025 no-build, and design year 2025 build conditions during the p.m. peak hour. No other intersection in the local area is impacted by 25 or more peak hour trips.
2. Right turn lane criterion was evaluated eastbound on Biddle Road at Meadowbrook Drive and shown not to be met during the p.m. peak hour under design year 2025 build conditions. The proposed development is not open during the a.m. peak hour.
3. All study area 95th percentile queue lengths are shown to stay within available link distances under existing year 2024, design year 2025 no-build, and design year 2025 build conditions.
4. No safety concerns are identified from crash data gathered at the intersection of Meadowbrook Drive / Biddle Road over the most recent five-year period.

The proposed Southern Oregon Goodwill within the Hamrick Business Park subdivision in Central Point is shown to be in compliance with the Central Point Comprehensive Plan and Land Development Code. Streets that serve the subject property will accommodate projected peak hour traffic volumes while maintaining acceptable performance standards.

PUBLIC WORKS STAFF REPORT

October 16, 2024

AGENDA ITEM: Site Plan and Architectural Review (SPAR-24007) application to construct an approximately 20,480 square foot retail, donation, warehouse and job connection facility on approximately 2.97 acres in the C-5, Thoroughfare Commercial zoning district - 37S 2W 01C, Tax Lot 807.

Agent: arkitek, LLC

Traffic:

A Traffic Impact Analysis was performed by Southern Oregon Transportation Engineering, LLC. The proposed development will generate 492 average daily trips (ADT), which is less than the threshold of 750 ADT requiring a Traffic Impact Analysis per **320.10.03 – Traffic Impact Analysis Applicability of the Public Works Standards and Specifications**. The City uses the International Transportation Engineers Manual 10th generation, and based on the studies, this development will generate 42 peak-hour trips that can be distributed to two locations: Hamrick Road and Biddle Road.

The City concurs with the study conclusions that the additional traffic from the proposed development will not affect the operation of the traffic system or degrade the level of service at any of the study intersections.

Existing Infrastructure:

Water: A 12-inch DI waterline exists on the private street along the west border of the site and an 8-inch DI waterline on the private street along the south border.

Streets: Private streets border the site to the south and west. Biddle Road, a major arterial street, borders the site on the north side.

Stormwater: There is a 36-inch storm drain, owned by Jackson County, draining east to west along the north border of the property, and a 24-inch storm drain in the private street on the south side of the property.

Background:

This application is for a new Goodwill store adjacent to existing public infrastructure.

Issues:

The applicant must connect to public infrastructure to service the parcel, including water and stormwater. Access directly from Biddle Road will not be allowed. Access must be accomplished via the existing private streets adjacent to the site.

Conditions of Approval:

Prior to building permit issuance and the start of construction, the following conditions shall be satisfied:

1. **Civil Improvement Plan.** The applicant shall submit and receive approval of civil improvement plans demonstrating compliance with Public Works Department Standard Specifications for public works construction, including but not limited to landscape row, utilities, sidewalks, access approach and protection of public infrastructure.
 - a. **Landscape Plan.** The applicant shall prepare a landscape and irrigation plan to install ground cover along the Biddle Road frontage and street trees and landscaping along the private streets.
 - b. **Sidewalks.** A private sidewalk is required along the west and south sides of the private streets. Sidewalk widths shall match the existing sidewalk on the west side of the existing private street. ADA-compliant ramps will be required at all access entrances.

2. **Stormwater Management**

- a. NPDES Stormwater Management Plan - The applicant shall submit to Public Works for review and approval a stormwater management plan in accordance with the Rogue Valley Stormwater Quality Design Manual, which requires stormwater quantity and quality treatment of all proposed impervious surfaces proposed as part of the partition.
- b. Civil Improvement Plan Review – The applicant shall submit civil improvement plans for stormwater infrastructure construction, including but not limited to storm drain lines, detention facilities, and the proposed outfall.
- c. Erosion and Sediment Control – Construction of required improvements will disturb more than one acre. The applicant shall obtain an erosion and sediment control permit (NPDES 1200-C) from the Department of Environmental Quality (DEQ) and provide a copy to the Public Works Department.

Prior to Public Works final inspection, the following conditions shall be satisfied:

1. **PW Standards and Specifications** – Applicant shall demonstrate that all Public Works infrastructure construction complies with the Standards Specifications and Uniform Details for Construction. Installation of civil improvement, including but not limited to landscaping, irrigation and sidewalks, shall be installed per approved plans.
2. **Stormwater Quality Operations & Maintenance** – The Applicant shall record an Operations and Maintenance Agreement for all new stormwater quality features and provide a copy of the Public Works Department's recorded document.



JACKSON COUNTY

Roads

Nancy Coates
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6261
Fax: (541) 774-6295
CoatesN@jacksoncounty.org

www.jacksoncounty.org

October 25, 2024

Attention: Justin Gindlesperger
City of Central Point Planning
140 South Third Street
Central Point, OR 97502

RE: Planning File: CUP-24002 & SPAR-24007 – Revision 1
Conditional Use Permit for second hand store/thrift shop
Site Plan and Architectural Review to construct retail shop/warehouse off:
Biddle Road – a county maintained road.

Dear Justin:

Thank you for the opportunity to comment on Conditional Use Permit and Site Plan and Architectural Review approval to construct an approximately 20,480 square foot retail store, donation center, warehouse facility on the 2.97-acre site. The project site is located at 4751 Biddle Road in the C-5, Thoroughfare Commercial zoning district and is identified on the Jackson County Assessor's Map as 37S-2W-01C, Tax Lot 807.

Jackson County Roads has the following comments:

1. The applicant shall submit construction drawings as they pertain to Biddle Road frontage, to Jackson County Roads and obtain County permits if required.
2. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk. The developer's frontage improvements shall provide smooth and ADA compliant connections to existing ADA ramps and sidewalk.
3. Any new or improved roads inside the Urban Growth Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Central Point.
4. We concur with any City requested right-of-way dedication and/or frontage improvements.
5. Utility Permits are required from Jackson County Roads for any utility work within the Biddle Road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the County Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.

6. Per Oregon Revised Statute 209.150, any survey monuments of record removed, disturbed or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.
7. Jackson County Roads reserves the right to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
8. If frontage improvements are required along Biddle Road, they shall be permitted and inspected by Jackson County Roads. Jackson County Roads does not maintain planter strips. The developer shall obtain a Minor Road Improvement Permit before commencing work in the County right-of-way.
9. Landscaping within the Biddle Road Right-of-Way shall provide sight distance throughout all stages of growth. At no time shall the landscaping become invasive to the storm drain system.
10. The applicant shall contact the city of Central Point for storm drainage concerns and comments.
11. Public improvement construction plans shall be prepared in accordance with the "Standards and Specifications for County Roads" (also known as the County Road Standards).
12. Biddle Road is an Urban Minor Arterial maintained by the County. The Average Daily Traffic count was 9,501 for Eastbound lanes, 450 feet East of Hamrick Road on July 7, 2020 and 9,239 for Westbound lanes, 450 feet East of Hamrick Road on July 7, 2020.
13. We would like to be notified of future development proposals, as County permits may be required.
14. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.

Respectfully,

A handwritten signature in black ink, appearing to read "Nancy Coates", with a stylized, flowing script.

Nancy Coates
Construction Manager

Justin P. Gindlesperger

From: Steve Darnell <SteveD@jcfd3.com>
Sent: Wednesday, October 23, 2024 5:08 PM
To: Justin P. Gindlesperger
Subject: Re: Request for Comments - CUP-24002 & SPAR-24007

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



Hey Justin, I concur with basically what Mark already has at the prior meeting. From my review of the information the building will be sprinkled. Sprinkler specifics can be discussed at a later date. They are providing a new fire hydrant and FDC near the western truck exit gate. This will be a good spot for crews to pull in at western entrance and grab the hydrant. Access roads still need to be marked for fire lane parking/no parking. I see 3 entrances into the parking lot and 1 gated truck exit. The main entrance into the parking lot is not gated if I am correct. The SW truck entry gate which is a large double 50' gate will need click to enter for FD access. The E gate is a 20' double gate and will need click to enter as well. I am not sure if bark mulch will be used near or up against the building from the plans, but I would say no bark or mulch up against or near building. Knox box will be required. Mark will be back on Monday and can weigh in as well.

Thanks,
Steve

Sent from my U.S.Cellular© Smartphone
Get [Outlook for Android](#)

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Wednesday, October 23, 2024 3:49:16 PM
To: Steve Darnell <SteveD@jcfd3.com>
Subject: RE: Request for Comments - CUP-24002 & SPAR-24007

Hey Steve-

Just following up to see if FD#3 has any comments to submit for this application.

Thanks.

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development

From: Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>
Sent: Wednesday, October 16, 2024 10:55 AM
To: Steve Darnell <SteveD@jcfd3.com>
Cc: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Subject: FW: Request for Comments - CUP-24002 & SPAR-24007

Steve,

The type of construction has not yet been identified, most likely it will be Type II-B.

Derek Zwagerman, P.E.
City of Central Point – Building Dept.
541-423-1024

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Wednesday, October 16, 2024 10:49 AM
To: Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>
Subject: FW: Request for Comments - CUP-24002 & SPAR-24007

See Steve's question below.

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development

From: Steve Darnell <SteveD@jcf3.com>
Sent: Wednesday, October 16, 2024 9:28 AM
To: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Subject: RE: Request for Comments - CUP-24002 & SPAR-24007

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning Justin,
Do you know what construction type the goodwill building will be? Type IA, IIA, IB, IIB, IIIA, IIIB, IVA, IVB?

Thanks



Steve Darnell
Deputy Fire Marshal
Jackson County Fire District 3



541-831-2714



Steved@jcf3.com



8383 Agate Road White City, OR 97503



<https://link.edgepilot.com/s/6876cf30/opbrJS1uXka9DS04whHf6Q?u=http://www.jcf3.com>



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

October 15, 2024

City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: CUP-24002 & SPAR-24004 - Goodwill, Map 37 2w 01C 807

There is an existing 8 inch sewer running east to west along the southern property boundary of tax lot 807 to the south. Sewer service can be had by connecting to one of the existing 4 inch services stubbed into the lot.

Rogue Valley Sewer Services requests that approval of this development be subject to the following conditions:

1. All proposed sewer construction shall be performed per RVSS standards.
2. Prior to the issuance of sewer connection permits the developer must submit architectural plumbing plans to RVSS for the calculation of sewer SDC's.
3. The developer must obtain sewer tap and/or connection permits and pay all related fees to RVSS.

Feel free to call me if you have any questions.

Sincerely,

Nicholas R Bakke, PE
District Engineer

Justin P. Gindlesperger

From: Carrie Andries <AndrieCW@jacksoncountyor.gov>
Sent: Wednesday, October 16, 2024 2:42 PM
To: Justin P. Gindlesperger
Subject: RE: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

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Hi Justin,

The Airport requests an Avigation, Noise and Hazard Easement be a requirement of this project (CUP-24002). In addition, due to the proximity to the Airport, the applicant needs to contact the FAA regarding filing a 7460-1 Notice of Proposed Construction or Alteration. The FAA contact is: Paul Holmquist, phone (206) 231-2990.

I have inserted some information below from the FAA's website:

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- Your structure will exceed 200 ft above ground level
- Your structure will be in proximity to an airport and will exceed the slope ratio
- Your structure involves construction of a traverseway (i.e. highway, railroad, waterway, etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- Your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- Your structure will be in an instrument approach area and might exceed part 77 Subpart C
- Your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- Your structure will be on an airport or heliport
- Filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airport Region/District Office for On Airport construction.

Results

You exceed the following Notice Criteria:

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

The FAA requests that you file

Thank you,

Carrie Andries

Contract Coordinator
Rogue Valley International-Medford Airport (MFR)



1000 Terminal Loop Parkway, Suite 201
Medford, Oregon 97504
541-776-7222

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From: Amber Judd <JuddAJ@jacksoncountyor.gov>
Sent: Tuesday, October 15, 2024 11:28 AM
To: Carrie Andries <AndrieCW@jacksoncountyor.gov>
Subject: FW: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Tuesday, October 15, 2024 11:14 AM
To: Matt Samitore <Matt.Samitore@centralpointoregon.gov>; Greg Graves <Greg.Graves@centralpointoregon.gov>; Mike Ono <Mike.Ono@centralpointoregon.gov>; Stephanie Powers <stephanie.powers@centralpointoregon.gov>; Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>; 'markn@jcf3.com' <markn@jcf3.com>; Mark Kimmelshue <mark.kimmelshue@centurylink.com>; 'David.McFadden@avistacorp.com' <David.McFadden@avistacorp.com>; Chadd Griffin <chadd.griffin@centralpointoregon.gov>; Ed Devries <Ed.Devries@pacifiCorp.com>; emalanche@roguedisposal.com; lbrown@roguedisposal.com; Nick Bakke <nbakke@rvss-or.gov>; Sean Eisma <seisma@rvtd.org>; 'chad.murders@ecso911.com' <chad.murders@ecso911.com>; 'ptownsend@rvtd.org' <ptownsend@rvtd.org>; RoadsInfo <RoadsInfo@jacksoncountyor.gov>; ODOT Region 3 Development Review (R3DevRev@odot.state.or.us) <R3DevRev@odot.state.or.us>; Amber Judd <JuddAJ@jacksoncountyor.gov>
Subject: EXT: [*Suspicious Email*] Request for Comments - CUP-24002 & SPAR-24007

Good morning,

The City received an application requesting approval for a Conditional Use Permit and Site Plan and Architectural Review for the construction of an approximately 20,480 square foot retail, donation and warehouse facility for Southern Oregon Goodwill in the C-5, Thoroughfare Commercial zoning district. The property is located at 4571 Biddle Road and identified on the Jackson County Assessor's map as 37S 2W 01C, Tax Lot 807.

The complete application is available at: www.centralpointoregon.gov/cd/project/southern-oregon-goodwill

Please review and submit comments or written reports setting forth any necessary conditions as required by your department/agency to the Planning Department no later than **Tuesday, October 29, 2024**. If no comments are received within the review period, it will be assumed that there are no comments.

Thank you for your time and consideration of this request. If you have questions, please let me know

Justin Gindlesperger, AICP, CFM
Community Planner III
Community Development
City of Central Point
140 South Third Street
Central Point, OR 97502
Desk: 541-664-3321 (x245)
Fax: 541-664-6384
www.centralpointoregon.gov

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From: planning group
Sent: Monday, October 21, 2024 9:08 AM
To: Justin P. Gindlesperger
Cc: Karin Skelton
Subject: FW: biddle road businesses

FYI

Stephanie Powers, CHPC
Planning Director
Community Development
City of Central Point
140 South Third Street
Central Point, OR 97502
Desk: 541-664-3321 (x244)
Fax: 541-664-6384
www.centralpointoregon.gov

From: christine evenson <tqmom@outlook.com>
Sent: Sunday, October 20, 2024 4:08 AM
To: planning group <planning@centralpointoregon.gov>
Subject: biddle road businesses

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello, I got a letter in the mail informing us that a goodwill store may be built along biddle road. Though we understand progress is inevitable, we are very concerned about the increase in traffic along the road. We live along meadowbrook drive and already the traffic has increa

CGBANNERINDICATOR

Hello, I got a letter in the mail informing us that a goodwill store may be built along biddle road. Though we understand progress is inevitable, we are very concerned about the increase in traffic along the road. We live along meadowbrook drive and already the traffic has increased so it is hard to get on and off of biddle road. we are concerned with more businesses being built in the

area, the traffic is only going to get worse. What are the city's plans of dealing with this? Any traffic lights, road changes being planned?

Thanks for any info,
christine

PLANNING COMMISSION RESOLUTION NO. 924

A RESOLUTION OF THE PLANNING COMMISSION APPROVING A SITE PLAN AND ARCHITECTURAL REVIEW FOR SOUTHERN OREGON GOODWILL ON LANDS WITHIN THE THOROUGHFARE COMMERCIAL (C-5) ZONING DISTRICT.

(File No: SPAR-24007)

WHEREAS, the applicant has submitted a site plan and architectural review application that includes constructing site access and circulation, building, parking lot and landscape improvement consisting of commercial property identified on the Jackson County Assessor's Map as 37S 2W 1C, Tax Lots 807, Central Point, Oregon; and

WHEREAS, the project site is 2.97-acres located in the Thoroughfare Commercial (C-5) zoning district; and

WHEREAS, the application has been found to be consistent with the applicable approval criteria set forth in Title 17, Zoning as conditioned per the Staff Report dated November 5, 2024; and

WHEREAS, on November 5, 2024, at a duly noticed public hearing, the City of Central Point Planning Commission considered the Applicant's request for Site Plan and Architectural Review approval of a supermarket.

NOW, THEREFORE, BE IT RESOLVED: that

Section 1: The City of Central Point Planning Commission hereby approves the Site Plan and Architectural Review application File No. SPAR-24007 subject to the conditions in the Staff Report dated November 5, 2024 (Exhibit 1).

Section 2: This decision is based upon the Planning Department Staff Report dated November 5, 2024, attached hereto as Exhibit 1, including all exhibits thereto.

PASSED by the Planning Commission and signed by me in authentication of its passage this 5th day of November, 2024

Planning Commission Chair

ATTEST:

City Representative

November 5, 2024

Item Summary

The City is proposing various amendments to the land development code to clarify existing policy, align with state statutes and rules, and provide clear application procedures and standards for applications and some land uses. This is the first round of a series of code amendment packages that will be forthcoming to update the City's land development code.

