



**CITY OF CENTRAL POINT
PLANNING COMMISSION AGENDA
December 6, 2016 - 6:00 p.m.**

I. MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIENCE

III. ROLL CALL

Planning Commission members Chuck Piland (Chair), Mike Oliver, Tom Van Voorhees, Rob Hernandez, Elizabeth Powell, Craig Nelson Sr., Kay Harrison

IV. CORRESPONDENCE

V. MINUTES

Review and approval of November 1, 2016 Minutes.

VI. PUBLIC APPEARANCES

VII. BUSINESS

A. Consideration of Resolution No. 836 Recommending Approval of a Type IV Legislative Comprehensive Plan Amendment to Update the Land Use Element and to Modify the Central Point Comprehensive Plan Map from Tourist and Office Professional to Thoroughfare Commercial on 4.87 acres at 4901 Biddle Road. The site is identified on the Jackson County Assessor's Map as 37S 2W 01C, Tax Lot 802. (File No. 16022). Applicant: Rogue Valley Microdevices/Tail Light Properties, LLC Agent: Jay Harland, CSA Planning Ltd.

B. Consideration of Resolution No. 837 Recommending Approval of a Zone Change from C-4, Tourist and Office Professional to C-5, Thoroughfare Commercial on 4.87 acres at 4901 Biddle Road. The site is identified on the Jackson County Assessor's Map as 37S 2W 01C, Tax Lot 802. (File No. 16024). Applicant: Rogue Valley Microdevices/Tail Light Properties, LLC Agent: Jay Harland, CSA Planning Ltd.

C. Consideration of Resolution No. 838 Recommending Approval of a Conditional Use Permit Application for a Light Fabrication Use in the (Proposed) C-5, Thoroughfare Commercial Zoning District on property located at 4901 Biddle Road. The site is identified on the Jackson County Assessor's Map as 37S 2W 01C, Tax Lot 802. (File No. 16023). Applicant: Rogue Valley Microdevices/Tail Light Properties, LLC Agent: Jay Harland, CSA Planning Ltd.

D. Consideration of Resolution No. 839 Recommending Approval of the Site Plan and Architectural Review of a new 43,000 square foot building to house Rogue Valley Microdevices, Inc. Corporate Headquarters and Light Fabrication Facility. The site is in the (Proposed) C-5, Thoroughfare Commercial Zoning District on property located at 4901 Biddle Road and is identified on the Jackson County Assessor's Map as 37S 2W 01C, Tax Lot 802. (File No. 16021). Applicant: Rogue Valley Microdevices/Tail Light Properties, LLC Agent: Jay Harland, CSA Planning Ltd.

E. Consideration of Resolution No. 840 Recommending Approval of an Ordinance to amend Chapter 17.05 – Applications and Development Review Procedures to clarify procedures for appeal of Type II and Type III decisions. (File No. 16025) Applicant: City of Central Point

VIII. DISCUSSION

IX. ADMINISTRATIVE REVIEWS

X. MISCELLANEOUS

XI. ADJOURNMENT

**City of Central Point
Planning Commission Minute
November 1, 2016**

I. MEETING CALLED TO ORDER AT 6:00 P.M.

II. ROLL CALL

Commissioners Chuck Piland, Craig Nelson, Tom Van Voorhees, Rob Hernandez, Elizabeth Powell and Kay Harrison were present. Also in attendance were: Tom Humphrey, Community Development Director, Don Burt, Planning Manager, Stephanie Holtey, Community Planner, Molly Bradley, Community Planner, and Karin Skelton, Planning Secretary.

PLEDGE OF ALLEGIENCE

III. CORRESPONDENCE

None

IV. MINUTES

Chuck Piland noted that there was a typographical error on page 3 of the October 4, 2016 minutes. The word "motion" was misspelled. Kay Harrison made a motion to approve the October 4, 2016 minutes with the noted correction. Craig Nelson seconded the motion. ROLL CALL: Tom Van Voorhees, yes; Elizabeth Powell, yes; Craig Nelson, yes; Rob Hernandez, abstain; Kay Harrison, yes. Motion passed.

V. PUBLIC APPEARANCES

None

VI. BUSINESS

A. Continued Public Hearing from October 4, 2016 – Mobilitie, LLC. Consideration of a Conditional Use Permit for the installation of a new tower-mounted antenna in the public right-of-way, to be located on South 9th Street between Pine St. & Oak St. The purpose of the antenna is to provide increased coverage and capacity to data network users, and improve communication services in Central Point. The project site is located in the tourist and Office Professional (C-4) zoning district.

Molly Bradley stated that this was a continuation of the Public Hearing for Mobilitie, LLC from the October 4, 2016 Planning Commission meeting. She reviewed

the Conditional Use Permit Application and stated that the hearing was continued in order to allow the applicant to submit additional information which had been requested by the Planning Commission. She said that as the application was subject to the 120 day rule, which would expire on November 15th, the options for the Planning Commission tonight were to approve or deny the application, without the option for another continuance. She stated that the original pole had been presented as a 75 foot wooden pole with exterior antenna equipment. The applicant has reduced the height to 50 feet.

Colleen DeShazar explained to the commissioners that the engineers had been able to reduce the height of the antenna to 50 feet. That would be a 47 foot pole with a 3 foot multi-directional antenna at the top. In response to questions from planning commissioners, she said that the pole would be required to be located at the current proposed location in order to work effectively. There was no co-locating option that would work. She stressed that because Mobilite is acting as a public utility, the Federal Government prohibits discrimination against citing such facilities, however the conditional use process would allow the City to have input as to how to mitigate any visual impact.

Tom Humphrey stated that the antenna would be subject to both the CUP process and the rules of the City's Public Utility Agreement.

Ms. DeShazar, reiterated the need for support of the current wireless data transmission infrastructure in the area. She said that currently the demand for wireless data transmission was increasing at a fairly fast pace, thus necessitating the support for the antenna. She said that the antenna would take a total of 2 days to construct. The base of the pole would be approximately 2 feet wide and would taper at the top.

The Public hearing was closed.

The commissioners discussed the options for mitigating the visual impact of the antenna and the fact that this was now the only location which would work because of the reduction in height. They concluded that they would approve the antenna with conditions that it be metal, gray in color, and have the equipment located inside the pole.

Rob Hernandez made a motion to approve the antenna. Elizabeth Powell seconded. ROLL CALL: Tom Van Voorhees, No; Elizabeth Powell, yes; Craig Nelson, yes; Rob Hernandez, abstain; Kay Harrison, yes. Motion passed

B. Consideration of Resolution No. 835 Recommending Approval of the city of Central Point Population & Demographics Element to the City Council.

Don Burt stated that basically the Population element will support the need for land to be brought into the City for future housing development. He said that HB2253 standardized the population forecasting and that Portland State University is in charge of the whole state of Oregon. The Population forecast will be updated every 4 years. He noted that currently the population is not growing quickly. He explained how the population forecast impacted the type of housing that would be needed. Mr. Burt

explained that since the recession hit the economy there has not been a complete recovery yet.