Staff Source

Stephanie Powers, Planning Director

Background

On October 24, 2024, the City of Central Point City Council approved Resolution No. 1804, a resolution of intent authorizing an application to amend various sections of the land development code in Title 1 (General Provisions), Title 16 (Subdivisions) and Title 17 (Zoning). The proposed code amendments are part of a larger project to audit and update the land development code to accomplish multiple objectives including but not limited to:

- Facilitating the community's preferred vision for its future as articulated in the 2040 Strategic Plan;
- Implementing the City of Central Point Comprehensive Plan;
- Expanding opportunities for housing in the City;
- Codifying state rules and legislation;
- Providing a user-friendly format and language.

This first round of land development code amendments are largely foundational and address several housekeeping corrections and updates, as well as revisions to land use application standards and requirements (annexations, adjustments and variances, conditional use permits) to clarify submittal requirements and establish approval criteria, and some updated standards for land uses (fences, home occupations, nonconforming situations). A summary of each proposed amendment is provided below. The Planning Commission Draft Amendment is provided in Attachments 1.

The proposed code amendments include the following:

Amendment 1, Repeal CPMC 1.20, Annexations

Annexations are land use decisions that are subject to land use procedures in Title 17. The proposed amendment would delete the existing standards and procedures for annexations in CPMC 1.20, which are out of date, to be replaced by a new chapter in Title 17 (See Amendment 17, below). The current code language relies on ORS 222.111 through 222.180

Amendment 2, Title 16, Subdivisions

Change the name of Title 16 to “Land Divisions.” Subdivisions are one type of land division action that is addressed in Title 16. The name change aims to clarify that the standards and procedures cover all land division actions and not just subdivisions.

Amendment 3, Chapter 16.04, General Provisions

The proposed amendment replaces the existing language to clarify the background, purpose and applicability of the land division regulations. Current language only addresses applicability and requirements for supplemental information submittal and subdivision compliance with all city plans and standards. These issues are better addressed as part of application submittal requirements and approval criteria, which are set forth elsewhere in the code.

Amendment 4, Chapter 16.08, Definitions

The proposed amendments align the definitions in Title 16 with the definitions in Oregon Revised Statutes (ORS) 92, which govern land divisions. Specifically, definitions for major and minor partitions and underground utilities are eliminated; definitions for “Plat,” “Property Line,” “Property Line Adjustment,” “Replat” and “Utility Easement.” The definition for “Partitioning Land” is modified consistent with ORS 92.

Amendment 5, Chapter 16.14, Middle Housing and Expedited Land Divisions

This adds a placeholder for future regulations concerning middle housing and expedited land divisions, which are required to be addressed by state law.

Amendment 6, Chapter 16.40, Replats

This is a new chapter that specifies when a replat of an existing recorded partition or subdivision is needed and the process under a replat is reviewed and approved. At this time, the City has no regulations addressing replats and relies on statutes in ORS 92. The purpose of this change is to make the land development process clearer and more efficient for prospective development applicants in the future.

Amendment 7, Chapter 16.44, Property Line Adjustments

Similar to Amendment 6, the City is proposing a new chapter to present a clear process, standards and approval criteria for proposals that relocate or consolidate property boundaries. At this time, the City relies on ORS 92.

Amendment 8, Chapter 17.04, General Provisions

The proposed amendment consolidates all general provisions for administration of the Zoning Code, including updating the Title name to eliminate reference the year; clarifying and expanding the purpose statement; addressing the scope and compliance of the Title; providing the rules of code construction; requiring consistency with the Comprehensive Plan; clarifying how the development code and zoning map are implemented; coordinating land use review and decisions with issuance of building permits; establishing authority for permit issuance and decision making as the official actions of the City, as well as enforcement procedures and fees.

Amendment 9, Section 17.05.100, Table 17.05.01

The proposed amendment to the table adds land use actions not previously identified; remove sections that no longer apply and update procedural types.

Amendment 10, Section 17.08.010, Definitions

The proposed change adds a definition for “Home Occupation” that clarifies a home occupation is conducted by a person lawfully residing in the dwelling where the home occupation is located.

Amendment 11, Chapter 17.12, Zoning District Establishment

Proposed amendments to this chapter update the abbreviation for the Neighborhood Commercial zone from C-1 to C-N; add a column in the Zoning District Classification table to identify the Chapter reference for each zoning district; and, add a section clarifying how zoning district boundaries are determined.

Amendment 12, Chapter 17.13, Exceptions to Code Standards

The proposed amendment is to revise the whole chapter, which is renamed to “Adjustments and Variances.” The proposed revisions provide standards, procedures and criteria for adjustments and variances, including elimination of the distinction between Class A, B, and C Variances for clarity and ease of implementation.

Amendment 13, Chapter 17.56, Nonconforming Uses

The proposed amendment replaces the existing chapter with standards and procedures for all nonconforming situations, including nonconforming uses, developments and lots. The revision eliminates the distinction between Class A and B nonconforming uses, which have separate designation processes and regulations under the current code. Proposed changes apply one set of regulations based on the non-conforming situation type.

Amendment 14, Chapter 17.57, Fences

The proposed amendments substantially revise the chapter to align with the building code, increase the allowable fence height from 6-ft to 8-ft in the Civic and Industrial zones and to clarify the allowances and standards for electrified and battery-operated fences.

Amendment 15, Section 17.60.190, Home Occupations

Proposed revisions aim to assure that home based businesses are not detrimental to the character and livability of the surrounding residential neighborhood and remain subordinate to the residential use. The proposed changes prohibit heavy commercial/industrial operations and provide clear and objective standards for hazardous substances, noise, vehicle parking, deliveries and how to count daily trips associated with the business. Finally, the proposed amendments clarify the basis for home occupation permit revocation/termination.

Amendment 16, Chapter 17.76, Conditional Use Permits

A Conditional Use Permit is required for uses that are likely to have impacts on surrounding uses and/or public facilities. The current code language does provide clear approval criteria upon which decisions are rendered. The proposed revisions clarify submittal requirements, approval criteria and the conditions that may be imposed by the City. Additionally, the proposal aims to consolidate a Conditional Use Permit with Site Plan & Architectural Review when a conditional use involves land development activities. This will streamline the application process for developers and the City.

Amendment 17, Chapter 17.94, Annexations

The proposed amendment adds a new chapter addressing the procedures and standards for annexations consistent with ORS 222.111 through 222.180, including submittal requirements, land use review process, and approval criteria. The code also addresses the standards and procedures for island annexations, which is not currently addressed in the CPMC.

Amendment 18, Chapter 17.92, Violations and Enforcement

The proposed change moves language concerning violations and enforcement to Section 17.04.090.

At the November 5, 2024 meeting, staff will present the draft code amendments, findings of fact and conclusions of law, and request the Planning Commission make a recommendation to the City Council to approve the proposal with or without revisions or to deny them.

Issues

None.

Findings of Fact & Conclusions of Law

The proposed land development code amendments are legislative and are subject to Type IV procedures in CPMC 17.05.500 and the standards and criteria in CPMC 17.10. Legislative review

procedures result in a policy decision by the City Council following two (2) public hearings and recommendations from both the Citizen's Advisory Committee and the Planning Commission. This application has been scheduled for two public hearings and consideration by the CAC, including notification in the Grants Pass Daily Courier per the requirements in CPMC 17.05.500(D).

Text amendments to the zoning code are subject to the standards and criteria in CPMC 17.10, Zoning Map and Text Amendments. Provided below is a summary of the findings of fact, for which a complete copy will be provided at the November 5th meeting:

CPMC 17.10.400(A). Approval of the request is consistent with the applicable statewide planning goals (major amendments only);

Finding 17.10.400(A): *There are fourteen statewide planning goals that apply to the City of Central Point. Provided below is a summary of each goal and how the proposed amendment aligns with each goal.*

- *Goal 1 - Citizen Involvement. To develop a citizen's involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Comment: *The City has implemented its program for citizen involvement by scheduling the proposed land development code amendments for consideration by the CAC on October 4, 2024 (no quorum) and a special meeting on November 12, 2024. The public hearings for Planning Commission on November 5, 2024 and City Council on November 14, 2024 have been published for two consecutive weeks in a newspaper in general circulation, the Daily Courier. Additionally, the City has posted project information on the website, presented the conceptual code amendments to the City Council on October 24, 2024 and hosted sever discussions over the course of 2023 and 2024 as staff began auditing the land development code as part of the larger code update project.*

- *Goal 2 - Land Use. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

Comment: *Based on an audit of the land development code, staff determined that the planning process and framework for application submittal and approval criteria were not clear for annexations, conditional use permits and adjustments and variances. In review of the land division regulations, there were no clear procedures and standards established for re-plats and property line adjustments. The proposed amendments clarify submittal requirements, procedures and approval criteria consistent with current policy and legislative requirements (i.e. SB 1537 provisions for housing adjustments). This first round of amendments is therefore consistent with Statewide Planning Goal 2 and provides the framework for a more clear, efficient and professional land use planning process in Central Point.*

- *Goal 3 – Agricultural Lands. To preserve and maintain agricultural lands.*

Comment: *The proposed land development codes do not include or otherwise effect policies or implementing regulations that would impact agricultural lands conversion of agricultural lands. With the exception of island annexations, requests to annex land are based on landowner application and consent. The proposed amendments do not encourage, promote or coerce annexation of any land in the Central Point UGB nor do amendments to other applications types, definitions, or other land use standards or other housekeeping items. Therefore, Goal 3 is not applicable. i*

- *Goal 4 – Forest Lands. To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as a leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Comment: The proposed land development codes do not include or otherwise implicate forest lands because there are no forest lands in the city limits or UGB. The proposed code amendments maintain the integrity of existing policies and standards governing the planting of trees and preservation of open space and natural resources. Based on these facts, Goal 4 does not apply.

- *Goal 5 – Open Space, Scenic Areas and Natural Resources. To protect natural resources and conserve scenic and historic areas and open spaces.*

Comment: The proposed code amendments do not modify existing policies and standards governing the preservation of open space, natural and historic resources. Proposed amendments to CPMC 17.13 clarifies that adjustments and variances do not authorize exceptions to standards that are required to carry out Goal 5. Based on these facts, Goal 4 does not apply.

- *Goal 6 - To maintain and improve the quality of the air, water and land resources of the state.*

Comment: The proposed code amendments do not impact or otherwise alter policies or regulatory requirements to maintain and improve air, water and land resource quality. Not applicable.

- *Goal 7 - Areas Subject to Natural Hazards. To protect people and property from natural hazards.*

Comment: The proposed code amendments do not impact or otherwise alter policies or regulatory requirements to mitigate land development activities from the impacts of natural hazards. Not applicable.

- *Goal 8 – Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Comment: The proposed amendments to the land development code do not add to, take away from other otherwise impact any implementing standard related to the provision of parks and open space consistent with the Central Point Comprehensive Plan Parks Element. Goal 8 does not apply.

- *Goal 9 – Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Comment: The Economic Element of the Comprehensive Plan sets forth goals and policies to promote employment opportunities through the provision of needed land and programs to attract, grow and retain businesses in the City consistent with Goal 9. A key facet to the City's Economic Development strategy and policy framework is to provide an efficient land development process

based on modern codes that are clear, user-friendly and that apply industry best practices. The proposed land development code amendments constitute the first round to a series of code amendments that will be forthcoming to align the land development code with the City's policies and strategic priorities set forth in the 2040 Strategic Plan. Although none of the provisions in the proposed amendments impact employment opportunities in and of themselves, the changes provide a step toward more clear, predictable and objective requirements for applications and land uses. This is consistent with Goal 9, the City's Economic Element and 2040 Strategic Plan.

- *Goal 10 – Housing. To provide for the housing needs of citizens of the state.*

Comment: The proposed code amendments support housing needs by establishing a clearer process and requirements for annexations, as well as providing housing adjustment provisions consistent with SB 1537 and clarifying the home occupation permits will only be issued for limited business activities that are incidental to a residence. Future code amendments will go further to expand housing opportunities and encourage increased housing production consistent with Goal 10. However, the scope of impacts for this series of changes is limited to the above changes and is consistent with Goal 10 and the Central Point Comprehensive Plan.

- *Goal 11 – Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Comment: The proposed code amendments do not impact or otherwise alter any standards or policies related to the provision of public facilities and services. Therefore Goal 11 does not apply.

- *Goal 12 – Transportation. To provide and encourage a safe, convenient and economic transportation system.*

Comment: The proposed code amendments do not impact or otherwise alter any standards or policies related to the provision of a safe, convenient or economic transportation system. Therefore Goal 12 does not apply.

- *Goal 13 – Energy. To conserve energy.*

Comment: The proposed amendments do not impact or otherwise alter any standards or policies related to energy conservation in the City. However, the amended purpose statements incorporate the importance of a land development pattern that conserves the energy. This sets the foundation for future amendments to improve energy conservation in the City.

- *Goal 14 – Urbanization. To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Comment: Amendments to the City's procedures and standards for annexations align with the requirements in ORS 222.111 through 222.180. These amendments govern the transfer of rural land to urban jurisdiction and eventual urban development. No amendments are proposed that would alter land development form in and of itself. The annexation provisions other code amendments are consistent with Goal 14.

Conclusion 17.10.400(A): Based on the assessment above, the proposed code amendments are consistent with the Statewide Planning Goals that apply in Central Point. Coastal areas and Willamette Greenway goals are not located within or adjacent to the City' therefore they were not addressed herein.

17.10.400(B). Approval of the request is consistent with the Central Point comprehensive plan (major and minor amendments);

Finding 17.10.400(B): The City of Central Point Comprehensive Plan sets forth goals and policies that comply with the Statewide Planning Goals listed in Finding CPMC 17.10.400(A).

Conclusion 17.10.400(B): Consistent.

17.10.400(C). If a zoning map amendment, findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the city's public facilities master plans (major and minor amendments); and

Finding 17.10.400(C): The proposed code amendments do not involve a map amendment.

Conclusion 17.10.400(C): Not applicable.

17.10.400(D). The amendment complies with OAR [660-012-0060](#) of the Transportation Planning Rule.

Finding 17.10.400(D): The State TPR requires that local governments determine whether a proposed plan or regulation amendment would significantly impact an existing or planned transportation facilities and requires that the jurisdiction coordinated with facility providers. The proposed code amendments are housekeeping and clarify existing policies. Consequently, there are no impacts to any existing or planned transportation facilities that would require additional analysis of impacts and mitigation. The Public Works Department has been consulted throughout the code amendment process. There are proposed changes that would impact or otherwise alter the generation of traffic on public facilities as a result of the proposed code amendments. Those will be addressed as a function of development based on current standards and procedures in the land development code.

Conclusion 17.10.400(D): Consistent.

Conditions of Approval

None.

Attachments

1. 10292024 LDO Amendments (PC Draft)
2. Draft Planning Commission Resolution

Action

Consider the proposed land development code amendments and recommend the City Council 1) approve with or without revisions; or, 2) deny the changes.

Recommendation

Recommend the City Council approve the proposed changes with or without revisions.

Recommend Motion

Approve Resolution No. _____, a Resolution of the Central Point Planning Commission
Recommending Approval Proposed Land Development Code Amendments in Title 1 (General
Provisions), Title 16 (Land Divisions) and Title 17 (Zoning).

Attachment 1

Land Development Code Amendments (Planning Commission Draft)

File No. ZC-24001

November 5, 2024

Title 1 – General Provisions

Summary: Repeal Chapter 1.20, Annexations which is out of date and not consistent with how the City has processed annexations for several years. Annexation procedures and requirements will be added to Title 17 in a new Chapter 17.94.

Chapter 1.20

ANNEXATION PROCEDURE

Sections:

- ~~1.20.010 Generally.~~
- ~~1.20.011 Application and review.~~
- ~~1.20.020 Preliminary plat requirements.~~
- ~~1.20.030 Legal description.~~
- ~~1.20.040 **Annexation** proposal fee.~~
- ~~1.20.050 Final plat.~~
- ~~1.20.060 Waiver of fees.~~

~~1.20.010 Generally.~~

~~All proposals for **annexation** of real property to the city under the provisions of Oregon Revised Statutes 222.111 to 222.180, now in effect or as hereafter amended, shall be accompanied by a preliminary plat, an exterior boundary legal description and the **annexation** fee as in this chapter provided. (Ord. 1166 §1, 1974).~~

~~1.20.011 Application and review.~~

~~Applications and review thereof shall conform to the provisions of Chapter 17.05 of the Central Point Municipal Code and all applicable laws of the state. Applications for **annexation** may be accompanied by other, concurrent applications, for amendment to the comprehensive plan, amendments to the zoning map and requests for withdrawal from special districts, provided that such concurrent applications meet all requirements therefor. (Ord. 1368 §2, 1979).~~

~~1.20.020 Preliminary plat requirements.~~

~~Plats submitted as part of proposals for **annexation** shall be made on paper that is eighteen inches by twenty-four inches in size. Plats shall be drawn to the following standards and provide information as follows:~~

~~A. All plats shall be drawn in any of the following scales:~~

~~one inch equals twenty feet;~~

~~one inch equals fifty feet;~~

~~one inch equals one hundred feet;~~

~~one inch equals two hundred feet.~~

B. A title block shall be shown in the lower right hand corner displaying the name of the engineer, surveyor or other person who prepared such plat, the date and the names of owners proposing such annexation.

C. Plats shall clearly and legibly show existing boundary lines of the city adjacent to such annexation together with names of streets and such other information as will clearly identify the relationship of the area proposed to be annexed to the existing boundaries of the city.

D. The exterior boundary of the area proposed to be annexed shall be clearly and legibly shown.

E. The code number, account number and tax lot number as shown on the official records of the Jackson County tax assessor for each parcel of real property or portion thereof within the area proposed to be annexed shall be clearly shown together with the name of the owner of record and the name of any contract purchasers under any contract or memorandum thereof filed in the official records of Jackson County.

F. If any public roads are included within the areas to be annexed, they shall be clearly shown. (Ord. 1166 §2, 1974).

1.20.030 Legal description.

A narrative legal description of the exterior boundary of the area to be annexed shall be submitted with each proposal for annexation. (Ord. 1166 §3, 1974).

1.20.040 Annexation proposal fee.

Each proposal for annexation shall be accompanied by a fee defined in the city's adopted planning application fee schedule. In the event the city is required to incur expenses in processing the proposed annexation, including the cost of payroll, materials and services incurred therein, which expenses shall exceed the adopted fee, payment to the city of such expenses in excess of the adopted fee shall be a condition of final acceptance of such annexation by the city. (Ord. 1786 §2, 1998; Ord. 1684 §1, 1993; Ord. 1391 §1, 1980; Ord. 1166 §4, 1974).

1.20.050 Final plat.

Annexations approved by the council will be conditioned upon filing a final plat with the city recorder. Final plats shall be drawn with black ink upon mylar film or other material approved by the city recorder that has similar characteristics of strength and permanency suitable for binding and copying purposes. Final plats shall be of the same size and contain the same information as required for preliminary plats in Section 1.20.020. (Ord. 1166 §5, 1974).

1.20.060 Waiver of fees.

The council may waive payment of fees at its discretion. (Ord. 1166 §6, 1974).

17.12.060 Zoning of annexed area.

All future **annexations** are expected to include only lands within the city's urban growth boundary (UGB). The comprehensive plan of Central Point includes a plan for future land uses within the UGB area. The zoning map described in Section 17.12.030 is consistent with the comprehensive plan and will determine the district into which a newly annexed area is placed. The appropriate zoning district shall be applied to the area upon **annexation**. (Ord. 1615 §5, 1989; Ord. 1436 §2(part), 1981).

CPMC 17.94, Annexation

Sections:

- 17.94.010 Purpose and Applicability**
- 17.94.020 Application Process and Submittal Requirements**
- 17.94.030 Approval Criteria**
- 17.94.040 Zoning of Annexed Areas**
- 17.94.050 Annexation of Territory Surrounded by the City**

17.94.010 Purpose and Applicability

Annexation is the action taken to incorporate land into the city. Under State law, land may be annexed to the city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. Applications for annexation may be accompanied by other, concurrent applications, for amendment to the comprehensive plan, amendments to the zoning map and requests for withdrawal from special districts, provided that such concurrent applications meet all requirements therefor.

CPMC 17.94.020 Application Process and Submittal Requirements

- A. *Application for Annexation.* Except for the annexation of unincorporated territory surrounded by the city as provided in CPMC 17.94.050 below, applications for annexation shall include all of the requirements listed in Subsection (C) below, and be subject to the provisions of ORS 222.111 to 222.180 (Authority and Procedures for Annexation) or 222.840 to 222.915 (Health Hazard Abatement Law).**
- B. *Public Hearing for Annexation.* A public hearing shall be held prior to the Council's adoption of an ordinance for annexation. The City shall publish notice of the public hearing once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall post notices of the hearing in at least four public places in the city for a like period.**
 - 1. Exception: A public hearing is not required when all of the owners of land in the unincorporated territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory, and file a statement of their consent with the Council per ORS 222.125.**
- C. *Submittal Requirements.* An application for annexation shall contain the following information:**

1. Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of annexation and existing city limits.
2. *Assessor's Maps of the proposed annexation area.* The assessor's maps shall have identified those parcels for which consents to annex have been acquired and adjacent right-of-way to be annexed.
3. Consent to annex forms completed and signed by all consenting property owners within the proposed annexation area.
4. Legal metes and bounds or lot and block description of the annexation area. Prior to submittal of the Annexation application, the applicant shall consult with the Public Works Department on the extent of any adjacent right-of-way that is to be included in the legal description. All legal descriptions shall be reviewed and approved by the Public Works Department prior to submittal of the Annexation application.
5. Specific information on each parcel within the proposed annexation area:
 - a. Current assessed valuation shown on County Assessor's tax rolls.
 - b. Acreage of both public and private property, and public right-of-way to be annexed.
 - c. Map and tax lot number.
6. Addresses of all dwelling units and businesses located within the annexation area and names of all residents and whether they are registered voters.
7. The following additional information shall also be supplied by the applicant:
 - a. Existing land uses within annexation area.
 - b. Existing zoning within the annexation area.
 - c. Existing improvements such as:
 - i. water system
 - ii. streets

iii. sanitary sewer

iv. storm drainage

d. Special Districts within the area, such as:

i. water district

ii. irrigation district

iii. fire district

iv. school district

v. Rogue Valley Sewer Services

vi. other

e. Written findings indicating compliance with all of the applicable requirements of this chapter and the criteria contained in Section 17.94.030.

8. Property owners' names, addresses and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

9. Payment of the application fee(s).

CPMC 17.94.030 Approval Criteria

The City Council must find that the following requirements are met in order to approve an annexation:

1. The land is within the City's Urban Growth Boundary;
2. The land is contiguous to the current city limits;
3. The land is zoned in accordance with CPMC 17.94.040; and,
4. Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

CPMC 17.94.040 Zoning of Annexed Property

The comprehensive plan of Central Point includes a plan for future land uses within the UGB area. The zoning map described in Section 17.12.030 is consistent

with the comprehensive plan and will control the district into which a newly annexed area is placed. The appropriate zoning district shall be applied to the area upon annexation if pre-designated pursuant to the zoning map. If no zoning district has been designated on the zoning map, the applicant shall submit a Zone Map Amendment application in accordance with the requirements in CPMC 17.10 concurrent with the annexation application.

CPMC 17.94.050 Annexation of Territory Surrounded by the City.

- A. As authorized in ORS 222.750, the City Council may, by ordinance, annex territory surrounded by the corporate boundaries of Central Point with or without the consent of any owner of property within the territory or resident of the territory.**
- B. Such annexation may be initiated at the request of the Planning Department or City Council and shall not be subject to the requirements of Chapters 17.05 and 17.94.020 through 17.94.030.**
- C. A public hearing shall be held prior to the Council's adoption of an ordinance for annexation.**
- D. No later than 20 days prior to the public hearing, notification shall be mailed to all owners of property within the area proposed for annexation.**
- E. For property that is zoned for, and in, residential use when annexation is initiated by the City, the City shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the City proclaims the annexation approved.**
- F. Cause notice of the delayed annexation to be recorded by the county clerk of the county in which any part of the territory subject to delayed annexation is located within 60 days after the city proclaims the annexation approved.**
- G. The City shall notify the Jackson County Clerk of the territory subject to delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.**

Title 16 – ~~Subdivisions~~ Land Divisions

Summary: Revise and clarify the background, purpose and applicability of the provisions for land divisions. Recognizes the division land and arrangement of property as the first step in establishing the community's development pattern or urban form. States the application of a two-step process for partitions and subdivisions and notes that the Title provides standards and procedures for replats, property line adjustments and middle housing and expedited land divisions.

Update the definitions to align with the definitions in ORS 92. Add chapters addressing Middle Housing and Expedited Land Divisions, Replats and Property Line Adjustments.

CPMC 16.04, General Provisions

Sections:

16.04.005 Background

16.04.010 ~~Scope of regulations.~~ Purpose

16.04.020 ~~Design standards and principles of acceptability.~~ Applicability

16.04.005 Background

The division of land and arrangement of property boundaries is the first step toward establishing a community's development pattern. Before any unit of land can be created by recording a subdivision or partition plat, the City must approve a tentative plan and final plat. This Title sets forth the standards and procedures that apply to tentative and final plats for subdivisions, partitions and replats. It also provides standards and procedures for property line adjustments and missing middle and expedited land divisions.

16.04.010 Purpose

The purpose of this Title is to:

- A. Preserve, protect and promote the public health, safety, convenience and general welfare;
- B. Provide rules, regulations and standards governing the approval of land divisions and replats;
- C. Provide rules, regulations and standards governing the approval of property line adjustments;
- D. Ensure that new lots, parcels and blocks meet the requirements of the underlying zoning district;
- E. Ensure access to streets and utilities;
- F. Ensure safe, economical and efficient routes for pedestrians, bicycles and motor vehicles;
- G. Minimize the negative effects of development on the natural environment and incorporate natural features into proposed development where possible;
- H. Promote energy efficiency; and,
- I. Promote orderly growth and development by implementing the Central Point Comprehensive Plan.

16.04.020 ~~Scope of regulations.~~ Applicability.

Units of land must only be created or reconfigured in accordance with the standards in this Title and ORS Chapter 92. Expedited and Middle Housing Land Divisions are subject to the requirements in CPMC 16.14.

~~The provisions of this title shall apply to all subdivisions, partitions, and planned unit developments, and all streets or other ways created thereby, unless otherwise specifically provided. (Ord. 1650 (part), 1990).~~

~~16.04.020 Design standards and principles of acceptability.~~

~~A. The subdivision shall be in conformity with any approved development plans and shall take into consideration any preliminary plans or studies.~~

~~B. In connection with reviewing and making recommendations as to the granting or denial of any application made under this title, city staff may, in its discretion, in such cases as the same is warranted due to relevant but unknown information, require the applicant to furnish to the city, at applicant's expense, technical, architectural, engineering or other professional studies or reports. (Ord. 1684 §5, 1993; Ord. 1650 (part), 1990).~~

CPMC 16.08, Definitions

As used in this title the masculine gender includes the feminine and neuter gender and the singular includes the plural. The following words and phrases, unless the context otherwise requires, shall have the meanings assigned to them.

1. "Alley" means a narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

2. "Applicant" means the owner or contract purchaser of the property sought to be subdivided, partitioned or developed, or the person duly authorized in writing by such person or persons to act as agent to seek subdivision, partition or development, and in connection therewith, to bind the property to any conditions thereof.

3. "Building line" means a line on a plat indicating the limit beyond which buildings or structures may not be erected.

4. "City" means any representative of the city of Central Point authorized to make the decision in question, including but not limited to the public works director, the city manager, the planning commission or the city council.

5. "City utility easement" means an easement that is dedicated or granted for city water, sewer or storm drain.

6. "Cul-de-sac" (dead-end street) means a short street having one end open to traffic and being terminated by a vehicle turn-around.

7. "Development plan" means any plan as defined in Section 15.16.010.

8. "Easement" means a grant of the right to use a strip of land for specific purposes.

9. "Final plat" means the final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a subdivision, and where applicable, includes a partition plat prepared by a registered professional land surveyor.

10. "Flag lot" means a lot or parcel surrounded by other parcels on all sides and connected to the public right-of-way by a privately owned driveway or easement for ingress and egress.

11. "Half street" means a portion of the width of a street, usually along the edge of a subdivision where the remaining portion of the street has been or could later be provided in another subdivision.

12. "Lot" means a parcel of land intended as a unit for transfer of ownership or for development.

13. ~~"Major partition" means a partition which includes the creation of a road or street.~~

~~14. "Minor partition" means a partition which does not include the creation of a road or street.~~

~~15. "Partition" means either an act of partitioning land or an area or tract of land partitioned as defined by this chapter.~~

~~16. "Partition plat" means the final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a major or minor land partition.~~

~~17. "Partitioned land" means to divide~~ **dividing** ~~area or tract of land to create not more than~~ **into two or three (3) parcels of land** ~~within a calendar year, but does not include:~~

- a. Dividing land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots;**
- b. Adjusting a property line as a property line adjustment is defined in this section;**
- c. Dividing land as a result of recording a subdivision or condominium plat;**
- d. Selling or granting by a person to a public agency or public body of property for state highway, county road, city street or other right of way purposes if the road or right of way complies with the applicable comprehensive plan and ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (2)(p) to (r) and 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) (2)(q) to (s). However, any property sold or granted for state highway, county road, city street or other right of way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned; or,**
- e. Selling or granting by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.**

~~when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partitioned land" does not include divisions of land resulting from lien foreclosures; divisions of land resulting from the creation of~~

~~cemetery lots; and divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving the state or intestate succession; and “partitioned land” does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning ordinance.~~

~~18. “Pedestrian way” means a right-of-way for pedestrian traffic.~~

~~19. “Person” means an individual, firm, partnership, corporation, company, association, syndicate or any legal entity, and including any trustee, receiver, assignee or other similar representative thereof.~~

~~20. “Planning commission” means the planning commission of the city.~~

“Plat” includes a final subdivision plat, replat or partition plat.

“Property line” means the division line between two units of land.

“Property line adjustment” means a relocation or elimination of all of a portion of the common property line between abutting properties that does not create an additional lot or parcel.

“Replat” means the act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

~~21. “Reversed corner lot” means a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.~~

~~22. “Right-of-way” means all areas conveyed or dedicated to the public or city, or in actual use by the public or city, for vehicular, pedestrian or utility use.~~

~~23. “Road” or “street” means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land.~~

~~24. “Roadway” means the portion or portions of street rights-of-way developed for vehicular traffic.~~

~~25. “Sidewalk” means a pedestrian walkway with permanent surfacing.~~

~~26. “Street” means the entire width between the boundary lines of every way which provides for public use for the purpose of vehicular and pedestrian traffic and the placement of utilities and includes the terms “road,” “highway,” “avenue,” “alley” and other similar designations.~~

~~27. “Structure” means anything built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. This includes, but is not limited to, carports, swimming pools, hot tubs,~~

permanent signs, aboveground gas or liquid storage tanks, fences, railings, sheds, manufactured homes, antennas, satellite dishes, well pump houses, mechanical equipment, and portable buildings. It also includes tents, awnings, stands, carts, and tables, except those used temporarily for an itinerant use. It does not include portable items solely for sale or temporary storage on the premises, including manufactured homes, portable buildings, and vehicles.

28. “Subdivide land” means to divide a parcel of land into four or more parcels within a **calendar** year.

29. “Subdivision” means either an act of subdividing land or a tract of land subdivided as defined in this chapter.

30. “Through lot” means a lot having frontage on two parallel or approximately parallel streets other than alleys.

31. “Tentative plan” means the diagram and text containing all of the descriptions, locations, specifications, provisions and information concerning a proposed subdivision or partition.

“Utility easement” means an easement noted on a subdivision plat or partition plat for the purpose of installing or maintaining public or private utility infrastructure for the provision of water, power, heat or telecommunications to the public. ~~32. “Underground utilities” include all public and private services including but not limited to electrical power, television cable, gas, telephone, sewer, water and storm sewer. (Ord. 1997 §1, 2014; Ord. 1969 §1(part), 2013; Ord. 1650(part), 1990).~~

CPMC 16.14, Middle Housing and Expedited Land Divisions

[Reserved]

CPMC 16.40, Replats (New)

- 16.40.010 Applicability**
- 16.40.020 Replat Process**

16.40.010 Applicability

- A. A replat is the act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in a subdivision.**
- B. The relocation of a common boundary line between two lots/parcels within a subdivision or partition shall not be considered a replat. A property line adjustment may occur in a platted subdivision or partition as provided for in CPMC 16.44.**

16.40.020 Replat Process

- A. A replat tentative plan and final plat shall comply with the land division process specified in CPMC 16.10 and CPMC 16.12 with the following exceptions:**
 - 1. The word “Replat” shall be shown in the title block;**
 - 2. The name or reference number of the previous plat and any additional recording information shall be retained in the title of the replat;**
 - 3. Blocks, lots/parcels and portions thereof, which are being replatted shall be identified where applicable; and,**
 - 4. Original plat information being deleted, abandoned or changed by the replat shall be shown lightly sketched or dotted on the drawing with a note of explanation.**

CPMC 16.44, Property Line Adjustments (New)

- 16.44.010 Purpose**
- 16.44.020 Submittal Requirements**
- 16.44.030 Review Process**
- 16.44.040 Approval Criteria**
- 16.44.050 Recording and Expiration**

16.44.010 Purpose

The purpose of a property line adjustment is to relocate or eliminate a common property line between abutting properties.

16.44.020 Submittal Requirements

Property Line Adjustments are subject to Type I procedures set forth in CPMC 17.05.200. Property Line Adjustment applications shall be on application forms provided by the Community Development Department, be accompanied by the application fee adopted in the City's current fee schedule and include the following information:

A. Map of Survey prepared by an Oregon registered land surveyor showing the following:

- 1. Existing and proposed property lines, including dimensions and square footage for all properties involved;**
- 2. Assessor's Map and Tax Lot Information for the subject properties;**
- 3. Location of existing utilities on the site, including but not limited to: wells, septic systems, storm drain lines, water, and irrigation facilities;**
- 4. Existing and proposed easements including the location, name and purpose of each easement on the site (if any);**
- 5. Existing streets, both public and private, within or adjacent to the subject properties, including the street names, location and dimensions;**
- 6. Location and dimensions of driveways within or abutting the subject properties**
- 7. Location, height, ground floor area and use of all structures on the subject properties including the distance from all existing and**

proposed property lines;

8. Location of existing walls and fences;

9. Property owner names as shown on the accompanying deeds;

10. Surveyor's signature attesting to the accuracy of the information provided; and,

11. If any items listed above are not shown on the Map of Survey, a signed statement certifying that specific items listed above do not exist.