He said that having the information from the population element will allow us to be prepared for future expansion in the type of housing needed for the projected population groups.

VII. DISCUSSION

A. Community Rating System update

Stephanie Holtey explained to the Commissioners that currently FEMA has a Community Rating System (CRS) that allows cities to earn points which allow citizen discounts on flood insurance. The City is evaluated every 5 years to validate the points they have earned. She said that in 2011 we had achieved enough points to allow a 20% discount for citizens on their flood insurance. This year, the rules have changed and we are looking at a possible decrease to 15%. She informed them that we are doing everything possible to keep the 20% discount.

B. Pine Street Streetscape Update

Tom Humphrey informed the Committee that the Development Commission has identified the improvements to Pine Street and the City is proceeding to get cost estimates on those improvements. He said that the cost will determine the time frame and manner of funding for the project.

C. Costco Update

Mr. Humphrey said that Costco has been appealed to the State Court of Appeals. We do not yet have the exact time frame for the proceedings yet. He stated that Costco was hoping to begin building in the spring.

D. Planning Commission Update

Mr. Humphrey stated that Chuck Piland would be retiring from the Planning Commission in December. He said that Mike Oliver would be the next Chair and that Kay Harrison declined the position of vice-Chair. He asked the members to decide who would like to be Vice-chair.

Tom Van Voorhees made a motion to adjourn. Kay Harrison seconded. All said "aye". Meeting was adjourned at 7:51 p.m.

VIII. ADMINISTRATIVE REVIEWS

None

IX. MISCELLANEOUS

X. ADJOURNMENT

The foregoing minutes of the November 1, 2016 Planning Commission meeting were approved by the Planning Commission at its meeting on the 6th day of December, 2016.

Planning Commission Chair

CONSIDERATION OF A TYPE IV COMPREHENSIVE PLAN AMENDMENT TO
UPDATE THE LAND USE ELEMENT AND TO MODIFY THE COMPREHENSIVE
PLAN MAP FROM TOURIST AND OFFICE PROFESSIONAL TO
THOROUGHFARE COMMERCIAL ON 4.87 ACRES



STAFF REPORT
December 6, 2016

AGENDA ITEM: File No. 16022

Consideration of a Comprehensive Plan Amendment to affirm locations for Thoroughfare Commercial land uses and to re-designate 4.87 acres from Tourist and Office Professional to Thoroughfare Commercial south of Pine Street/Biddle Road, East of Hamrick Road and West of Table Rock Road. The property is identified on the Jackson County Assessor's map as 37S2W 01C, Tax Lot 802. **Applicant:** Rogue Valley Microdevices/Tail Light Properties, LLC. **Agent:** Jay Harland, CSA Planning

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

A Comprehensive Plan (Map) Amendment and Zone Change were initiated for the above referenced property to facilitate the establishment of a Corporate Headquarters and Light Fabrication Facility that is regionally supported by SOREDI. The combined uses are a better match for the Commercial Thoroughfare designation than they are for Tourist and Office Professional. In the course of City staff's review it also became apparent that while the City has promoted Thoroughfare Commercial uses it has failed to clarify this in the Land Use Element. Consequently, this amendment includes an update to the Commercial Land Use section of the Comprehensive Plan to document actions taken in the past to allow a wider range of employment uses and to facilitate greater job creation in Central Point. The Land Use Element will be revised in a more comprehensive manner in the future during the Department's next two year budget cycle.

Consistent with the City's Comprehensive Plan Amendment Criteria, the City Council Approved a Resolution of Intent (Resolution No. 1477) in October to initiate this land use amendment. The applicant's agent has submitted a set of Comprehensive Plan and Zoning Maps (Attachment A) and Findings of Fact (Attachment B) along with relevant approval criteria for the City's consideration. The Commission may rely upon the applicant's findings and conclusions with regard to the map amendment. Alternatively, staff is proposing a change to language used in the Land Use Element (Attachment C) to affirm and clarify past City Council actions relative to commercial land use designations and their locations. This also reinforces arguments made by the applicant in their findings.

The Commission may recall its review and the ultimate adoption of the Economic Element of the Comprehensive Plan in 2013. In that Element, Computer and electronic product manufacturing are identified as a trending Oregon industry. The Thoroughfare Commercial land use designation will accommodate the siting of Rogue Valley Microdevices on the Pine Street corridor which represents an opportunity for Central Point to gain local share in a new local industry and new job creation.

ISSUES & NOTES:

There are 4 issues/Notes relative to this application as follows:

1. **Comprehensive Plan Compliance.** Approval of the proposed amendment must be found consistent with the City's Comprehensive Plan Land Use Plan. If the Land Use language is

revised as proposed in Attachment C and the Comprehensive Plan designation is changed to Thoroughfare Commercial on the property in question, then the two would immediately be consistent and compliant.

2. **Compatibility with Surrounding Land Uses and Zoning.** Two tax lots to the east of the applicant's property comprise 7.5 acres that is currently designated Thoroughfare Commercial and zoned C-5. The property to the south is designated General Industrial (20 acres). The properties to the west and north are designated Tourist and Office Professional and are each 2 acres in size (refer to Attachment A). The applicant elaborates on the compatible characteristics of the area in Attachment B, page 9.
3. **Zoning Map and Zoning Code Text Amendments, CPMC Chapter 17.10.** This municipal code section provides standards and procedures for major and minor amendments to the Central Point city zoning map. In this case, the zone change (map) proposal was initiated by the applicant for one tax lot and the action is considered a 'minor' amendment and a Type III process. The amendment should be based on the following criteria; 1) its consistency with the City's Comprehensive Plan, 2) findings demonstrating that adequate public services and transportation networks will serve the property and 3) compliance with the State's Transportation Planning Rule. There is a separate but related application for the zone change which follows this item.
4. **Transportation Planning Rule (TPR) Compliance, OAR 660-012-0060.** Criteria for TPR compliance is addressed in both the Applicant's and the City findings (Attachments B & D) demonstrating adequate public services and transportation networks. In this case, the re-designation of the commercial land uses and the nature of the expanded list of permitted uses will not have an appreciable difference on traffic generation or impact and may even improve it (see Attachment B, Exhibit 10 – Traffic Findings). Public facilities master plans identify various future public improvements including the reconfiguration of the traffic signal at Hamrick and Biddle Roads.

CONDITIONS OF APPROVAL:

Although a recommendation for a decision to approve a Comprehensive Plan Amendment may include conditions, staff has not identified the need to impose any conditions at this time.