B. Legal Description prepared by an Oregon registered land surveyor for the proposed property line adjustment;

C. Copy of proposed easements to be recorded, if any;

D. Proposed deeds that include a statement that identifies the associated conveyance of property as a property line adjustment. If the property line is being adjusted, the deed shall be labeled, "Property Line Adjustment." If a property line is being eliminated, the deed shall be labeled "Property Line Adjustment – Lot Consolidation."

E. Legal descriptions attached to the deeds for the proposed property line adjustment or lot consolidation shall include the names of the parties, the description of the adjusted property line, references to original recorded documents and signatures of all parties with proper acknowledgement.

F. Title Report prepared no more than 15-days prior to the application submittal listing the vested owners, easements, encumbrances and other matters for each property; and

G. Signatures from all property owners on the application form or letter authorizing the property line adjustment application.

16.44.030 Review Process

A. **Preliminary City Review.** Once the application has been received, the Community Development Department shall send a copy to affected agencies and City departments for review. Within 30- days following submittal, the Planning Department shall send a written notification to the applicant indicating:

1. The application is missing information required in Section 16.44.020. Once missing information is submitted, the City shall complete its

review within 30-days; or,

2. The application has been preliminarily approved in accordance with the CPMC 16.44.040(A-C); or,
 3. The application has been found to be inconsistent with Section 16.44.040(A-C) and has been denied.
- B. **Jackson County Surveyor Review.** Upon preliminary City approval, the applicant shall file the Map of Survey, Deeds and proposed easements with the Jackson County Surveyor as necessary to assure conformance with the Oregon Revised Statutes (ORS) 92.
- C. **Final City Review.** Following approval by the Jackson County Surveyor and within one (1) year of filing the property line adjustment, submit the final map of survey, deeds and easement for final review and signature by the Community Development Director or designee. The final review shall verify that the final Map of Survey is substantially the same as preliminarily approved. If the Director finds that they are not substantially the same, the applicant shall be notified in writing within 15-days.

16.44.040 Approval Criteria

The Community Development Director or designee shall approve or deny a request for a property line adjustment in writing based on demonstration that following criteria are met:

- A. The Property Line Adjustment does not result in the creation of any new lots or parcels;
- B. The Property Line Adjustment does not result in a unit of land that overlaps the city limit line, urban growth boundary or a zoning district boundary;
- C. All lots and parcels conform to the applicable lot standards of the zoning district including lot area, dimensions, setbacks and coverage unless a nonconforming lot or parcel is adjusted in a manner that reduces an existing nonconforming situation; and,
- D. Demonstration that the Map of Survey and legal descriptions are consistent with ORS 92 as certified by the Jackson County Surveyor.

16.44.050 Recording and Expiration

Expiration. Within one (1) year of the final decision date, the property line adjustment deeds and Map of Survey and any proposed easements must be filed with the Jackson County Clerk's office to be recorded. If the property line

adjustment documents are not recorded within one (1) year, the application approval will expire. Recorded documents shall be filed with the Community Development Department within 60-days of recording or prior to any additional land use approvals or building permit issuance for the reconfigured lots or parcels.

Title 17 – Zoning

Summary: Proposed amendments to Title 17, include the following:

- Amend Chapter 17.04 to consolidate all general provisions for administration of the Zoning Code, including updating the Title name to eliminate reference to the year; clarifying and expanding the purpose statement; addressing the scope and compliance of the Title; providing the rules of code construction; requiring consistency with the Comprehensive Plan; clarifying how the development code and zoning map are implemented; coordinating land use review and decisions with issuance of building permits; establishing authority for permit issuance and decision making as the official actions of the City, as well as enforcement procedures and fees.
- Update Table 17.05.01 in CPMC 17.05.100 to add land use actions not previously identified; remove sections that no longer apply and update procedural types.
- Update CPMC 17.08.010 definition for Home Occupation to clarify that it is conducted by a person lawfully residing in the dwelling.
- Update CPMC 17.12 regarding Zoning Districts to update the abbreviation for the Neighborhood Commercial zone from C-1 to C-N; add a column in the Zoning District Classification table to identify the Chapter reference for each zoning district; and, add a section clarifying how zoning district boundaries are determined.
- Revise CPMC 17.13 to provide standards, procedures and criteria for adjustments and variances. This revision eliminates the distinctions between Class A, B, and C Variances for clarity and ease of implementation.
- Revise CPMC 17.56, to provide standards and procedures for all nonconforming situations in the City, including uses, developments and lots. The revision eliminates distinctions between Class A and Class B nonconforming uses, which allowed varying levels of flexibility for expansion and remodeling. Instead the proposed amendments apply the same standards based on the type of nonconforming situation.
- Update CPMC 17.57, Fences to align language with Building Code requirements and language, update standards for fence regulations aligning corner lot

setbacks with required frontage buffers or a minimum of 5-ft in residential zones, increases height in the Civic and Industrial zones to 8-ft for security purposes. The update also includes new language for prohibited fence types and specifically addresses electrified fences, which are to be prohibited in residential zones but may be allowed in industrial zones subject to clear and objective standards.

- Update CPMC 17.60.190 requirements for Home Occupations to assure that home based businesses are not detrimental to the character and livability of the surrounding neighborhood and remain subordinate to the residential use and the viability of the residential dwelling is maintained. Prohibits heavy commercial/industrial operations. The standards address hazardous substances, noise, vehicle parking, deliveries and how to count daily trips to and from the site for review purposes. Finally, the proposed amendments clarify the basis for home occupation permit revocation/termination.
- Update CPMC 17.76 to revise the approvals process section, align submittal requirements with the Site Plan and Architectural Review submittal requirements, and establish clear conditions of approval. The objective is to consolidate a Conditional Use Permit and Site Plan and Architectural Review application into one approval.
- Repeal CPMC 17.92, Violations and Enforcement and move to CPMC 17.04, General Provisions.

CPMC 17.04, Title—Purpose **General Provisions**

Sections:

17.04.010 Title.

17.04.020 Purpose.

17.04.030 Application and review--Fees.

17.04.040 Authority to require professional reports.

17.04.030 Scope and Compliance

17.04.040 Rules of Code Construction

17.04.050 Consistency with Comprehensive Plan and Laws

17.04.060 Development Code and Zoning Map Implementation

17.04.070 Coordination of Building Permits

17.04.080 Official Action

17.04.090 Enforcement and Penalties

17.04.100 Fees

17.04.010 Title.

This title shall be known as the “City of Central Point “Zoning Ordinance” or “Zoning Code.” of 1981. (Ord. 1436 §2(part), 1981).

17.04.020 Purpose.

The purpose of this title is to **promote the public health, safety and welfare of all Central Point residents by managing and regulating land use and development within the City consistent with the following objectives:**

- A. Implement the City of Central Point Comprehensive Plan;**
- B. Manage growth and physical development of the City consistent with its ability to provide adequate and cost-effective public facilities and services;**
- C. Provide a clear land use and development regulatory framework to facilitate the private and public sectors to respond to market demands and the community’s needs for housing, employment and other uses;**
- D. Establish clear and objective standards, where possible, to promote livability through human-scale design that promotes safety, comfort and character in alignment with the community’s preferred vision for its future as articulated in the Central Point Strategic Plan and Central Point Comprehensive Plan;**

- E. Promote development of an interconnected transportation system that supports multiple modes of transportation, including but not limited to automobiles, transit, bicycles and pedestrians to accomplish the following objectives:**
- 1. Connecting residential areas with schools, parks and community services;**
 - 2. Providing transportation options for those who are unable or choose not to drive a car; and**
 - 3. Providing the opportunity for Central Point residents to engage in a more active lifestyle that can contribute to better health outcomes and wellbeing.**
- F. Implement regulations that safeguard residents from identifiable hazards associated with dissimilar land uses, natural hazards and nuisances that may result from development to the to the maximum extent possible; and,**
- G. Comply with applicable Oregon Revised Statutes as pertains to the development and use of land. (Ord. 1436 §2(part), 1981).**

~~encourage the most appropriate use of land; to conserve and stabilize the value of property; to facilitate fire and police protection; to provide adequate open space for light and air; to minimize congestion of streets; to promote orderly growth of the city; to prevent undue concentrations of population; to facilitate adequate provision of community facilities; and in general to promote in other ways public health, safety, convenience and general welfare. (Ord. 1436 §2(part), 1981).~~

~~17.04.030 Application and review--Fees.~~

~~Applications for any land use permit or approval issued or required to be issued under this Title 17 and review thereof shall conform to the provisions of Chapter 17.05 and all applicable city ordinances and laws of the state. All administrative and legal staff time costs, plans checks, construction inspection, and preparation of agreements, in excess of the filing fee, shall be borne by the applicant and paid within twenty days of billing by city. Failure to timely pay such costs shall constitute grounds for denial of the permit or approval application. For purposes of this section, "land use permit or approval" includes site plans, nonconforming use designations, planned unit developments, conditional use permits, variances, amendments, and any other action taken by application under the terms of Title 17. (Ord. 1684 §13, 1993).~~

~~17.04.040 Authority to require professional reports.~~

~~In connection with reviewing and making recommendations as to the granting or denial of any application made under this title, city staff may, in its discretion, in such cases as the same is warranted due to relevant but unknown information, require the applicant to~~

furnish to the city, at applicant's expense, technical architectural, engineering or other professional studies or reports. (Ord. 1684 §14, 1993).

17.04.030 Scope and Compliance

- A. Applicability.** The requirements of this Title apply to the person(s) undertaking the development (i.e. applicant), owner(s) of record, and any successors of interest.
- B. Compliance.** No structure or lot shall hereinafter be used, developed, occupied, and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged or otherwise altered except as permitted by this Code. Furthermore, annexations and amendments to the Zoning Map and Text, Comprehensive Plan Map and Text shall conform to the applicable provisions of this Code.
- C. Transfer of Development Standards.** Except as otherwise specifically authorized in this title, no lot area, yard, landscaping or open space that is used to satisfy a requirement for one use shall be used to satisfy the requirements for another use.

17.04.040 Rules of Code Construction.

- A. Minimum Requirements.** The provisions of this Title, in their interpretation and application, are minimum requirements that have been adopted for the protection of the public health, safety and general welfare.
- B. Conflicts.** Unless otherwise specified, when there is a conflict between provisions in this Code or with other applicable regulations, the highest standard shall govern. The Planning Director shall decide which Code provision sets the highest standard. Where the applicability of a Code provision is unclear, the Planning Director or Planning Commission may issue a formal interpretation pursuant to CPMC 17.11.
- C. Tenses.** Words used in the present tense include the future; the singular form includes the plural; and the plural includes the singular.
- D. Interpreting Illustrations.** This Code contains illustrations and photographs, code "graphics," which are intended to serve as examples of development design that either meet or do not meet particular code standards. Strict adherence to the graphic is not required except where a

graphic contains a specific numerical standard or uses the word “shall,” “must,” “required,” or “prohibited.”

- E. Requirements versus Guidelines.** The use of the word “shall,” “must,” “required,” or similar directive terms means the Code provision is a requirement. The word “should,” “encouraged,” “recommended,” or similar terms means the provision is a guideline, which may be imposed as a requirement but only where the applicable code criteria allow the Planning Commission to exercise such direction.
- F. Severability.** The provisions of this Development Code are severable. If any section, sentence, clause or phrase is judged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of the Code.

17.04.050 Consistency with Comprehensive Plan and Laws.

- A. City of Central Point Comprehensive Plan.** This Code implements the City of Central Point Comprehensive Plan. Except as otherwise required by applicable state or federal law, all provisions of this Code shall be construed in conformity with the Comprehensive Plan including any Comprehensive Plan elements or public facility master plans adopted pursuant to the Comprehensive Plan.
- B. Compliance with Other Laws Required.** In addition to the requirements set forth in this Code, all uses and development shall comply with all other applicable rules and regulations including but not limited to City, state and federal.
- C. References to Other Regulations.** All references to other city, state and federal rules and regulations are for informational purposes only and do not constitute a complete list of such requirements. The references do not imply any responsibility by the City of Central Point for enforcement of state or federal regulations. Where a proposal, permit or approval is subject to both City of Central Point and state or federal requirements, the property owner is responsible for contacting the applicable agencies and complying with their rules and regulations.

17.04.060 Development Code and Zoning Map Implementation

- A. Land Use Consistent with Development Code.** Land and structures in the City of Central Point may only be used or developed in accordance with this Code, including all amendments thereto. A lawful use of land (“use”) is one that is permitted in accordance with this Code or is allowed as a legal non-conforming use pursuant to Chapter 17.56, provided state or federal law does not prohibit the use.
- B. Development Code and Zoning Map.** The City’s Official Zoning Map (“Zoning Map”), which may be published, amended and filed separately from this Code, is part of this Code. The zoning districts depicted on the Zoning Map correspond to the zoning districts in this code in Section 17.12.030. In addition, this Code may contain zoning regulations for special areas (e.g. overlay zones), and for certain uses or structures that do not appear on the Zoning Map.
- C. Interpreting the Zoning Map.** Except as otherwise specified by this Code, the City’s zoning boundaries are designated on the Official Zoning Map, which is kept on file in the Planning Department at the Central Point City Hall. The City may adopt and publish supplemental zoning maps where it is impractical to illustrate all regulated features on one map. Example of regulated features include, but are not limited to historical landmarks, floodplain boundaries, local wetland inventories, etc. In addition, the City may require field verification and mapping (e.g. survey) of a regulated feature as part of a development application where the feature is thought to exist on or adjacent to the subject property but its exact location is unknown.
- D. Boundary Lines.** Zoning district boundaries are determined pursuant to CPMC 17.12.030
- E. Changes to the Official Zoning Map.** Proposed changes to the Zoning Map are subject to review and approval under CPMC 17.10.

17.04.070 Coordination of Building Permits

A building permit shall not be issued until the Planning Director or designee has confirmed that all applicable requirements of this Code are met, applicable conditions of approval imposed as part of the land use process have been satisfied, or additional conditions are in place to assure compliance.

17.04.080 Official Action

The City of Central Point Planning Director, Planning Commission and City Council are vested with authority to issue permits and grant approvals in conformance with the Land Development Code pursuant to the Application Review Procedures set forth in CPMC 17.05.

17.04.090 Enforcement and Penalties

A. Violation a Public Nuisance. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title, and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this title is unlawful and declared a public nuisance and may be abated as provided in Chapter 8.04 of the Central Point Municipal Code, and/or in such other manner as provided by law, and may take such other steps and apply to such courts as may have jurisdiction to grant such relief as will enjoin and remove such violation. The remedies provided for herein shall be cumulative and not exclusive. (Ord. 1436 §2(part), 1981).

B. Penalties. Violation of a provision of Chapters 16 or 17 constitutes a violation and upon conviction thereof shall be punishable by the general penalty set forth in CPMC 1.16. Every day in which a violation is caused or permitted to exist constitutes a separate offense. (Ord. 1684 §75, 1993; Ord. 1436 §2(part), 1981).

17.04.100 Fees

A schedule of permit and service fees shall be established and may be periodically amended by resolution of the City Council.

17.05.100 Purpose and applicability of review procedures.

A. Purpose. The purpose of this chapter is to establish standard decision-making procedures that will enable the city, the applicant, and the public to review development permit applications and participate in the local decision-making process in a timely and effective way consistent with the citizen's involvement element of the comprehensive plan. Table 17.05.1 provides a key to identify the review procedures, applicable regulations, and the approving authority for development permit applications.

B. Applicability of Review Procedures. All development permit applications identified in Table 17.05.1 shall be decided by using the appropriate procedures contained in this chapter. The procedural "type" assigned to each development permit application governs the decision-making process for that permit. There are four "types" of procedures: Type I, II, III, and IV, which are described as follows:

1. Type I. Type I procedures apply to administrative decisions made by the community development director or designee without public notice and without a public hearing. Type I procedures are used only when there are clear and objective approval standards and criteria, the application of which does not require the use of discretion.

A Type I decision is the city's final decision. There are no appeals to a Type I procedural decision.

2. Type II. Type II procedures apply to administrative decisions that involve clear and objective approval standards and criteria the application of which requires the use of limited discretion. Type II decisions are made by the community development director or designee with public notice, and an opportunity for a public hearing if appealed. The appeal of a Type II decision is treated as a Type III procedure, except that the appeal is to the planning commission, which is the final decision of the city.

3. Type III. Type III procedures are quasi-judicial decisions that involve the application of existing policies. Type III decisions generally use discretionary approval criteria, and do not have a significant effect beyond the immediate area of the application. Type III decisions are based on special studies or other information which will serve as the factual basis to support the decision. Type III decisions, when made by the planning commission, may be appealed to the city council.

4. Type IV Procedure. Type IV decisions are legislative decisions that establish by law general policies and regulations for future land use decisions, such as the adoption or revision of the comprehensive plan, and revisions to the zoning and the land division ordinance that have widespread and significant impact beyond the immediate area, i.e., quantitative changes producing large volumes of traffic, or a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many

different ownerships. Unless otherwise noted, all Type IV decisions are considered initially by the citizens advisory committee and the planning commission, with final decisions made by the city council. **For annexation, the City Council makes a decision without a recommendation from the citizens advisory committee or planning commission.**

Table 17.05.1 provides a key to identify the review procedure for each land development permit.

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Annexation				
Quasi-Judicial	Type III	Chapter 1.20 17.94	City Council	No
Legislative	Type IV**	Chapter 1.20 17.94	City Council	No
Code Interpretations	Type II	Chapter 17.11	Director	No
Comprehensive Plan & UGB Amendments				
Major	Type IV	Chapter <u>17.96</u>	City Council	No
Minor	Type III	Chapter <u>17.96</u>	City Council	No
Conditional Use Permit	Type III	Chapter <u>17.76</u>	Planning Commission	Yes
Conversion Plan	Type II	Chapter <u>16.32</u>	Director	Yes
Extensions				
Type I Procedures	Type I	Section <u>17.05.200</u> (G)	Director	Yes
Type II Procedures	Type II	Section <u>17.05.300</u> (G)	Director	Yes
Floodplain Development Permit	Type I	Chapter 8.24	Floodplain Manager	Yes
	Type II		Director	
	Type III		Planning Commission	
Home Occupation Permit	Type I	Section <u>17.60.190</u>	Director	Yes
Land Division/ Replat				

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Tentative Plan, Partition	Type II	Chapter <u>16.36</u>	Director	Yes
Tentative Plan, Subdivision	Type III	Chapter <u>16.10</u>	Planning Commission	Yes
Final Plat	Type I	Chapter <u>16.12</u>	Director	No
Mobile Food Business				
Mobile Food Vendor	Type I	Section <u>5.44.030</u> Chapter <u>17.72</u>	Director	Yes
Mobile Food Pod	Type II	Section <u>5.44.040</u> Chapter <u>17.72</u>	Director	Yes
Mobile Food Court	Type III	Section <u>5.44.050</u> Chapter <u>17.76</u> Chapter <u>17.72</u>	Planning Commission	Yes
Specialty Food Vendor	Type I	Section <u>5.44.060</u>	Director	No
Modification of Approval				
Major	Type III	Section <u>17.09.300</u>	Planning Commission	Yes
Minor	Type II	Section <u>17.09.400</u>	Director	Yes
Nonconforming Use Designation	Type III	Section <u>17.56.040</u>	Planning Commission	No
Planned Unit Development	Type III	Chapter <u>17.68</u>	Planning Commission	Yes
Property Line Adjustment/Consolidation	Type I	Chapter <u>16.10</u> 16.44	Director	Yes
Right-of-Way Vacation	Type IV	Chapter <u>12.28</u>	City Council	No
Site Plan and Architectural Review				
Minor	Type I	Chapter <u>17.72</u>	Director	Yes
Major	Type II	Chapter <u>17.72</u>	Director	Yes
TOD Overlay Master Plan	Type III	Chapter <u>17.66</u>	Planning Commission	Yes

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Tree Removal	Type II	Chapter <u>12.36</u>	Director	Yes
Variance	Type III	Chapter 17.13	Planning Commission	Yes
Class A	Type II	Section <u>17.13.300</u>	Director	Yes
Class B	Type III	Section <u>17.13.400</u>	Planning Commission	Yes
Class C	Type III	Section <u>17.13.500</u>	Planning Commission	Yes
Zoning Map and Zoning and Land Division Code Text Amendments				
Minor	Type III	Chapter <u>17.10</u>	City Council	Yes
Major	Type IV	Chapter <u>17.10</u>	City Council	No

* An applicant may be required to obtain approvals from other agencies, such as the Oregon Department of Transportation, or Rogue Valley Sewer. The city may notify other agencies of applications that may affect their facilities or services.

**** Except as provided in CPMC 17.94.**

(Ord. 2100 § 1, 2023; Ord. 2089 §2, 2022; Ord. 2033 §2, 2017; Ord. 1989 §1(part), 2014; Ord. 1941 §§1, 2, 3, 2010; Ord. 1874 §1(part), 2006).

CPMC 17.08, Definitions

17.08.010 Definitions, specific

“Home occupation” means any occupation **or business** conducted within a residential dwelling unit by a **person lawfully residing in the dwelling** ~~member or members of the family residing in that unit~~, provided such occupation **or business** is clearly incidental and secondary to the primary residential use of that dwelling and is in accordance with Section 17.60.190.

CPMC 17.12, Zoning Districts

Sections:

17.12.010 Purpose ~~Compliance with provisions.~~

17.12.020 Zones--Classification.

~~17.12.030 District--Location.~~

~~17.12.040 Zoning maps.~~

~~17.12.050 District--Boundaries.~~

17.12.060 Zoning of annexed area.

~~17.12.010 Purpose Compliance with provisions.~~

The purpose of this chapter is to establish zoning district for every units of land (i.e. parcel, lot, tract, right-of-way) within the City of Central Point consistent with the Comprehensive Plan. Units of land may also be designated within one or more overlay zones. It is also the purpose of this chapter to specify how zoning district boundaries are determined. The use of land shall be limited to uses allowed by applicable zone(s).

~~A. A lot may be created or used and a structure or part thereof constructed, reconstructed, altered, occupied or used only as permitted in this code.~~

~~B. No lot shall be created if the effect thereof is to allow the perpetuation of a nonconforming use. (Ord. 1684 §27, 1993; Ord. 1436 §2(part), 1981).~~

17.12.020 Zoning District Classification ~~Zones--Classification.~~

For the purposes of this title, the following zones are established by the city:

Abbreviation	District	Chapter Reference
R-L	Residential low-density	17.16
R-1	Residential single-family	17.20
R-2	Residential two-family	17.24
R-3	Residential multiple-family	17.28
C-N4	Neighborhood convenience shopping	17.32
C-4	Tourist and office-professional	17.44
C-5	Thoroughfare commercial	17.46
M-1	Industrial	17.48
M-2	Industrial general	17.52

Abbreviation	District	Chapter Reference
B.C.G.	Bear Creek Greenway	17.54
OS	Parks and Open Space	17.30
TOD	Transit oriented development overlay	17.65, 17.66, 17.67
LMR	Low mix residential	17.65
MMR	Medium mix residential	17.65
HMR	High mix residential	17.65
EC	Employment commercial	17.65
GC	General commercial	17.65
C	Civic	17.65
OS	Open space	17.65

(Ord. 2100 § 5, 2023; Ord. 1888, 2006; Ord. 1643 §1, 1990; Ord. 1615 §2, 1989; Ord. 1436 §2(part), 1981).

17.12.030 Zoning District Boundary Determination ~~District--Location.~~

~~The boundaries for each district listed in this title are the boundaries indicated for the district by the city zoning map of 1987, which is adopted by reference. The boundaries shall be modified in accordance with zoning map amendments, which amendments this section subsequently adopts by reference. (Ord. 1615 §3, 1989; Ord. 1436 §2(part), 1981).~~

This section sets forth criteria to be used in determining the location of any zoning district boundary as shown on the Zoning Map. Zoning district boundaries, as shown on the City of Central Point Zoning Map, shall be construed to follow:

- A. City limit lines.**
- B. Platted lot lines or other property lines as shown on the Jackson County Assessor's Plat Maps.**
- C. The centerline of street, railroad or irrigation district rights-of-way.**
- D. The centerline of streams or other water courses as measured at mean low water, and, in the event of a natural change in location of the centerline of such water course, the zoning district boundary shall be construed as moving with the channel centerline.**

~~Where due to the scale, lack of scale, lack of detail, or illegibility of the Zoning Map, or due to any other reason, there is uncertainty, contradiction, or conflict as to the intended location of a zoning district boundary, the Community Development Director or, upon referral, the Planning Commission shall determine the boundary as follows:~~

- ~~A. Right-of-way. Boundaries that that approximately follow the centerlines of a street, highway, alley, bridge, railroad or other right-of-way shall be construed to follow such centerlines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning district designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly served as a zoning district boundary, the vacated lands within the former right-of-way shall be proportionally allocated to the abutting zoning districts.~~
- ~~B. Parcel, lot, tract. Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries.~~
- ~~C. Jurisdiction Boundary. Boundaries indicated as approximately following a City or County boundary, or the Urban Growth Boundary, shall be construed as following said boundary.~~
- ~~D. Natural Features. Boundaries indicated as approximately following a river, stream, topographic contour, or similar feature not corresponding to any feature listed in subsection A-C above shall be construed as following such feature.~~

~~17.12.040 Zoning maps.~~

~~A zoning map or zoning map amendment adopted by Section 17.12.030 or by an amendment to the section shall be prepared by authority of the city planning commission or be a modification by the city council of a map or map amendments so prepared. The map or map amendment shall be dated with the date of its approval by the planning commission or the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained without change in the office of the city manager as long as the ordinance codified in this title remains in effect. (Ord. 1969 §1(part), 2013; Ord. 1615 §4, 1989; Ord. 1436 §2(part), 1981).~~

~~17.12.050 District Boundaries.~~

~~Unless otherwise specified, district boundaries are lot lines, the centerlines of streets or such lines extended. If a district boundary divides a lot into two districts, the entire lot shall be placed in the district that accounts for the greater area of the lot by the adjustment of the district boundary, provided the boundary adjustment is for a distance not to exceed twenty feet. (Ord. 1436 §2(part), 1981).~~

~~17.12. 060 — Zoning of annexed area.~~

~~All future annexations are expected to include only lands within the city's urban growth boundary (UGB). The comprehensive plan of Central Point includes a plan for future land uses within the UGB area. The zoning map described in Section 17.12.030 is consistent with the comprehensive plan and will determine the district into which a newly annexed area is placed. The appropriate zoning district shall be applied to the area upon annexation. (Ord. 1615 §5, 1989; Ord. 1436 §2(part), 1981).~~

CPMC 17.13, Exceptions to Code Standards ~~Adjustments and Variances~~

Sections:

~~17.13.100 Variances--Purpose.~~

~~17.13.200 Variances--Applicability.~~

~~17.13.300 Class A variances.~~

~~17.13.400 Class B variances.~~

~~17.13.500 Class C variances.~~

~~17.13.600 Variance application and appeals.~~

~~17.13.100 Variances--Purpose.~~

This chapter provides standards and procedures for variances, which are modifications to land use or development standards that are not otherwise permitted elsewhere in this title as exceptions to code standards. This chapter cannot provide standards to fit every potential development situation. The city's varied geography, and complexities of land development, require flexibility. This chapter provides that flexibility, while maintaining the purposes and intent of the code. The variance procedures provide relief from specific code provisions when they have the unintended effect of preventing reasonable development in conformance with all other codes. The variance procedures are intended to provide flexibility while ensuring that the purpose of each development standard is met. (Ord. 1874 §5(part), 2006).

~~17.13.200 Variances--Applicability.~~

A. ~~Exceptions and Modifications Versus Variances.~~ A code standard or approval criterion ("code section") may be modified without approval of a variance if the applicable code section expressly allows exceptions or modifications. If the code section does not expressly provide for exceptions or modifications, then a variance is required to modify that code section and the provisions of this chapter apply.

B. ~~Combining Variances with Other Approvals; Permit Approvals by Other Agencies.~~ Variance requests may be combined with and reviewed concurrently by the city approval body with other land use and development applications (e.g., development review, site design review, subdivision, conditional use, etc.); however, some variances may be subject to approval by other permitting agencies, such as ODOT in the case of state highway access.

C. ~~Types of Variances.~~ As provided in Sections 17.13.300, 17.13.400 and 17.13.500, there are three types of variances (Class A, B, or C). The type of variance required depends on the extent of the variance request and the discretion involved in the decision-making process. (Ord. 1874 §5(part), 2006).

~~17.13.300 Class A variances.~~

~~A. Applicability. The following variances are reviewed using a Type II procedure, as governed by Chapter 17.05, using the approval criteria in subsection B of this section:~~

- ~~1. Front Yard Setbacks. Up to a ten percent change to the front yard setback standard in the land use district.~~
- ~~2. Interior Setbacks. Up to a ten percent reduction of the dimensional standards for the side and rear yard setbacks required in the base land use district.~~
- ~~3. Lot Coverage. Up to five percent increase of the maximum lot coverage required in the base zone.~~
- ~~4. Landscape Area. Up to five percent reduction in landscape area (overall area or interior parking lot landscape area).~~

~~B. Approval Criteria. A Class A variance shall be granted if the applicant demonstrates compliance with all of the following criteria:~~

- ~~1. The variance requested is required due to the lot configuration, or other conditions of the site;~~
- ~~2. The variance does not result in the removal of trees, or it is proposed in order to preserve trees, if trees are present in the development area;~~
- ~~3. The variance will not result in violation(s) of any other adopted ordinance or code standard. Each code standard to be modified shall require a separate variance request.~~
- ~~4. An application for a Class A variance is limited to one lot per application.~~
- ~~5. No more than three Class A variances may be approved for one lot or parcel in twelve months. (Ord. 1874 §5(part), 2006).~~

~~17.13.400 Class B variances.~~

~~A. Applicability. Class B variance requests apply to the types of requests meeting the approval criteria in subsections (B) through (G) of this section, and that conform to subsections (A)(1) through (3) of this section. Class B variances shall be reviewed using a Type III procedure, in accordance with Chapter 17.05:~~

- ~~1. The Class B variance standards apply to individual platted and recorded lots only.~~
- ~~2. The Class B variance procedure shall not be used to modify a standard for lots yet to be created through a partition or subdivision process; such requests shall utilize the Class C variance procedure.~~
- ~~3. A variance shall not be approved that would vary the “permitted uses” or “prohibited uses” of any zoning district.~~

~~B. Variance to Minimum Housing Density Standard. The city may approve a variance to a minimum housing density standard after finding that the minimum housing density cannot be achieved due to physical constraints that limit the division of land or site development. "Physical constraint" means steep topography, unusual parcel configuration, or a similar constraint. The variance approved shall be the minimum variance necessary to address the specific physical constraint on the development.~~

~~C. Variance to Vehicular Access and Circulation Standards. Where vehicular access and circulation cannot be reasonably designed to conform to code standards within a particular parcel, shared access with an adjoining property shall be considered. If shared access in conjunction with another parcel is not feasible, the city may grant a variance to the access requirements after finding all of the following:~~

- ~~1. There is not adequate physical space for shared access, or the owners of abutting properties do not agree to execute a joint access easement;~~
- ~~2. There are no other alternative access points on the street in question or from another street;~~
- ~~3. The access separation requirements cannot be met;~~
- ~~4. The request is the minimum variance required to provide adequate access;~~
- ~~5. The approved access or access approved with conditions will result in a safe access;~~
- ~~6. The visual clearance requirements of this code will be met;~~
- ~~7. Variances for street access deviations shall be subject to review and approval by the roadway authority;~~
- ~~8. Variances for access deviations on an ODOT or Jackson County right-of-way may require approval, respectively, by ODOT or Jackson County.~~

~~D. Variance to Street Tree Requirements (Chapter 12.36). The city may approve, approve with conditions, or deny a request for a variance to the street tree requirements of this code after finding the following:~~

- ~~1. Installation of the tree would interfere with existing utility lines, and no substitute tree with a lower canopy is appropriate for the site;~~
- ~~2. The tree would cause visual clearance problems; or~~
- ~~3. There is not adequate space in which to plant a street tree;~~
- ~~4. The city may require the installation of additional or replacement landscaping elsewhere on the site (e.g., parking lot area trees) to compensate for the street tree variance;~~
- ~~5. Street tree approval or modification of standards within an ODOT or Jackson County right-of-way may require approval, respectively, by ODOT or Jackson County.~~

~~E. Variance to Parking and Loading Standards.~~

~~1. The city may approve variances to the minimum or maximum standards for off-street parking (quantities and dimensions of parking spaces) in this code upon finding all of the following:~~

~~a. The individual characteristics of the use at that location require more or less parking than is generally required for a use of this type and intensity, or modified parking dimensions, as demonstrated by a parking analysis or other facts provided by the applicant;~~

~~b. The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses; and~~

~~c. All other code standards are met, in conformance with this code.~~

~~2. The city may reduce the number of required bicycle parking spaces as required by this code, if the applicant can demonstrate that the proposed use by its nature would be reasonably anticipated to generate a lesser need for bicycle parking.~~

~~3. The city may allow a reduction in the amount of vehicle stacking area required for drive-through facilities if such a reduction is deemed appropriate after analysis of the size and location of the development, limited services available and other pertinent factors.~~

~~4. The city may modify the loading area standards if such a reduction is deemed appropriate after analysis of the use, anticipated shipping or delivery traffic generated by the use and alternatives for loading/unloading, such as use of on- or off-street parking areas during nonbusiness hours; provided, that traffic is not impeded.~~

~~F. Variance to Maximum or Minimum Yard Setbacks to Avoid or Reduce Impacts to Floodplains, Significant Trees, Wetlands, or Other Natural Features. The city may grant a variance to the applicable setback requirements of this code for the purpose of avoiding or reducing impact to floodplains, significant trees, wetlands, or other natural features. Modification of the standard shall not be more than is necessary for the preservation of the natural feature to be protected.~~

~~G. Variances to Transportation Improvement Requirements. The City may approve, approve with conditions, or deny a variance to a transportation improvement standard when the variance does not exceed ten percent of the standard. When a variance request to the standards exceeds ten percent, then the request shall be reviewed as a Class C variance. (Ord. 1874 §5(part), 2006).~~