ATTACHMENTS:

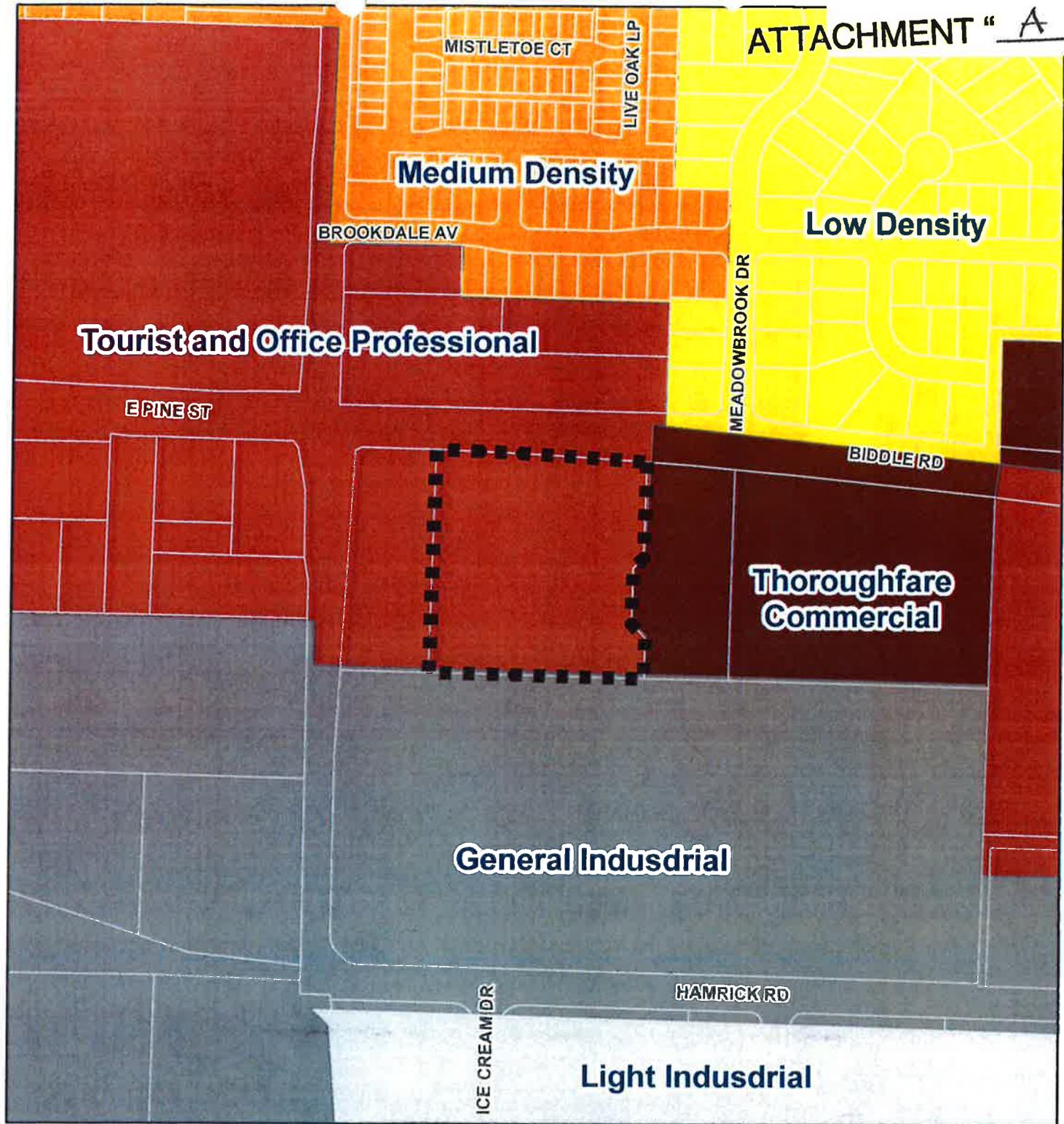
Attachment "A" – Comprehensive Plan and Zoning Maps
Attachment "B" – Applicant's Findings
Attachment "C" – Comprehensive Plan Land Use Element Revision
Attachment "D" – Planning Department's Findings
Attachment "E" – Resolution No. 836

ACTION:

Open public hearing and consider the proposed amendment to the Comprehensive Plan and Zoning maps, close public hearing and 1) recommend approval to the City Council; 2) recommend approval with revisions; or 3) deny the application.

RECOMMENDATION:

Recommend approval or Resolution No. 836. Per the Staff Report dated December 6, 2016 and supported by Findings of Fact.



Subject_Property
Tax Lots

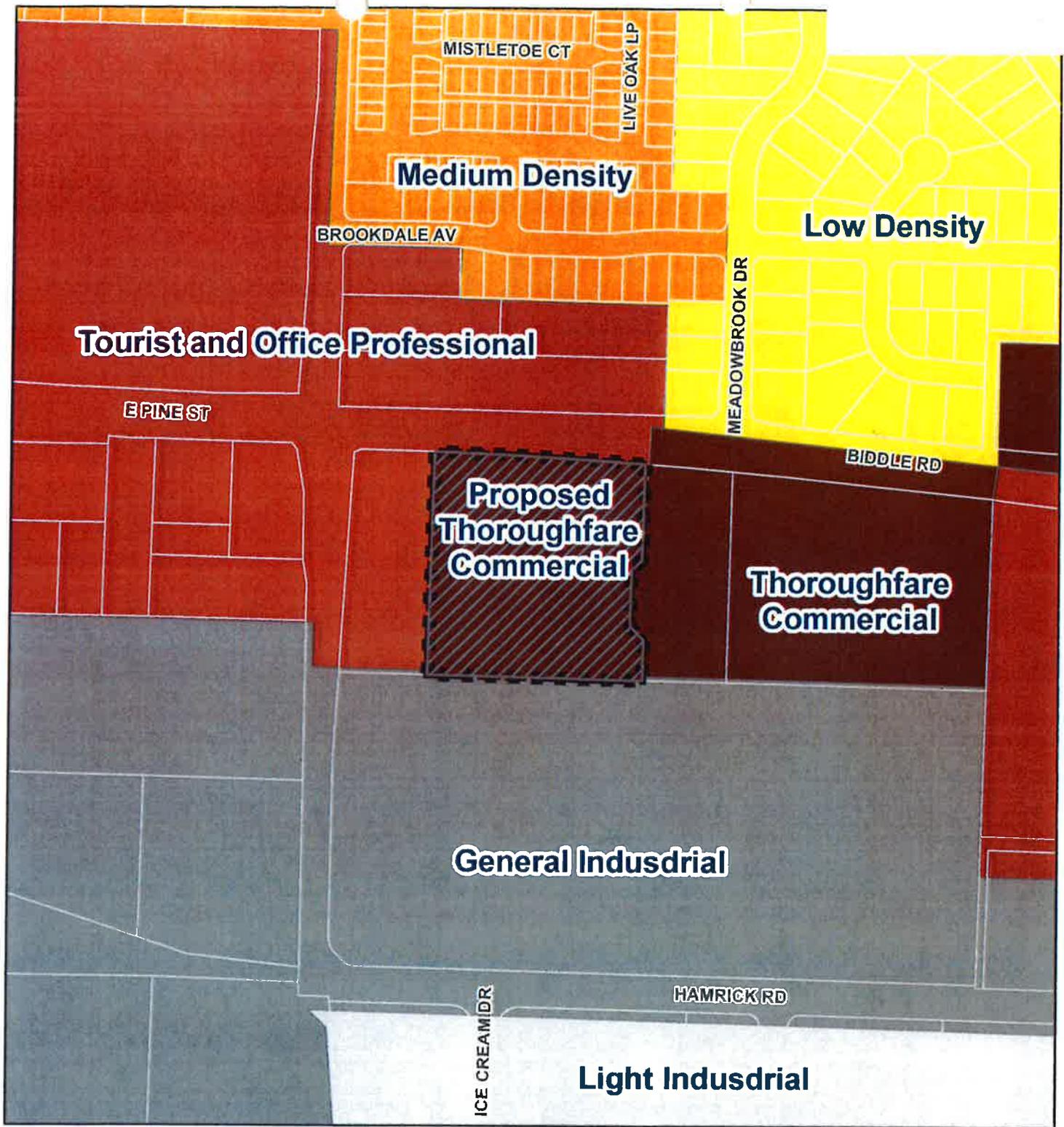
Central Point Comp Land Use Plan

	General Industrial		Medium Density Res.
	Light Industrial		Thoroughfare Commercial
	Low Density Res.		Tourist and Office Professional

Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Existing Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices & Tail Lite Properties LLC
37-2W-01C-802



Subject_Property

Tax Lots

Central Point Comp Land Use Plan

-  General Industrial
-  Thoroughfare Commercial
-  Light Industrial
-  Tourist and Office Professional
-  Low Density Res.
-  Medium Density Res.

Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Proposed Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
 Rogue Valley Microdevices &
 Tail Lite Properties LLC
 37-2W-01C-802



300 150 0 300 Feet





2012 Aerial

 Subject_Property

Tax Lots

 Zoning Outline

300 150 0 300 Feet



Existing Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS





2012 Aerial

 Subject_Property

 Tax Lots

 Zoning Outline

300 150 0 300 Feet



Proposed Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS



BEFORE THE PLANNING COMMISSION AND
CITY COUNCIL

FOR THE CITY OF CENTRAL POINT

STATE OF OREGON

IN THE MATTER OF A REQUEST FOR A
MINOR COMPREHENSIVE PLAN MAP
AMENDMENT AND ZONE CHANGE FOR
4.87 ACRES. THE SUBJECT TRACT IS
LOCATED AT 4901 BIDDLE ROAD
WHICH IS ON THE SOUTH SIDE OF
BIDDLE ROAD BETWEEN HAMRICK
AND TABLE ROCK ROAD IMMEDIATELY
EAST OF THE SUPER 8 MOTEL. THE
PROPERTY IS LOCATED IN THE CITY
OF CENTRAL POINT AND IS MORE
SPECIFICALLY IDENTIFIED AS TAX LOT
802 IN TOWNSHIP 37 SOUTH, RANGE 2
WEST (WM), SECTION 01C.

PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW*Applicants' Exhibit 2*

Applicant/ Owners:
Rogue Valley Microdevices, Inc.
Tail Lite Properties, LLC

Agent: **CSA Planning, Ltd.**

I

NATURE OF THE APPLICATION

Applicants request a consolidated comprehensive plan amendment and zone change for three lots totaling 4.87 acres fronting on the south side of Biddle Road, immediately east of the Super 8 Motel that is located at the corner of Biddle Road and Hamrick Road. The subject property has an approved tentative partition plan that will divide the entire 4.87 acres of land into three parcels, *see Planning File No.16005*. The Comprehensive Plan Map Amendment and Zoning Map Amendment apply to all 4.87 acres of land (plus adjacent right-of-way).

The infrastructure for the partition plat is under construction now. It is possible, if not likely, that the final plat will be completed contemporaneous with the review of this subject application. The partition plat includes a retail street running from Biddle Road to the southern private access road. A new veterinary clinic was approved for Lot 1 at the southeast corner of the property and is currently under construction. Veterinary clinics are allowed in the C-5 zoning district and so the clinic under construction will be a permitted use in the proposed zone and will continue to comply with all applicable standards. The lots approved in the approved partition will remain conforming lots under the proposed C-5 zoning district. Tail Lite Properties, Inc. is constructing tentative plat alternative “A2” that supports the proposed Rogue Valley Microdevices headquarters use.



II

EVIDENCE SUBMITTED WITH THE APPLICATIONS

Applicant herewith submits the following evidence with its land use application:

- Exhibit 1.** Completed application forms and Duly Executed Limited Powers of Attorney from Applicants and Owners authorizing CSA Planning, Ltd. to act on their behalf.
- Exhibit 2.** These proposed findings of fact and conclusions of law, demonstrating how the application complies with the applicable substantive criteria of Central Point' s Land Development Ordinance
- Exhibit 3.** Applicants' Demonstration of Compliance with Applicable Development Standards
- Exhibit 4.** Jackson County Assessor Plat Map 37-2W-01C
- Exhibit 5.** Comprehensive Land Use Plan Map
- Exhibit 6.** Proposed Comprehensive Land Use Plan Map
- Exhibit 7.** Zoning Map on Aerial Photo
- Exhibit 8.** Proposed Zoning Map
- Exhibit 9.** Area Plan (depicting Approved In-Process Project and Proposed Development)
- Exhibit 10.** Letter Evaluating Transportation Impacts from Plan Amendment and Zone Change, Southern Oregon Transportation Engineering.
- Exhibit 11.** Survey of Existing Conditions; *Pariani Land Surveying, February 9, 2015.*
- Exhibit 12.** Site Photos and Site Photo Key Map
- Exhibit 13.** Proposed Site Development Plans:
 - Exterior Building Elevations
 - Site Plan
 - Floor Plan
 - C-1 Civil Plan
 - L-1 Landscape Plan
- Exhibit 14.** Tentative Partition Plat Notice of Decision and Staff Report with Exhibit A-2
- Exhibit 15.** Development Transportation Impact Analysis, Southern Oregon Transportation Engineering
- Exhibit 16.** Parking Demand Analysis, Southern Oregon Transportation Engineering



III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The relevant substantive criteria prerequisite to approving a minor Comprehensive Plan Amendment and Zone Change under the City of Central Point Zoning Ordinance (“CPZO”) is recited verbatim below:

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

COMPREHENSIVE PLAN AMENDMENT CRITERIA

17.96.200 Initiation of amendments.

A proposed amendment to the comprehensive plan or urban growth boundary may be initiated by either:

- A. A resolution by the planning commission to the city council;
- B. A resolution of intent by the city council; or
- C. An application by one or more property owners, or their agents, of property affected by the proposed amendment.

17.96.300 Major revisions and minor changes.

Proposed amendments to the comprehensive plan, including urban growth boundary amendments, are categorized as either major or minor amendments as defined in Section 17.10.300. Proposals for major revisions shall be processed as a Type IV procedure per Section 17.05.500. Proposals for minor changes shall be processed as a Type III procedure per Section 17.05.400.