~~17.13.500 Class C variances.~~

~~A. Applicability. Class C variance requests are those that do not conform to the provisions of Sections 17.13.300 and 17.13.400 (Class A and Class B), and that meet~~

~~the criteria in subsections (A)(1) through (4) of this section. Class C variances shall be reviewed using a Type III procedure, in accordance with Chapter 17.05:~~

- ~~1. The Class C variance standards apply to individual platted and recorded lots only.~~
- ~~2. The Class C variance procedure may be used to modify a standard for three or fewer lots, including lots yet to be created through a partition process.~~
- ~~3. An applicant who proposes to vary a standard for lots yet to be created through a subdivision process may not utilize the Class C variance procedure. Approval of a planned unit development shall be required to vary a standard for lots yet to be created through a subdivision process where a specific code section does not otherwise permit exceptions.~~
- ~~4. A variance shall not be approved that would vary the "permitted uses" or "prohibited uses" of a zoning district.~~

~~B. Approval Process. Class C variances shall be processed using a Type III procedure, as governed by Section 17.05.400, using the approval criteria in subsection C of this section. In addition to the application requirements contained in Section 17.05.400, the applicant shall provide a written narrative or letter describing his/her reasoning for the variance, why it is required, alternatives considered, and compliance with the criteria in subsection C of this section.~~

~~C. Approval Criteria. The city shall approve, approve with conditions, or deny an application for a variance based on all of the following criteria:~~

- ~~1. The proposed variance will not be materially detrimental to the purposes of this code, to any other applicable policies and standards, and to other properties in the same zoning district or vicinity;~~
- ~~2. A hardship to development exists which is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same zoning district);~~
- ~~3. The use proposed will be the same as permitted under this title and city standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;~~
- ~~4. Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred as specified by the subject code standard;~~
- ~~5. The hardship is not self-imposed; and~~
- ~~6. The variance requested is the minimum variance that would alleviate the hardship. (Ord. 1874 §5(part), 2006).~~

~~17.13.600 Variance application and appeals.~~

~~A. Application. The variance application shall conform to the requirements for Type I, II, or III applications (Sections 17.05.200, 17.05.300, 17.05.400), as applicable. In addition, the applicant shall provide a narrative or letter explaining the reason for his/her request, alternatives considered, how the stated variance criteria are satisfied, and why the subject standard cannot be met without the variance.~~

~~B. Appeals to variance decisions shall be processed in accordance with the provisions of Chapter 17.05. (Ord. 1874 §5(part), 2006).~~

Sections:

17.13.100 Purpose

17.13.200 Adjustments

17.13.300 Variances

17.13.400 Expiration

17.13.100 Purpose.

This chapter provides standards and procedures for adjustments and variances, which are deviations from development standards that are not otherwise permitted elsewhere in this Title. The purpose of adjustments and variances is to allow for reasonable use of land when varied geography and complexities of land development require flexibility, especially housing development. The provisions in this chapter do not aim to waive all land use regulations and do not allow uses to be established that are not permitted in the zoning district in which the adjustment or variance is located.

17.13.200 Adjustments.

Adjustments provide relief from specific code provisions when a code provision has the unintended effect of preventing reasonable development in conformance with all other code requirements. There are two categories of adjustments that 1) apply to general development and design standards, and 2) apply to certain housing developments established by SB 1537 and codified in ORS 197A.

Adjustments across both categories do not apply to the situations provided in subsection (A). The standards and procedures for each adjustment type are set forth in subsections (B) and (C) below.

A. Exclusions. Adjustments set forth in subsection (B) and subsection (C) below do not include the following:

- 1. Allowing use of property that is not permitted in the zoning district in which the adjustment is located;**
- 2. Regulations or requirements related to accessibility, fire ingress or egress, safety, tree planting, hazardous or contaminated site**

remediation, wildlife protection, affordability, or statewide land use goals related to natural resources and natural hazards;

3. A complete waiver of regulations or any changes beyond the explicit requested and allowed adjustments in subsections (B) and (C) below; and
4. Deviations from requirements related to implementation of building or fire codes, federal or state air, water quality or surface, ground or stormwater requirements, or requirements of any federal, state or local law other than a land use regulation.

B. General Adjustments.

1. **Applicability.** General adjustments are minor modifications to Code standards that are intended to provide reasonable flexibility for planned development with the exception of housing developments that meet all of the standards and criteria in CPMC 17.13.400(B). The Community Development Director or designee may adjust the following standards using a Type II procedure set forth in CPMC 17.05.300:
 - i. **Setbacks.** Up to a ten percent change to a minimum/maximum setback.
 - ii. **Lot Coverage:** up to a 10 percent increase to the maximum lot coverage.
 - iii. **Lot Dimensions.** Up to a 10 percent decrease to minimum lot dimensions.
 - iv. **Lot Area.** Up to a 10 percent decrease to minimum lot area.
 - v. **Other standards.** Up to a 10 percent increase or decrease in a quantitative (numerical) standard not listed above. Adjustments do not apply to building code requirements, engineering design standards, public safety standards, or standards implementing state or federal requirements as determined by the Community Development Director or designee.
2. **Approval Criteria.** The Community Development Director or designee may grant an adjustment upon finding that all of the following criteria are met. The burden is on the Applicant to demonstrate compliance with all of the criteria below:
 - i. The Adjustment allows for a site and building plan that does not create a substantial conflict with adjacent uses when compared to development that would be permitted without the

adjustment.

- ii. The Adjustment is necessary to allow for normal interior building functions, such as mechanical equipment/utility closets, heating and ventilation systems, restrooms, stockrooms, shelving, and similar interior building functions;
- iii. Approval of the Adjustment does not create (a) violation(s) of any other adopted ordinance or code standard, and does not create the need for a Variance;
- iv. An application for an Adjustment is limited to one pre-existing lot per application;
- v. Requests for more than one Adjustment on the same lot shall be consolidated on one application and reviewed concurrently by the City;
- vi. Not more than two Adjustments may be approved for one lot or parcel; and,
- vii. All applicable building code requirements and engineering design standards shall be met.

17.13.300 Housing Adjustments

The standards and criteria below respond to mandatory requirement to adjust housing development standards pursuant to SB 1537.

A. Applicability. Housing Adjustments are distinct deviations from development and design standards provided in this section. The Community Development Director housing development adjustment requests using Type II procedures set forth in CPMC 17.05.300, except that notice of decision is mailed only to the applicant when an application is denied and only the applicant may appeal the decision. An application qualifies for a housing adjustment under this section only when all of the following conditions are met:

- 1. The application is for a building permit or Type III (quasi-judicial), Type II (limited) or Type I (ministerial) land use decision;
- 2. The housing development site is zoned for residential uses, including mixed-use;
- 3. The residential density is at least 6 units per net acre;

- 4. The development is within the urban growth boundary on lands that have been annexed into the city;**
- 5. The development provides new housing units within a new housing development including:**
 - a. Single-family or multifamily dwellings;**
 - b. Mixed-use residential projects where at least 75 percent of the developed floor area will be used for residential uses;**
 - c. Manufactured dwelling parks;**
 - d. Accessory dwelling units; or**
 - e. Middle housing as defined in ORS 197A.420;**
- 6. The application requests no more than 10 adjustments to the development and design standards in 17.13.200(C)(2) and meet at least one of the approval criteria listed in 17.13.200(C)(3). Where a development standard includes multiple design or development components, each component standard shall be counted as an individual adjustment.**
- 7. The application provides facts and evidence that demonstrates how at least one of the following criteria apply to the requested adjustments:**
 - a. Are necessary to enable housing development that is not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations;**
 - b. Are necessary to reduce sale or rental prices per residential unit;**
 - c. Result in increased number of housing units within the housing development above what would occur without the requested adjustments;**
 - d. All of the units in the housing development are subject to an affordable housing covenant as described in ORS 456.270 to 456.295, making them affordable to moderate income households as defined in ORS 456.270 for a minimum of 30-years;**

- e. Enable provision of accessibility or visitability features in housing units that are not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations; or,
- f. All of the units in the housing development are subject to a zero equity, limited equity or shared equity ownership model including resident-owned cooperatives and community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90-years.

B. Development and Design Standard Adjustments. Adjustments to qualified housing developments pursuant to item (A) above shall be granted to the following development and design standards:

- 1. **Setbacks.** Up to a ten percent change to a minimum/maximum setback.
- 2. **Common area, open space or other landscape area.** Up to a 25 percent reduction in the common area, open space or other area required to be landscaped.
- 3. **Minimum Lot Size and Dimensions.** Up to a 10 percent decrease to minimum lot size and up to a 10 percent decrease to minimum lot width or depth requirements.
- 4. **Maximum Lot Size.** Up to a 10 percent increase to maximum lot size and up to a 10 percent increase to maximum lot width or depth only if the adjustment results in:
 - a. More dwelling units than would be allowed without the adjustment; and,
 - b. No reduction in density below the applicable minimum density.
- 5. **Lot Coverage.** Up to a 10 percent increase in building lot coverage.
- 6. **Manufactured Dwelling Parks, Middle Housing as defined in ORS 197A.420, multifamily and mixed use residential housing.**
 - a. **Bicycle Parking.** Minimum bicycle parking may be reduced to 0.5 space per unit provided that bicycle parking is lockable, covered and located within or adjacent to the housing development site;

- b. Middle Housing.** Other than cottage clusters, middle housing types defined in ORS 197.420A, may increase maximum building height beyond applicable height bonuses, if any, up to one (1) story or 20 percent of the base zone height.
- 7. Maximum Density.** The maximum density may be exceeded no more than an amount necessary to account for other adjustments granted under this section;
- 8. Residential Use in Mixed Use Buildings.** An adjustment shall be granted to allow:
 - a. Residential use on the ground floor of a commercial mixed use buildings except that one building within mixed-use development that fronts and is within 20-ft of the street; and**
 - b. Nonresidential uses that support residential uses including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or live work spaces shall be allowed unless specifically and clearly defined mixed-use areas or commercial corridors designated by local governments prohibit them;**
- 9. Design Standards.**
 - a. Facade materials, color or pattern;**
 - b. Facade articulation;**
 - c. Roof form and material requirements;**
 - d. Garage door orientation unless the building is adjacent to or across from a school or public park;**
 - e. Window materials, except for bird-safe glazing requirements;**
 - f. Up to a 30 percent decrease in total window area provided at least 12 percent of the primary facade consists of window area;**
 - g. Manufactured Dwelling Parks, Middle Housing as defined in ORS 197A.420, multifamily housing and mixed-use residential may adjust the following design standards:**
 - i. Building orientation requirements, not including transit street orientation requirements;**

- ii. Building height transition requirements that are not more than a 50 percent adjustment from the base zone;
- iii. Requirements for balconies and porches; and,
- iv. Requirements for recesses and offsets.

17.13.300 Variances.

- A. **Applicability.** A variance is an exception to a code standard that does not otherwise conform to the provisions of Section 17.13.300 and that meets all of the criteria in Section 17.13.400(B).
- B. **Approval Criteria.** Variance requests are reviewed using a Type III procedure in accordance with CPMC 17.05.400. Approval of a variance must be based upon finding that all of the following criteria are met:
 - 1. A hardship to development exists which is unique to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same zoning district);
 - 2. The variance is the minimum necessary to address the special or unique physical circumstances that creates the hardship;
 - 3. The hardship is not self-imposed;
 - 4. Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred as specified by the subject code standard
 - 5. The variance will not be materially detrimental to adjacent property owners or the public; and,
 - 6. The variance does not conflict with other applicable city policies or other applicable regulations.

17.13.400 Expiration.

Variance approvals shall expire after two (2) years from the effective date of decision if the project has not been started, as evidenced by building permit approved, and pursued to substantial completion such that the project is nearing

certificate of occupancy. The Applicant may request a one (1) year extension in accordance with the applicable land use procedures set forth in CPMC 17.05.

CPMC 17.56, Nonconforming Uses Situations

Sections:

17.56.010 Purpose.

17.56.020 Definition.

17.56.030 Classification criteria.

17.56.040 Procedures for Class A designation.

17.56.050 Revocation of a Class A designation.

17.56.060 Regulations pertaining to Class A and Class B nonconforming uses.

17.56.010 Purpose.

~~The zoning map of the city of Central Point is required by law to be consistent with the comprehensive plan map. In order to meet this consistency requirement, the city's zoning districts are established up to twenty years in advance of actual planned development. As a result, many uses and structures in the city will become "nonconforming uses" although they may be sound, well-maintained and attractive assets to the community. The purpose of this chapter is to establish procedures for dealing with nonconforming uses in a manner that will promote the implementation of the comprehensive plan while providing temporary protection for nonconforming uses that are sound, compatible, and not directly in the path of anticipated development. (Ord. 1436 §2(part), 1981).~~

17.56.020 Definition.

~~"Legal nonconforming uses and structures" are those which do not conform to provisions or requirements of the zoning ordinance or of the zoning districts in which they are located, but were lawfully established prior to the effective date of the ordinance codified in this title. (Ord. 1436 §2(part), 1981).~~

17.56.030 Classification criteria.

~~All nonconforming uses and structures within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:~~

~~A. Properties containing nonconforming uses or structures may be designated Class A by the planning commission based upon findings that all of the following criteria apply:~~

~~1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title;~~

~~2. The continued maintenance and use of the nonconforming property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning;~~

- ~~3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;~~
- ~~4. The property is not predominantly surrounded; by conforming uses or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years;~~
- ~~5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed;~~
- ~~6. Continuance of this nonconforming use will not in any way delay or obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.~~

~~B. All nonconforming uses and structures not designated Class A shall become Class B nonconforming uses or structures. (Ord. 1615 §10, 1989; Ord. 1436 §2(part), 1981).~~

~~17.56.040 Procedures for Class A designation.~~

~~A. All properties within the city of Central Point that meet the classification criteria listed in Section 17.56.030(A) or (B) shall be identified on a map of the city kept in and maintained by the planning department.~~

~~B. A request to change the designation of a property or group of properties may be initiated by city staff, the planning commission, the city council, or by a property owner or his representative by the following procedure:~~

- ~~1. A written application shall be filed setting forth the name and address of the applicant, legal description of the property or properties affected, and other information as may be necessary or helpful in decision-making;~~
- ~~2. The applicant shall state in the application the ways in which the property is, or will be, consistent with each of the classification criteria listed in Section 17.56.030(A);~~
- ~~3. The application shall be scheduled for consideration at a regularly scheduled planning commission meeting. A denial by the planning commission may be appealed to the city council;~~
- ~~4. The application shall be accompanied by an application fee defined in the city's adopted planning application fee schedule;~~
- ~~5. Because this procedure involves only a minor change in the designation of a nonconforming use and does not involve a variance, conditional use permit, or amendment to the zoning ordinance, comprehensive plan or related maps, public hearings are not required;~~
- ~~6. The planning commission, or city council, upon appeal, may attach conditions, including any time limit, where necessary, to assure that the use or structure does not~~

become contrary to the public health, safety or welfare or the spirit and purpose of this title;

~~7. Upon approval of a designation change to Class A, such change shall be reflected on the map of nonconforming uses, as described in subsection A of this section. (Ord. 1786 §7, 1998; Ord. 1684 §51, 1993; Ord. 1615 §11, 1989; Ord. 1436 §2(part), 1981).~~

~~17.56.050 Revocation of Class A designation.~~

~~A. Any Class A designation may be revoked, following the same procedure required for designation, upon a finding that, as a result of any change of conditions, trends, use, nearby development, or other circumstances, the use or structure no longer qualifies for Class A designation.~~

~~B. Upon revocation of a Class A designation, the property and its structures and uses shall revert to Class B nonconforming uses and subject to the regulations contained in Section 17.56.060(B). (Ord. 1436 §2(part), 1981).~~

~~17.56.060 Regulations pertaining to Class A and B nonconforming uses.~~

~~A. The following regulations shall apply to all designated Class A nonconforming uses and structures:~~

~~1. Class A nonconforming uses and structures shall be permitted to continue in accordance with the provisions and requirements of the most restrictive zoning district in which the use or structure would normally be listed as a permitted use; or conditional use if not listed as a permitted use in any district;~~

~~2. Existing legal nonconforming structures and uses shall be permitted to expand, remodel, or otherwise be physically or structurally improved, provided such improvements are in accordance with all applicable codes in effect at the time of the improvements;~~

~~3. A Class A nonconforming use shall not be resumed if it has been discontinued for a continuous period of at least twelve months or if it has been changed to a conforming use for any period;~~

~~4. No Class A structure or property shall be used, altered or enlarged in violation of any condition that was imposed by the planning commission or city council at the time of its designation as Class A;~~

~~5. If a nonconforming structure, or structure containing a nonconforming use, is destroyed by any cause to an extent exceeding fifty percent of the appraised value, as determined by the records of the county assessor, a future structure or use on that property shall conform to the regulations for the district in which it is located; provided, however, that this subsection shall not apply to buildings which have been designated by the city as historic buildings pursuant to Chapter 17.70 of this title;~~

~~6. Nothing contained in this title shall require any change in the plans, construction, alteration or designated use of a structure for which a valid building permit existed prior to the adoption of the ordinance codified in this title, except that if the use will be nonconforming and designated Class A, it shall be subject to all appropriate provisions of this section and shall be considered discontinued if not in operation within one year of the date of issuance of the building permit. The owner of such discontinued use may apply for reinstatement of the Class A nonconforming use designation by following the procedure established in Section 17.56.040(B) of this chapter.~~