17.96.500 Approval criteria.

A recommendation or a decision to approve or to deny an application for an amendment to the comprehensive plan, or urban growth boundary shall be based on written findings and conclusions that address the following criteria:

- A. Approval of the request is consistent with the applicable statewide planning goals;
- B. Approval of the request is consistent with the Central Point comprehensive plan;
- C. For urban growth boundary amendments findings demonstrate 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
- D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule.

ZONE CHANGE CRITERIA

17.10.200 Initiation of amendments.

A proposed amendment to the code or zoning map may be initiated by either:

- A. A resolution by the planning commission to the city council;
- B. A resolution of intent by the city council; or for zoning map amendments;
- C. An application by one or more property owners (zoning map amendments only), or their agents, of property affected by the proposed amendment. The amendment shall be accompanied by a legal description of the property or properties affected; proposed findings of facts supporting the proposed amendment, justifying the same and addressing the substantive standards for such an amendment as required by this chapter and by the Land Conservation and Development Commission of the state. (Ord. 1989 §1(part), 2014).

17.10.300 Major and minor amendments.

There are two types of map and text amendments:

- A. Major Amendments. Major amendments are legislative policy decisions that establish by law general policies and regulations for future land use decisions, such as revisions to the zoning and land division



ordinance that have widespread and significant impact beyond the immediate area. Major amendments are reviewed using the Type IV procedure in Section 17.05.500.

- B. **Minor Amendments.** Minor amendments are those that involve the application of adopted policy to a specific development application, and not the adoption of new policy (i.e., major amendments). Minor amendments shall follow the Type III procedure, as set forth in Section 17.05.400. The approval authority shall be the city council after review and recommendation by the planning commission. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006).

17.10.400 Approval criteria.

A recommendation or a decision to approve, approve with conditions or to deny an application for a text or map amendment shall be based on written findings and conclusions that address the following criteria:

- A. Approval of the request is consistent with the applicable statewide planning goals (major amendments only);
- B. Approval of the request is consistent with the Central Point comprehensive plan (major and minor amendments);
- 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
- D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006. Formerly 17.10.300(B)).

OREGON TRANSPORTATION PLANNING RULE
Oregon Administrative Rules Chapter 660, Division 12

SECTION 660-012-0060

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.



IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Ownership/Applicant:** Tax Lot 802 is owned in fee simple by Tail Lite Properties, LLC. Rogue Valley Microdevices is in contract to purchase Lot 3 of the subject property. Agent CSA Planning, Ltd. is submitting this application on behalf of the property owner and contract purchaser.
2. **Location:** The subject property is located on the south side of Biddle Road between Hamrick Road and Table Rock Road. The property is identified as Tax Lot 802 in Township 37 South, Range 02 West (W.M.), Section 01C. The site address is 4901 Biddle Road, Central Point, OR.
3. **Parcel Size:** Tax Lot 802 currently has 4.87 acres. *See*, Exhibit 4.
4. **Comprehensive Plan Map Designation / Zoning:** Designated *Tourist and Office Professional* / Zoned C-4 Tourist and Office Professional. *See*, Exhibits 5 and 7.
5. **Proposed Comprehensive Plan Map Designation / Zoning:** Designation proposed to be amended to Thoroughfare Commercial and to change the zone to C-5. *See*, Exhibits 6 and 8.
6. **Existing Frontage and Access:** The subject property has frontage along its northern boundary on Biddle Road. Biddle Road is classified in the TSP as an arterial. Tax Lot 802 also has access easements on the access drives that run south from Biddle Road along Tax Lot 803 and along the southern boundaries of Tax Lots 801, 802 and 803 and intersecting with Hamrick Road. These private commercial accesses were reviewed and approved by Central Point at the time of land division that created the parent parcel. A private north-south Retail Street has been approved to intersect with Biddle Road approximately mid-block between existing accesses. The Retail Street will have right-in/right-out only access with a median in Biddle Road and is currently under construction.
7. **Lot Legality:** Tax Lot 802 was created through two partitions. Tax Lot 800 was divided through partition *P-03-2004* into three parcels in 2004, and in 2005 the resulting Parcel 2 was subdivided into three lots, of which Tax Lot 802 was Lot 1. In 2007 a lot line adjustment was made to the border between Tax Lots 802 and 803 creating its current configuration. In April of 2016, the City of Central Point approved a tentative partition plat to divide Tax Lot 802 into three separate parcels. The proposed conditional use permit and site plan review are directed at Parcel 3 of the approved tentative land division; it is possible, if not probably, that the final plat will be recorded prior to completion of the subject land use review.
8. **Previous Planning Permits:**
File No. 16004 - Site Plan and Architectural Review which approved a veterinary clinic on Parcel 1 of the land division and *File No. 16005*- Tentative Partition were approved April 14, 2016.



9. Existing Development: The property is currently vacant but construction of the Retail Street and the veterinary clinic has begun.

10. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The stretch of Biddle Road/East Pine Street (“BR/EPS”) that is east of the Interstate-5 in Central Point is an employment area with a mix of commercial uses right along BR/EPS on the south side with some industrial uses further to the south. Except for a small portion of a larger residential area near Meadowbrook Drive and Orchard View Avenue, the north side of BR/EPS is primarily undeveloped employment designated property; further to the north is the Jackson County Expo (fairgrounds), the Central Point East residential area, and some legacy County development patterns. There are a mix of developed and undeveloped properties between the interstate and Table Rock Road.

East: To the east of the subject property is vacant land owned by Les Schwab. Further to the east is additional vacant employment land that is marketed for sale. This land has a Comprehensive Plan Map of Thoroughfare Commercial and is zoned C-5

North: Across Biddle Road is the Dulany property. This property has a single family dwelling on it and is under developed in relation to its plan designation. The property is planned Tourist and Professional Office and is zoned C-4. The land to the northeast is planned and zoned for residential uses and has been developed with single-family dwellings. Land to the northwest is a large vacant 21 acre site planned Tourist and Office Professional and zoned C-4.

South: South of the subject property across the private commercial access drive is the USF Reddaway warehouse logistics facility. This facility is planned General Industrial and zoned M-2.

West: Immediately to the west is the Super 8 Motel. This site is planned Tourist and Office Professional and is zoned C-4. Further to the west is some vacant commercial land across Hamrick Road and a road maintenance yard further to the southwest.

11. Topography: The subject property is essentially level, sloping very gently to the north.

12. Water Facilities and Services: Underground water utilities exist at the west property line and along the utility and access easement along the southern portion of the property. These water facilities are available for connection.

13. Sanitary Sewer Facilities and Services: Underground sanitary sewer utilities exists in the utility easements along the south portion of the property and are available for connection.

14. Power and Natural Gas: Underground power is available from Pacific Power and underground gas is available from Avista Utilities and the same exist in the utility easements along the south portion of the property and are available for connection.

15. Fire and Police Protection: The subject properties are located within and are served by Fire District No. 3. Police service is provided by the City of Central Point Police Department.



16. Wetlands, Streams and floodplain: The subject property does not contain any jurisdictional wetlands per Jackson County GIS Services. The subject property does not contain any streams or floodplains per Jackson County GIS Services.

17. Storm Drainage Facilities and Services: Underground storm drainage lines are located in Biddle Road and in the private access easement and utility area on the south portion of the property. These storm drain lines are available for connection. The approval of the prior land division necessitated construction of a stormwater detention facility on Lot 2 of the partition which is planned to handle a significant portion of the Rogue Valley Microdevices' storm drainage needs, see Exhibit 13, Sheet C-1.

18. Transportation and Access:

A. Plan Amendment and Zone Change: Transportation impact analyses for Plan Amendments and Zone Changes evaluate impacts to the transportation system based upon the potential for the new zone to impact the system when compared to the existing zone. This is typically evaluated based upon a *reasonable worst case of traffic generation* based upon uses allowed in the proposed zone when compared to a *reasonable worst case of traffic generation* based upon uses allowed in the existing zone. Applicant's Traffic Engineer, Kim Parducci, compared the potential traffic generation of the C-4 zone and the C-5 zone and the reasonable worst-case trip generators that are allowed in both zones. Her expert professional opinion is that the plan amendment and zone change aspects of the application do not require detailed traffic analysis because the reasonable worst case trip generation is substantially equivalent between the two zones.

Her professional opinion is explained in Exhibit 10 as well as a supplemental memo dated October 4, 2016. Southern Oregon Transportation Engineering has been in coordination with Jackson County Roads, ODOT and the City's Public Works Department and those agencies a did not indicate a detailed TIA for the Plan Amendment and Zone Change was necessary based upon the analysis and opinion of SOTE regarding the trip generation potential between the two zones.

B. Transportation Impacts from Proposed Development: The Applicant's traffic engineer also prepared a traffic impacts analysis that analyzes the proposed Rogue Valley Microdevices project, see Exhibit 15. That analysis was an update to the Southern Oregon Veterinary Specialty Center analysis done for that project which is now under construction. In the prior analysis, Parcel 3 was assumed to be a future site for a 25,000 square foot specialty retail center, along with the veterinary clinic and an assumed sit down restaurant on the remaining Parcel 2. The updated analysis continues to assume the sit down restaurant on Parcel 2 and assumes the veterinary clinic use on Parcel 1 but substitutes the Rogue Valley Microdevices use for Parcel 3. This results in a reduced trip generation of the entire site of 53 P.M. peak hour trips.

The results of the analysis show that the transportation system can accommodate the proposed use in conformance with all applicable performance standards.

C. Access and Circulation: Access to the site is via a private retail street that is under construction and was approved under Planning File No. 16005. The retail street intersects with Biddle Road and is a right-in-right-out intersection allowing in-movement from the west and out-movement to the east onto Biddle Road. A

concrete median in Biddle Road will be constructed in conjunction with the new retail street. Access coming from the east will be from a left turn onto the private street connection opposite Meadowbrook and then right along the private access drive to the south and then a right onto the private retail street. Access out of the site to the west will involve a right turn onto the private retail street and then out the private access drive along the south property line to a right turn on Hamrick then to the signal where a left can be made onto East Pine Street.

The office driveway is located on the private retail street. It is somewhat close to the intersection with Biddle Road but there is adequate room for at least two stacked vehicles and it is a right into the site so no queuing at this location is expected. The other access onto the site is via two large driveways to the south access drive; the wide driveways are needed to get semi-trucks into the back parking lot area and then out onto the private access drive. These south driveways will be truck vehicle access points; smaller trucks that use the west service drive will exit via the front office parking lot access point.

19. Comprehensive Plan Map and Zoning Map Analysis:

- A. Employment Land Supply and Demand Analysis:** As part of the justification for the proposed Comprehensive Plan Map Amendment and Zoning Map Amendment, it is appropriate to evaluate the land supply and demand implications for employment land generally and commercial land specifically. Central Point has a relatively up-to-date Economic Element in its Comprehensive Plan that was adopted by Ordinance 1973 approved on June 27, 2013. This Element provided the City with a review of employment land supply and demand. Following its adoption, the City and County amended the Central Point Urban Growth Boundary (UGB) to add approximately 49 gross acres of industrial land in the "Tolo Area" near Exit 35. Of the 49 acres added to the UGB, approximately 9 acres of net-buildable industrial acreage was added. Approximately 9 acres of right-of-way was added as part of that UGB amendment. The remaining 31 acres included in the UGB was part of an existing trucking and multi-modal freight handling facility that is not vacant but for which inclusion in the UGB can support more intensive urban development.

With respect to development since the Economic Element was adopted, a one acre site has been constructed for a new Jackson County Court building off of Hamrick Road. The balance of the acreage in the inventory that was classified as vacant remains vacant.

Thus, the City now has approximately 139.7 acres of vacant buildable employment land in its UGB. This estimate is based upon Table 5.2-1 of the Economic Element and adding 9 acres of buildable land from the UGB amendment and subtracting the one acre of land built for the court use. There are two in-process projects that would further reduce existing vacant land supplies, specifically the veterinary clinic on a portion of the subject property that is currently under construction and the proposed new Costco use that is approved but for which construction has not started.

Overall, the proposed Comprehensive Plan Map Amendment will not appreciably change the supply of commercial land within the City's UGB. The site was inventoried as a medium retail site and the change from Tourist and Office



Professional to Thoroughfare Commercial would have likely resulted in the same inventory designation in the Economic Element for the subject property.

From an industry opportunity standpoint, the proposed comprehensive plan amendment is expected to support the siting of the Rogue Valley Microdevices computer electronics company. The Central Point Comprehensive Plan identifies the computer electronics industry as a strong industry in Oregon, see Table 3.2-1 NAICS 334. The expansion of Rogue Valley Microdevices represents an opportunity to grow a computer electronics company in Jackson County to gain local share in an important industry that is strong and important to Oregon's economy.

B. Qualitative and Spatial Analysis: The text description in the Land Use Plan Element for Thoroughfare Commercial and Tourist Commercial/Professional Office are very similar in quality from a use perspective, the main difference being proximity to I-5 for the Tourist Commercial/Professional Office versus frontage on an arterial street such as Highway 99 or Biddle Road. From the standpoint of zoning, the main difference between the two corresponding zoning districts (from C-4 to C-5) is that C-5 allows some light industrial uses and C-4 does not.

From a spatial standpoint, the Thoroughfare Commercial designation is already located immediately east of the subject property and the proposed Comprehensive Plan is simply a westward expansion of that designation. The Thoroughfare Commercial designation was added as part of a legislative rearrangement of land uses in Central Point's UGB in 1998. That amendment added the first thoroughfare commercial east of Interstate 5. That amendment recognized the opportunity to take advantage of Biddle Road as a high volume arterial street corridor in which the siting of the Thoroughfare Commercial designation was deemed to be appropriate. The proposed amendment is simply a small westward extension of the Thoroughfare Commercial area created through that legislative amendment in 1998. There will remain substantial vacant and available acreage zoned C-4 between the subject property and Interstate 5.