~~B. The following regulations shall apply to all designated Class B nonconforming uses and structures:~~

~~1. Routine maintenance, upkeep, and structural repairs may be performed on a Class B nonconforming use, site or structure;~~

~~2. In no case shall a nonconforming use be enlarged or otherwise expanded, and no structure, the use of which is nonconforming, shall be moved on the lot, altered or enlarged, nor shall the floor space allocated to a nonconforming use be moved, altered or enlarged, unless required by law or unless such moving on the lot, alteration or enlargement will result in the elimination of the nonconforming use;~~

~~3. The planning commission, or city council, on appeal may grant an application for a change of use, filed in accordance with Chapter 17.76 of this title if, on the basis of the application and the evidence submitted, the following findings are made:~~

~~a. That the proposed use will not more adversely affect the character of the district or neighborhood in which it would be located than did the existing or preexisting use;~~

~~b. That a nonconforming use of a building may be extended throughout those parts of a building which were designed or arranged for such use prior to the date when such use became nonconforming; provided, that no structural alterations are made other than those required by law;~~

~~4. If a Class B nonconforming structure, or structure containing a nonconforming use, is destroyed by any cause to an extent exceeding fifty percent of the appraised value, as determined by the records of the county assessor, any future structure or use on that property shall conform to the regulations for the district in which it is located;~~

~~5. If any Class B nonconforming use has been changed to a conforming use, or if the nonconforming use of any building, structure, or premises ceases for a period of six months or more, said use shall be considered abandoned, and said building, structure or premises shall thereafter be used only for uses permitted as a matter of right or as a conditional use in the district in which it is located;~~

~~6. Nothing contained in this title shall require any change in the plans, construction, alteration or designated use of a structure for which a valid building permit existed prior to the adoption of the ordinance codified in this title, except that if the use will be~~

~~nonconforming and designated Class B, it shall be subject to all appropriate provisions of this section and shall be considered discontinued if not in operation within one year of the date of issuance of the building permit;~~

~~7. If a Class B nonconforming structure containing a nonconforming use is removed from a lot, any future structure on that property shall conform to the regulations for the district in which the lot is located. (Ord. 1762 §1, 1997; Ord. 1615 §47, 1989; Ord. 1451 §1, 1982; Ord. 1436 §2(part), 1981).~~

Sections:

17.56.010 Purpose.

17.56.020 Nonconforming Use.

17.56.030 Nonconforming Development.

17.56.040 Nonconforming Lot.

17.56.010 Purpose.

The purpose of this chapter is to establish standards and procedures for the continuation of uses and developments that are lawfully established but do not comply with the current Code standards (“nonconforming situations”). It is the intent of this Chapter to protect the public health, safety and welfare while allowing reasonable use of private property. There are three nonconforming situations addressed in this chapter as follows:

- A. Nonconforming uses (e.g. industrial use in residential zone) are subject to subsection 17.56.020.**
- B. Nonconforming developments (e.g. a structure does not meet setback, height or other development standards) are subject to subsection 17.56.030.**
- C. Nonconforming lots (e.g. a lot is smaller than the minimum area standards) are subject to subsection 17.56.040.**

17.56.020 Nonconforming Use.

Nonconforming uses that were lawfully established, but that would not be permitted under the current Code, may continue subject to conformance with the following requirements:

- A. Location. The nonconforming use shall not be moved in whole or in part from one lot to another lot, except to bring the use into conformance with this Code.**
- B. Expansion. A nonconforming use may be expanded up to 20% of the subject site or building area provided that the expansion does not create any new, or expand any existing, physical nonconformity of the site or**

building. Expansions authorized herein shall be processed using Type I land use procedures set forth in CPMC 17.05.200.

C. **Discontinuation or Abandonment.** A nonconforming use that is discontinued for any reason for more than 12 months shall be deemed abandoned and no longer be an allowed use. For purposes of calculating the 12 month period, a use is discontinued when:

1. The use of land is physically vacated;
2. The use ceases to be actively involved in the sale of merchandise or the provision of services; for example, as evidenced by the removal of signs, goods, stock or office equipment, or the disconnection of telephone or utility service;
3. Any lease or contract under which the nonconforming use has occupied the land is terminated; or,
4. A request for final reading of water and power meters is made to applicable utility districts.

17.56.030 Nonconforming Development

Nonconforming developments include structures, buildings, and site improvements that were lawfully established but that include conditions that could not be built under the terms of the current Code, due to changes in development standards, such as, lot coverage, setbacks, building height, access, landscaping, parking or other standards. Nonconforming development may remain on the site so long as it remains otherwise lawful and complies with the following regulations:

- A. **Alterations.** A nonconforming development can be enlarged or altered in a way that does not increase its nonconformity, through a Type I review. For example, an addition to an existing building that does not meet a required setback could be approved provided the building line does not further encroach on the nonconforming setback.
- B. **Destruction.** In the event a nonconforming development or nonconforming portion of a development is destroyed by fire, flood or other catastrophe beyond the owner's control, the nonconforming development may be reconstructed within 24 months in a manner that does not increase the nonconformity as it existed before the event. If the development is not reconstructed and received certificate of occupancy or is substantially complete within 24 months, the nonconformity shall no longer be allowed and reconstruction shall only be in full conformity with this Code.

- C. Roadway Access.** Notwithstanding the foregoing provisions, the owner of a nonconforming driveway approach or access to a public street or highway, upon receiving land use or development approval, may be required as a condition of approval to bring the nonconforming access into conformance with the standards of the applicable roadway authority.
- D. Relocation or Removal.** Once a nonconforming structure or a portion of a nonconforming structure or development is moved, it shall thereafter conform to current standards.

CPMC 17.56.040 Nonconforming Lot

- A.** A lot of record, or a parcel of land for which a deed or other instrument dividing the land was recorded with Jackson County prior to May 5, 1980, which has an area or dimension less than required by this code, shall be considered legally nonconforming and may be developed and occupied by a permitted use subject to compliance with the minimum standards of this code.
- B.** The taking by eminent domain action of a portion of an existing legal nonconforming lot shall not affect the legal right of the owner to use the remainder of such lot in any manner that would have been legal prior to the taking.
- C.** If, by the taking by eminent domain action of a portion of a lot, which includes a legal non-conforming sign(s), said sign(s) may be moved to another location on the remaining portion of the lot, as permitted by the Planning Director (or designee), with the signs retaining their legal nonconforming status. Such relocated sign shall otherwise be in conformance with all standards of the Zoning Code.

CPMC 17.57, Fences

Sections:

- 17.57.010 **Applicability.** ~~Chapter application.~~
- 17.57.020 General regulations.
- 17.57.030 Fences in the stream setback area.
- 17.57.040 Prohibited fence types.
- 17.57.050 Violation--Penalty.

17.57.010 Chapter application.

This chapter will apply to all zone classifications within the city as listed in this title. All of the provisions of Chapters 12.20 and 17.67 relating to the location, placement, and height of fences are also applicable to fences affected by this chapter. (Ord. 1981 §2 (Exh. B) (part), 2014; Ord. 1846 §2(part), 2003).

17.57.020 General regulations.

- A. Fence Permits. A fence permit is required for all fences constructed within a public right-of-way, per Section 12.20.020. Fences in the floodplain are regulated in accordance with the provisions established in Section 8.24.260(A).
- B. Building Permits. A building permit for the following structures shall be accompanied by a permit fee and a plan review fee in an amount based on valuation per the building department fee schedule as adopted by the city:
 - 1. Barriers around swimming pools, as required by the **2023 Oregon Residential Specialty Code** ~~2003 State of Oregon Dwelling Specialty Code, Chapter 41 and Appendix G; and the 2022 Oregon Structural Specialty Code. 1998 Oregon Structural Specialty Code, Appendix Chapter 4;~~
 - 2. ~~Retaining walls over four feet in height measured from the bottom of the footing to the top of the wall; and~~
 - 2. Retaining walls, ~~any height,~~ supporting a surcharge **regulated building or restraining material that, if not restrained could impact a regulated building.**
 - 3. **Electrified fences, any height, except where the code provides otherwise.**
- C. Setbacks and Design Criteria.

Table 17.57.01 – Fence Regulations

	R-L	R-1	R-2	R-3	C-N	C-2(M)	C-4	C-5	M-1	M-2	Civic
Maximum Fence Height	6'	6'	6'	6'	6'	6'	6'	6'	6' 8'	6' 8'	8'
Fence Permit Required	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1
Front Yard Setback For 6' Fences 6' and Greater	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20'
Side Yard Setback	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'
Rear Yard Setback	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'
Corner Lot	10' c	10' c	10' c	10' c	10' c g	10' c g	10' c g	10' c g	10' c g	10' c g	10' c g
Masonry Walls, Retaining Walls, Fences Over 6' in Height	e	e	e	e	e	e	e	e	e	e	e
Fences in Floodplain or Drainage Easements	e	e	e	e	e	e	e	e	e	e	e
Setbacks for Gates	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	e
Variances	f	f	f	f	f	f	f	f	f	f	e

a: An encroachment permit is required for fences constructed in the public right-of-way.

a-1: A building permit is required for fencing around swimming pools, ~~masonry walls and retaining walls.~~

b: Forty-two-inch-high maximum fence height allowed within front yard setback area.

c: No fencing will conflict with the sight distance requirements set by Section 17.60.110 and Chapter 17.60.

d: Fence height will be measured from the finished grade on the side nearest the street.

e: See Section 8.24.260(A) for specific fence construction standards for fences located in or adjacent to a recognized floodplain. No fence shall impede or divert the flow of water through any drainage easement unless it can be determined that the fence will not adversely impact any property owner and will not adversely impact the overall drainage system.

f: Requests for exceptions to the standards in Table 17.57.01 shall be made by application in accordance with Chapter 17.13.

g. Corner setback adjacent to a street for all zones shall be the street frontage minimum planting area width based on street classification pursuant to CPMC 17.75.039(G), Table 17.75.03.

(Ord. 2014 §8, 2015; Ord. 1981 §2 (Exh. B) (part), 2014; Ord. 1969 §1(part), 2013; Ord. 1948 §1, 2011; Ord. 1846 §2(part), 2003).

17.57.030 Fences in the stream setback area.

Fences are prohibited inside floodways as designated on the Federal Insurance Rate Maps (FIRMs) for the city of Central Point. However, some types of fences and other improvements can be allowed within the recommended building setbacks for properties abutting a stream subject to the criteria set forth in Section 8.24.260(A). (Ord. 1948 §2, 2011; Ord. 1846 §2(part), 2003).

17.57.040 Prohibited fence types.

1. Barbed wire fencing or other like material, which creates an unreasonable or unnecessary risk of injury.
2. Block or retaining walls, which create impervious water barriers within a stream setback area as provided in Section 8.24.260. (Ord. 1948 §3, 2011; Ord. 1846 §2(part), 2003).
3. **It shall be unlawful to install, maintain or operate an electrified fence in violation of this section. The construction and use of electrified fences shall be allowed in the city only as provided in this section, and sections 17.57.010 to 17.57.030 subject to the following standards. For purposes of this section an electrified fence is any fence, barrier or enclosure partially or totally enclosing a building, field or yard, carrying any electrical pulse or charge through any part, section or element thereof. Electrified fence does not include underground wireless fencing (invisible fencing) which consists of an electronic system that uses a buried wire and radio signal to keep dogs or other animals from leaving the yard, which is permitted in any zone. Electrified fence does not include a battery charged fence, as defined in section 17.57.045 below.**

- a. **Electrified Fences shall be permitted in the M-1 and M-2 zone subject to compliance with the standards below. Electrified fences are prohibited in all other zones.**
- b. **Permitted Electrified fences shall comply with the following:**
 - A. **Permits Required. Electrified fences shall only be installed under a permit issued by the Building Department. Prior to initially energizing an electrified fence, the property owner or owner's agent shall contact the Fire Department to ensure fire officials inspect the premise for compliance and the location is added to the Fire Department's electrified fence registration list.**
 - B. **Electrification. The electric charge produced by the fence upon contact shall be non-lethal, and shall not exceed the energizer characteristics set forth in the International Electrotechnical Commission (IEC) Standard No. 60335-2-76, 2018 edition. All electrical components shall bear the label of a testing agency recognized by the State of Oregon Department of Consumer and Business Services, Building Codes Division. The electrified fence shall be installed and used in accordance with the Oregon Electrical Specialty Code and Oregon Structural Specialty Code, the listing, and the manufacturer's installation instructions.**
 - i. **The energizer for electrified fences shall be driven by a commercial storage battery or batteries, not to exceed 12 volts DC. The storage battery or batteries may be charged either by a solar panel, or a commercial trickle charger, or a combination of both. AC current shall not be used to energize any electrified fence.**
 - C. **Fence Details. Electrified fences shall be constructed in the following manner:**
 - i. **Maximum Height. Electrified fences shall not exceed 8 feet in height.**

- ii. **Perimeter Fence.** No electrified fence shall be installed or used unless it is completely surrounded by a non-electrified perimeter fence in order to separate the electrified fence from the abutting property line and right-of-way. The non-electrified perimeter fence shall be installed under the regulations and height limitations in CPMC Chapter 17.57. The minimum height for the non-electrified perimeter fence shall be six feet. The electrified and non-electrified perimeter fence shall be separated by no more than 12 inches.
 - iii. **Setbacks.** Electrified fences shall not be located in the front yard setback, required landscaping areas, or required bufferyard areas. No electrified fence shall be installed within **12 inches/feet** of a property line.
 - iv. **Fence Standards in conjunction with a Bufferyard.** When a bufferyard exists, the applicant shall provide photographs of the existing fence or wall and vegetation. When a bufferyard does not exist and is required under current code, the non-electrified fence or wall shall be of solid construction (e.g. wood, concrete, masonry block) and the minimum height shall be eight feet and can be located at the property line.
- D. **Warning Signs.** Electrified fences shall be clearly identified with warning signs in English and in Spanish that read: "Warning-Electric Fence" and include the international symbol for an electrical hazard at intervals not to exceed thirty feet. The warning signs shall be mounted on both sides of the electrified fence. The signs shall be reflective with a minimum two-inch letter height, minimum stroke of one-half inch and with a contrasting background.
- E. **Emergency Access.** Fire Department access shall be provided in accordance with the Fire Code and the Oregon Structural Specialty Code. When a vehicle gate opens automatically, it shall open using a sensing device approved by the Fire Department. The vehicle gate shall provide a means for the Fire Department to

egress through the gate. Power to the electrified fence, excluding gate opening controls, shall be deactivated upon automatic Fire Department access through the gate. In addition, an approved Knox key box or approved equivalent shall be provided at an exterior location for any keyed locks or keyed gates for immediate emergency access necessary for life-saving or fire-fighting purposes. An approved method to manually disconnect electrical power to all portions of the fence and gates, such as a "Knox Remote Shunt Control Station", shall be provided at an exterior location. The method and location of both the key box and the electrical disconnect shall be approved by the Medford Fire Code Official.

- F. **Hours of Operation.** An electrified fence shall only be energized during the hours when the general public does not have legal access to the protected property.
- G. **Surveillance.** Electrified fences shall be part of a functioning security system and monitored 24 hours a day.
- H. **Compliance.** In addition to the remedies set forth in CPMC 17.57.050, failure to maintain an electrified fence in conformance with the standards set forth in this section may result in the fence being declared a public nuisance subject to abatement under Central Point Municipal Code 8.04.

17.57.045 Battery-charged Fence.

A. Definitions.

1. A "battery charged fence" means a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to summon law enforcement in response to an intrusion and has an energizer that is driven by battery.
2. An "alarm system" means any electrical, mechanical or electronic device or sensor used to prevent, detect or alert law enforcement or occupants of burglary, theft, or intrusion of a structure or a vehicle used as a commercial structure.

B. Standards.

1. A battery-charged fence:

- a. Must use a battery that is not more than 12 volts of direct current;**
- b. Must produce an electric charge on contact that does not exceed energizer characteristics set for electric fence energizers by International Electrotechnical Commission (IEC) standards;**
- c. Must be surrounded by a nonelectric perimeter fence or wall that is not less than five feet in height;**
- d. May not be higher than the greater of 8 feet in height or two feet higher than the height of the nonelectric perimeter fence or wall, whichever is less;**
- e. Must be marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."**
- f. Shall not be installed in any property zoned for, or in use as, residential property; and**
- g. Must obtain an alarm permit from the city if such permit requirements exist.**

17.57.050 Violation--Penalty.

Upon discovering any violation of the restrictions imposed by this chapter, except a violation of Section 12.20.020, enforcement will be governed by the provisions of Chapter 17.04.090. (Ord. 1969 §1(part), 2013; Ord. 1846 §2(part), 2003).