The new western boundary of the Thoroughfare Commercial will be the Super 8 Motel parcel. This Comprehensive Plan Map amendment application has been filed with a proposed light manufacturing development for the lot adjacent to the Super 8. The common property line with Super 8 will include a landscape strip next to a service drive aisle and then the building wall. Potential land use conflicts are analyzed in the Conditional Use Permit findings herein below.

The proposed Thoroughfare Commercial will also add opportunities for light manufacturing allowed in the C-5 that is not allowed in the C-4. This is beneficial from a qualitative standpoint because most all of the C-5 zoning area the City once had to support a mix of light manufacturing and commercial uses was located along Highway 99. These lands have all now been changed to TOD designations. These TOD designations do not preclude light manufacturing uses but the TOD policy concept guides development of this area toward smaller scale shops with a mix of light manufacturing facilities. This is an appropriate policy approach for the area along Highway 99. The area is largely already developed with relatively small lots, so future development will primarily be redevelopment of existing lots that will limit the scale of future development. This presents limited opportunities for slightly

larger scale light manufacturing in the areas once designated C-5. The proposal to expand C-5 along Biddle Road is intended to support for the proposed Rogue Valley Microdevices use which is an example of the scale of light manufacturing that would be challenging in the TOD areas along Highway 99.

20. Proposed Development Project:

The proposed Rogue Valley Microdevices corporate headquarters and light fabrication facility has the following features:

A. Design Scheme: The approach to the building is to create a modern and attractive high-tech light manufacturing building. The building is proposed to contain a 10,000 square foot clean room within a 24,000 square foot production area and the building will have approximately 19,000 square feet of accessory office space on two levels. Being a high-tech facility, the interior is a purpose built design that reflects workflow needs and the demands of the clean room.

The nature of the interior layout dictates the location of certain outdoor connections in terms of entrance location, delivery doors and access to the accessory office uses. Overall, the exterior is a modern, but relatively simple flat-roofed commercial building with several attractive architectural elements on the main façade and attractive materials on all elevations. *See*, Exhibit 13.

B. Vehicle Parking and Loading: The project proposes 46 parking spaces. The application is requesting an adjustment to the off-street parking standards as part of the Conditional Use Permit approval (pursuant to special conditions of approval that may be imposed under 17.76.040(E)(3)) because a strict application of the code would require significantly more parking than is expected to be needed by the use. There is a wide disparity between the two calculation methods for the parking requirements. The employee calculation method for industrial uses yields a need for approximately 18 spaces. The gross floor area method would require 84 spaces, one for every 500 square feet of gross floor area, which is difference of over 60 parking spaces. The proposed 46 spaces is between the two need calculation methods and is projected to be adequate for the use. It is expected that this amount of parking will be adequate to allow for nearly doubling of the size of the company within the new space, which is the largest it can be within the new facility. A parking demand analysis has been prepared by Southern Oregon Transportation Engineering for this submittal and is located in Exhibit 16.

Industrial uses of 37,501 square feet to 50,000 square feet are required to have four loading berths; the actual fabrication area is 24,000 square feet which would require four berths. The site plan and building elevations depict four overhead loading doors for the facility. Two overhead doors are located on the west elevation along the service drive. These will be accessed by forklift for semis from the main rear parking lot and by smaller delivery vehicles such as FedEx and UPS. This entire circulation area on the west side of the building could be considered a series of loading berths, in which case the site has the equivalent of 8 loading berths just on this side. One overhead door loading location on the east elevation, trucks could use this for delivery from the private retail street although this would be expected to be a rare occurrence; primarily this would be accessed by forklift on the occasion when

equipment needed to loaded on the east side of the clean room. The fourth overhead door is shown on the south elevation and this berth will generally be used by a forklift off-loading from a semi-trailer truck parked in the rear lot.

C. Bike Parking: The code requires four bike parking spaces. The covered bike parking spaces will be under a canopy area located at the outdoor break area.

D. Landscaping: This high-tech light manufacturing facility is proposed to be fully landscaped at the time of development, see Exhibit 13, Sheet L-1. The proposed landscaping is extensive for an industrial use and is proposed in a manner that will allow it to blend well with commercial uses in the area. The 10-foot sidewalk with tree wells on the retail street will create an attractive streetscape for this private street. The planting scheme includes a number of mass plantings that will create an attractive landscape throughout the year.

* * * * *

V

CONCLUSIONS OF LAW

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

The following conclusions of law and ultimate conclusions are reached under each of the relevant substantive criteria which are recited verbatim and addressed below. The conclusions of law are supported by Applicants’ evidentiary exhibits at Section II – including Applicants’ review of applicable development standards (Exhibit 3) and the findings of fact as set forth in Section IV herein above.

APPROVAL CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

**Chapter 17.96
COMPREHENSIVE PLAN AMENDMENT**

17.96.500 Approval criteria.

A recommendation or a decision to approve or to deny an application for an amendment to the comprehensive plan, or urban growth boundary shall be based on written findings and conclusions that address the following criteria:

- A. Approval of the request is consistent with the applicable statewide planning goals;

Conclusions of Law: The City of Central Point Planning Commission and City Council (henceforth “the City”) herewith incorporate and adopt the below findings with respect to each applicable statewide planning goal, as follows:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process...*[balance omitted for brevity]*



Conclusions of Law: The City concludes the proposed Comprehensive Plan Map amendment is quasi-judicial in nature and therefore citizen involvement is assured by and through application of the City's adopted and acknowledged procedures for the conduct and noticing of quasi-judicial reviews, including noticing and public hearings.

Goal 2: Land Use Planning

PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions...*[balance omitted for brevity]*

Conclusions of Law: The City concludes that the subject application is quasi-judicial in nature and requires demonstration of compliance with predetermined criteria and approval of the requested plan map amendment requires substantial evidence to demonstrate each of the relevant criteria have been satisfied. The City herewith incorporates the balance of the conclusions of law addressing all other criteria applicable to the plan amendment, and concludes based thereupon, that adequate evidence exists in the application submittal and associated record to conclude all applicable criteria are satisfied.

The City further concludes that the requested plan amendment is a narrow one from the standpoint of map designations because the implementing zone for the Tourist Office Professional allows very similar uses to the implementing zone for the Thoroughfare Commercial designation. Thus, the overall implications for the implementation of the City's employment land designation system are affected to a limited degree by an amendment between these two designations.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands...*[balance omitted for brevity]*

Conclusions of Law: The City concludes the subject property is within its Urban Growth Boundary and is planned commercial and the proposed amendment is to a commercial designation and is not, therefore, subject to Goal 3 protection.

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 the 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...*(balance omitted for brevity)*

Conclusions of Law: The City concludes the subject property is within its UGB and is planned commercial and the proposed amendment is to commercial and is not subject to Goal 4 protection.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces...*[balance omitted for brevity]*



Conclusions of Law: The City concludes the subject property is not subject to any adopted Goal 5 protections and therefore the amendment from one commercial designation to another will have no effect on the City's plan to achieve Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state. All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Waste and Process Discharges -- refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards...*[balance omitted for brevity]*

Conclusions of Law: Based upon the Findings of Fact in Section IV, the City concludes that the proposed amendment will allow for certain light manufacturing uses in the Thoroughfare Commercial designation that are not currently allowed in the Tourist and Office Professional District. The City, nevertheless, concludes that any such uses are required to comply with all environmental regulations applicable to the industry and the City specifically incorporates and adopts the findings of fact regarding the environmental compliance of Rogue Valley Microdevices which demonstrates that this firm has and can feasibly continue to comply with all local, state and federal environmental regulations applicable to the enterprise.