CPMC 17.60.190, Home Occupations

- A. Purpose and Scope. **Home occupations are activities accessory to residential uses.** The intention of the home occupation permit for residential zones is to provide for a limited service-oriented business activity which is conducted in such a manner that the residential character of the building and the neighborhood is preserved. **Home occupations have special regulations that apply to ensure that they will not be a detriment to the character and livability of the surrounding neighborhood and remain subordinate to the residential use, and that the residential viability of the dwelling is maintained.**
- B. Permit Transfers. No permit for a home occupation shall be transferred or assigned, nor shall the permit authorize any person other than **the person** named therein to commence or carry on the occupation for which the permit was issued.
- C. **Prohibited Uses.** The following uses are prohibited as a home occupation:
1. **Any type of business or occupation involving repair, assembly, body work or painting of vehicles, recreational vehicles, boats, or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts;**
 2. **Motor vehicle sales;**
 3. **Junk and salvage operations;**
 4. **Headquarters or dispatch centers where employees come to the site and are dispatched to other locations.**
 5. **Any home occupation in which one or more employees or more than 3 customers come to the site. Examples are counseling, tutoring, hair cutting/styling, and/or nail salon.**

G. **D. Permit Required.** ~~The city manager, or his designate,~~ **The Planning Director or their designee** (the "director") shall issue a home occupation permit **as a Type I Review** if, and only if, ~~he~~ **the Director** finds that all of the following ~~the~~ **criteria stated in CPMC 17.60.190.E** are, and will be, met by the individual applicant. The permit may include conditions ~~setting an expiration date, requiring periodic review and renewal,~~ requiring the applicant to sign an acknowledgement of the conditions, or other

conditions specifically dealing with the property use involved, where such conditions are found to be reasonably necessary to maintain the criteria herein mentioned. **Home occupation permits are a renewable and revocable permit for a one-year period. Permits may be renewed for one-year periods upon payment of a renewal fee, and continued compliance with this chapter, and further provided that the permit has not been revoked pursuant to the provisions of 17.60.190.G below.**

E. Home Occupation Standards. A home occupation permit must satisfy the following criteria:

1. **Subject to the limitations of subsection E.2 below, the** ~~The home occupation must be conducted solely within the confines of an~~ **completely within enclosed structures on the site** (accessory structure, **garage**, or the main dwelling) and, if within the main dwelling, the home occupation shall not exceed ten percent of the total floor area;
2. ~~Carports shall not be used for the home occupation. A portion of a garage may be used for the home occupation only if the applicant can show that there will be no resulting loss in the number of required off-street parking spaces;~~
3. No signs associated with such a use shall be permitted;
4. The occupation shall be conducted by a ~~member or members of the family~~ **persons lawfully residing in the dwelling on the property as an incidental use to the primary residential use.** No additional person or persons shall be employed;
5. ~~In conducting the home occupation, there shall be no mechanical noise so loud, unusual, or penetrating as to cause discomfort or annoyance to adjacent residents; no such noise shall be perceptible on any adjacent property;~~ **Reserved.**
6. The home occupation shall not have utility services other than those required for normal residential use;
7. There shall be no entrance nor exit specifically provided in the dwelling or on the premises for the conduct of the home occupation;
8. The home occupation use shall not generate more than ten vehicle trips per day **(deliveries and/or customers)**, not counting the vehicle trips not associated with the home occupation use. **Each departure from and each arrival to the property shall be counted as a separate trip;**
9. The electrical, plumbing or structural elements of the dwelling shall not be significantly altered in order to accommodate the home occupation;

10. The yards, landscaping and exterior of the structure shall not be altered from their residential character in order to make the site appear to be a commercial business.

11. Outdoor storage, including but not limited to trailers, inventory, supplies, equipment or goods, visible from the public right-of-way or adjacent properties or common areas is prohibited.

F. Impact-Related Standards

1. Hazardous substances. Hazardous substances are prohibited, except that consumer quantities are allowed. Consumer quantities of hazardous substances are packaged and distributed in a form intended or suitable for sale through retail sales outlets for consumption by individuals for purposes of personal care and household use.

2. Noise. The maximum noise level for a home occupation is 50 dBA. Noise level measurements are taken at the property line. Home occupations that propose to use power tools must document in advance that the home occupation will meet the 50 dBA standard. (Alternative is existing language: *In conducting the home occupation, there shall be no mechanical noise so loud, unusual, or penetrating as to cause discomfort or annoyance to adjacent residents; no such noise shall be perceptible on any adjacent property*)

3. Vehicles. No more than one vehicle may be used in association with the home occupation. The maximum size of the vehicle used in association with the home occupation is a pickup truck in the medium truck category.

4. Deliveries. Truck deliveries or pick-ups of supplies or products, associated with the home occupation, are allowed at the home only between 8 am and 5 pm. Vehicles used for delivery and pick-up may not include heavy trucks.

F.D. Fee Required. At the time of application to the city manager, or his designate, for a home occupation permit, the applicant is required to pay, in addition to an annual business license fee, a fee defined in the city's adopted planning application fee schedule. This application fee is nonrefundable.

G.E. Revocation/Termination.

1. The permit may be revoked by the ~~city manager~~ director, if the director determines that a violation of the permit requirements or conditions exists. Determinations that a home occupation is in violation include but are not limited to:

a. Generation of excessive traffic;

- b. Monopoly of on-street parking spaces;**
- c. Frequent deliveries and pickups by motor freight trucks;**
- d. Excessive noise;**
- e. Smoke, fumes or odors in excess of those created by normal residential use;**
- f. Failure to meet or maintain compliance with this chapter.**
- g. Other offensive activities not in harmony with a residential neighborhood.**

~~. for violation of any conditions imposed or authorized, or when it has been found that the occupation is being conducted in violation of any state statute or city ordinance in a disorderly manner, to the detriment of the public, or when the occupation is being carried out by a person other than that named on the permit. The city manager, before revoking a permit, shall give the permittee reasonable notice and an opportunity to be heard.~~

- h. Failure to pay the renewal fee by the anniversary date of the permit.**

2. Notice of Violation. Upon a determination by the director that a violation exists, the permit holder will be notified of the violation by certified letter at the address listed on the permit, and the time period in which the violation must be corrected. If the alleged violation has not been corrected within 15-days of the date of the letter, or appealed the notice of violation within 10-days as provided in subsection (3) below, the director may revoke said permit.

3. Upon Notice of Violation of the permit, an appeal of the decision may be made to the planning commission, as provided in CPMC 17.60.170. The revocation of the home occupation permit does not take effect until the expiration of the appeal period, or in the event of a timely appeal, final determination of the appeal. The planning commission, upon hearing the evidence may:

- a. Approve the use as it exists;**
- b. Require the use be terminated; or**
- c. Impose appropriate restrictions such as limiting hours of operation, establishing a phase-out period, or other measure ensuring compatibility with the residential character of the neighborhood.**

H.. G-Existing Uses. Persons engaged in home occupations lawfully in existence on residentially-owned premises on the effective date of the amendment codified in this section may continue to thus operate but shall be required to secure a permit hereunder, and any such activity, use, or accessory sign, device or structure, or part thereof, which does not conform to this section shall not be permitted to expand or enlarge and shall be removed or terminated upon (1) change of use or ownership of the premises; ~~or~~ (2) written complaint of adjacent **neighboring** property owners, after due notice and hearing, if the ~~city manager~~ **director** finds that the interference with the use and enjoyment of the neighboring premises is such as to defeat the purpose of the zoning ordinance; **or (3) upon expiration of a permit term issued prior to adoption of this ordinance.**

~~I.H.~~ Nothing in this section or any other code provision shall be construed to require the issuance of a home occupation permit for a “residential home” or a “residential facility,” as those terms are defined in Oregon Revised Statutes 197.660. (Ord. 1969 §1(part), 2013; Ord. 1786 §8, 1998; Ord. 1735 §1, 1996; Ord. 1711 §2, 1994; Ord. 1471 §1, 1982; Ord. 1436 §2(part), 1981).

CPMC 17.76, Conditional Use Permits

Sections:

- 17.76.010 Purpose.
- 17.76.011 **Approvals Process** ~~Application and review.~~
- 17.76.020 **Submittal Requirements** ~~Information required.~~
- 17.76.040 **Criteria, Standards and Conditions of Approval** ~~Findings and conditions.~~
- 17.76.060 **050** Expiration.
- 17.76.070 **060** Revocation.
- 17.76.080 ~~Appeal.~~
- 17.76.090 ~~Effect.~~
- 17.76.110 ~~Mapping.~~
- 17.76.120 ~~Change of ownership.~~

17.76.010 Purpose.

~~In certain districts, conditional uses are permitted subject to the granting of a conditional use permit. Because of their~~ **There are certain uses, which due to the nature of their impacts on surrounding land uses and public facilities require a case-by-case review and analysis. Conditional uses are identified in each zoning district chapter within this title. The purpose of this chapter is to provide procedures and standards for permitting conditional uses.** (Ord. 1436 §2(part), 1981).

17.76.011 **Approvals Process.** ~~Application and review.~~

In accordance with CPMC 17.05.100, Table 17.05.01, Conditional Use Permits are subject to Type III review procedures in CPMC 17.05.400. The Planning Commission in rendering a decision on the Conditional use Permit may require an annual or less frequent renewal of conditional use permits. Modifications to an approved conditional use permit are subject to CPMC 17.09, Modifications to Approved Plans and Conditions of Approval. (Ord. 1786 §10, 1998; Ord. 1436 §2(part), 1981).

17.76.020 **Submittal Requirements.** ~~Information required.~~

In addition to the submittal requirements for Type III review under CPMC 17.05.400, applications for conditional use permits shall include a description of existing conditions, a site plan and information on any recorded and proposed restrictions or covenants and applicable information for Site plan and Architectural Review submittal requirements in CPMC 17.72.030(B) and (C). An application for a Conditional Use Permit shall also contain a narrative report or letter responding to the approval criteria in Section 17.76.040 below.

~~An application for a conditional use permit shall include the following information:~~

~~A. Name and address of the applicant;~~

~~B. Statement that the applicant is the owner of the property or is the authorized agent of the owner;~~

~~C. Address and legal description or the assessor's parcel number of the property;~~

~~D. An accurate scale drawing of the site and improvements proposed. The drawing must be adequate to enable the planning commission to determine the compliance of the proposal with the requirements of this title;~~

~~E. A statement indicating the precise manner of compliance with each of the applicable provisions of this title together with any other data pertinent to the findings prerequisite to the granting of a use permit. (Ord. 2014 §12, 2015; Ord. 1436 §2(part), 1981).~~

~~17.76.040 Findings and conditions.~~

~~The planning commission in granting a conditional use permit shall find as follows:~~

~~A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;~~

~~B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;~~

~~C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;~~

~~D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;~~

~~E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:~~

~~1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13;~~

~~2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use;~~

- ~~3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,~~
- ~~4. Regulation of points of vehicular ingress and egress,~~
- ~~5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,~~
- ~~6. Regulation of signs and their locations,~~
- ~~7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,~~
- ~~8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,~~
- ~~9. Establish a time period within which the subject land use must be developed,~~
- ~~10. Requirement of a bond or other adequate assurance within a specified period of time,~~
- ~~11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,~~
- ~~12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).~~

17.76.040 Criteria, Standards and Conditions of Approval

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, including requests to enlarge or alter a conditional use, when all of the criteria and standards in item (A) can be met outright or as conditioned in accordance with item (B), below.

A. Use Criteria

- 1. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;**
- 2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other Code**

standards, or other reasonable conditions of approval;

- 3. All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the use, consistent with City standards; and,**
- 4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed in the base zoning district; nor shall a conditional use permit grant a variance without a variance application being submitted and reviewed along with the conditional use application.**

B. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following:

- 1. Limiting the hours, days, place, and/or manner of operation;**
- 2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust;**
- 3. Requiring larger setback areas, lot area, and/or lot depth or width;**
- 4. Limiting the building or structure height, size, lot coverage, and/or location on the site;**
- 5. Designating the size, number, location, and/or design of vehicle access points or parking and loading areas;**
- 6. Requiring street right-of-way to be dedicated and street improvements made, or the installation of pathways or sidewalks, as applicable;**
- 7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;**
- 8. Limiting the number, size, location, height, and/or lighting of signs;**
- 9. Limiting or setting standards for the location, type, design, and/or intensity of outdoor lighting;**

- 10. Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance;**
- 11. Requiring and designating the size, height, location, and/or materials for fences;**
- 12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;**
- 13. Requiring improvements to water, sanitary sewer, or storm drainage systems, in conformance with City standards; and,**
- 14. The Planning Commission may require review and renewal of conditional use permits annually or in accordance with another timetable as approved pursuant to this chapter. Where applicable, the timetable shall provide for periodic review and renewal, or expiration, of the conditional use permit to ensure compliance with conditions of approval; such period review may occur through a Type III review process, except where the Planning Commission delegates authority to the City Planning Official to issue renewals, who shall do so through a Type I or Type II procedure, as applicable (see Chapter 17.05 for review procedures).**

17.76.050 Expiration.

- A. A conditional use permit shall lapse and become void one year following the date on which it became effective, unless:
 1. By conditions of the conditional use permit, a greater or lesser time is prescribed as a condition of approval;
 2. Prior to the expiration of one year, a building permit is issued by the city and construction is commenced and diligently pursued toward completion; or
 3. If no building permit is required in the particular case, the conditionally-approved use has been commenced.
- B. The community development director may extend the conditional use permit for an additional period of one year, subject to the requirements of Chapter 17.05.

C. If the time limit for development expired and no extension has been granted, the conditional use permit shall be void. (Ord. 1941 §10, 2010; Ord. 1684 §73, 1993; Ord. 1436 §2(part), 1981).

~~17.76.070~~**060** Revocation.

A. The commission, on its own motion, at a public hearing, may revoke any conditional use permit for noncompliance with the conditions set forth in granting said permit. Notice of public hearing shall be given as in Chapter 17.05.

~~B. If an established time limit for development expires and no extension has been granted, the conditional use permit shall be considered void. (Ord. 1615 §56, 1989; Ord. 1436 §2(part), 1981).~~

~~17.76.080~~ Appeal.

~~The decision of the planning commission may be appealed to the city council in the manner prescribed by Chapter 17.05. (Ord. 1615 §57, 1989; Ord. 1436 §2(part), 1981).~~

~~17.76.090~~ Effect.

~~No building permit shall be issued in any case where a conditional use permit is required until ten days after the granting of a conditional use permit, and then only in accordance with the terms and conditions of said permit. An appeal from the action of the commission shall automatically stay the issuance of the building or other permit until such appeal has been completed and the council has acted thereon. In the event the council grants said conditional use permit, the building permit may issue immediately in accordance with such terms and conditions as may have been imposed in said permit. (Ord. 1615 §53, 1989; Ord. 1436 §2(part), 1981).~~

~~17.76.110~~ Mapping.

~~Within thirty days after the granting of a conditional use permit, the permit application file number shall be indicated on the zone map on the lot or lots affected by such permit. (Ord. 1436 §2(part), 1981).~~

~~17.76.120~~ Change of ownership.

~~A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application, except as otherwise provided in this chapter and in Section 17.60.190. (Ord. 1436 §2(part), 1981).~~

Chapter 17.92 ENFORCEMENT

Sections:

[17.92.010—Violations a nuisance.](#)

[17.92.020—Penalties.](#)

~~17.92.010 Violations a nuisance.~~

~~Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title, and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this title is unlawful and a public nuisance, and the city attorney of the city may, or upon order of the council shall, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law, and may take such other steps and apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or from setting up, erecting, building, maintaining or using any such building or structure or using property contrary to the provisions of this title. The remedies provided for herein shall be cumulative and not exclusive. (Ord. 1436 §2(part), 1981).~~

~~17.92.020 Penalties.~~

~~Any person, firm or corporation, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of the provisions of this title is guilty of a misdemeanor and upon conviction thereof shall be punishable by the general penalty. Such person, firm or corporation is guilty of a separate offense for each and every day during any portion of which any violation of this title is committed or continued by such person, firm or corporation, and shall be punishable as herein provided for each such offense. (Ord. 1684 §75, 1993; Ord. 1436 §2(part), 1981).~~

PLANNING COMMISSION RESOLUTION NO. ____

**A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION FOR MAJOR
AMENDMENTS TO VARIOUS SECTIONS IN TITLE 1 (GENERAL PROVISIONS) TITLE 16
(SUBDIVISIONS) AND TITLE 17 (ZONING)**

FILE NO. ZC-24001

Applicant: City of Central Point

WHEREAS, on October 24, 2024 the City of Central Point City Council approved Resolution No. 1804, a resolution of intent initiating an application to amend various sections of the land development code to clarify existing policies, establish general provisions, update application submittal requirements and approval criteria and some land use standards;

WHEREAS, the proposed code amendments are part of a larger project to audit and update the City's land development code to align with the 2040 Strategic Plan, Central Point Comprehensive Plan and State rules and statutes;

WHEREAS, on November 5, 2024, the Planning Commission conducted a duly noticed public hearing on the legislative code amendments as identified in the Staff Report dated November 5, 2024 (Exhibit 1);

WHEREAS, the Planning Commission finds that the above referenced code amendments comply with the approval criteria set forth in CPMC 17.10, including the Statewide Planning Goals, Comprehensive Plan and Transportation Planning Rule as evidenced by the Planning Department Findings of Fact and Conclusions of Law in the Staff Report dated November 5, 2024 (Exhibit 1).

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. ____, does hereby forward a favorable recommendation to the City Council to approve the amendments as set forth in the Staff Report dated November 5, 2024 attached hereto by reference as Exhibit "1" including all attachments therein, which are herein incorporated by reference.

PASSED by the Planning Commission and signed by me in authentication of its passage this 5th day of November 2024.

Planning Commission Chair

ATTEST:

City Representative