Goal 7: Areas Subject to Natural Hazards

To protect people and property from natural hazards...*[balance omitted for brevity]*

Conclusions of Law: The City concludes that the subject property is not subject to any known specific natural hazards that require special planning or implementation measures except the general earthquake risks that exist in all of western Oregon and are adequately handled by applicable building codes.

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...*[balance omitted for brevity]*

Conclusions of Law: The City concludes the subject property has not been adopted into any local parks plans to achieve Goal 8. It is not known to contain any unique resources necessary to attain Goal 8 and the proposed amendment from one commercial designation to another will have no appreciable impact on the City's ability to achieve Goal 8.

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.

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and



cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Comprehensive plans for urban areas shall:

1. Include an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends;
2. Contain policies concerning the economic development opportunities in the community;
3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies;
4. Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses. In accordance with ORS 197.180 and Goal 2, state agencies that issue permits affecting land use shall identify in their coordination programs how they will coordinate permit issuance with other state agencies, cities and counties.

GUIDELINES

A. PLANNING

1. A principal determinant in planning for major industrial and commercial developments should be the comparative advantage of the region within which the developments would be located. Comparative advantage industries are those economic activities which represent the most efficient use of resources, relative to other geographic areas.
2. The economic development projections and the comprehensive plan which is drawn from the projections should take into account the availability of the necessary natural resources to support the expanded industrial development and associated populations. The plan should also take into account the social, environmental, energy, and economic impacts upon the resident population.
3. Plans should designate the type and level of public facilities and services appropriate to support the degree of economic development being proposed.
4. Plans should strongly emphasize the expansion of and increased productivity from existing industries and firms as a means to strengthen local and regional economic development.
5. Plans directed toward diversification and improvement of the economy of the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. Plans should take into account methods and devices for overcoming certain regional conditions and deficiencies for implementing this goal, including but not limited to
 - (1) tax incentives and disincentives;
 - (2) land use controls and ordinances;
 - (3) preferential assessments;
 - (4) capital improvement programming; and
 - (5) fee and less-than-fee acquisition techniques.
2. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those private and governmental bodies which operate in the planning area and have interests in carrying out this goal and in supporting and coordinating regional and local economic plans and programs.

Conclusions of Law: First and foremost, the City concludes that Goal 9 is implemented by a detailed administrative rule found at OAR 660-009. However, the Council finds that rule to be inapplicable to the subject application because the application of the rule to post-acknowledgement plan amendments only occurs when lands are taken out of an industrial designation or from an "other employment designation" to "any other use designation". In the subject application the property is an "other employment designation" currently and will remain so after the amendment and will not become any other use designation, so the detailed rule is not implicated. As such, the City finds that only general findings of compliance with the Goal are required.

In addition to this overarching conclusion of law, the County and City make the following supplementary Goal 9 findings:



1. Central Point's adopted and acknowledged Comprehensive Plan Regional Plan Element recognizes the potential for a mix of industrial, office and commercial employment in this general area. The area includes industrial, commercial, and office development patterns and associated designations in the area. The City's policy decision that the area is appropriate for Thoroughfare Commercial along Biddle Road was made in 1998 when the land immediately to the east of the subject property was designated Thoroughfare Commercial and the plan map amendment only represents a modest extension of that area to the west.
2. Even after the proposed amendment there will still remain substantial inventory of vacant and developable Tourist and Office Professional designated land in the immediate area that is available as short term¹ supply of land and is currently zoned C-4. These vacant parcels are located at the northwest corner of Hamrick and East Pine and also at the southwest corner of Biddle Road and Table Rock Road.
3. The City also recognizes that the proposed plan amendment is expected to support the relocation and expansion of a local computer electronics manufacturing company. Computer Electronics Manufacturing (NAICS 334) is a strong and important industry on statewide basis but its presence in Jackson County is limited; expansion of this facility represents an opportunity to improve the local share in a strong and growing sector in Oregon.

Goal 10: Housing

To provide for the housing needs of citizens of the state...*[balance omitted for brevity]*

Conclusions of Law: Based upon the evidence, the City concludes Goal 10 is not applicable to this Plan Map amendment because the amendment concerns only a change from one category of commercial land to another.

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...*[balance omitted for brevity]*

Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the City concludes the proposed amendment is located in an area where water, sewer, storm drainage, and streets are readily available to the property and the proposed amendment between two similar commercial land use categories will not appreciably change the demand for public facilities and services.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system...*[balance omitted for brevity]*

Conclusions of Law: The City concludes that OAR 660 Division 012 implements Goal 12 and OAR 660-012-0060 sets forth specific regulations for comprehensive plan map

¹ Short term supply is employment land that is readily available to meet demand over the next five years.



amendments and zone changes. The City herewith incorporates and adopts its conclusions of law addressing the same below and concludes there upon that the proposed amendment between commercial designations will not appreciably change the trip generation potential of the site.

Goal 13: Energy Conservation

To conserve energy...*[balance omitted for brevity]*

Conclusions of Law: The City concludes that the change between similar commercial designations is such that the City's land use planning for energy conservation will be little effected by the proposed amendment.

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...*[balance omitted for brevity]*

Conclusions of Law: The City concludes the proposed amendment concerns a map designation change between commercial categories with implementing zones that allow similar uses all within a UGB, and based thereupon, the proposed amendment will continue to provide an orderly and efficient transition from rural to urban land use and urban employment will continue to be accommodated inside Central Point's urban growth boundary.

Summary Conclusions of Law: In sum, the City concludes the proposed amendment from Tourist and Office Professional to Thoroughfare Commercial is consistent in all ways with the Statewide Planning Goals.

B. Approval of the request is consistent with the Central Point comprehensive plan;

Conclusions of Law: The City concludes criteria that require general compliance with the Comprehensive Plan does not automatically transform all the Goals and Policies of the Comprehensive Plan into decisional criteria for a quasi-judicial land use application, *see Bennett vs. The City of Dallas*. The City has reviewed its Comprehensive Plan and it finds that the language and context of only the following goals and policies are intended to function as approval criteria for the subject application:

Economic Element Policy 3.2:

The City shall maintain a supply of competitive short-term employment lands in the medium and large site categories. The supply of short-term employment land shall be reviewed and updated annually. When it is determined that the supply of land as measured in terms of number of site and/or acreage in the medium and large site categories is inadequate to serve the twenty-year needs then the City shall amend its UGB to include additional short-term (5-year) employment lands.

The City concludes this policy primarily functions to direct the City to amend its UGB where necessary to assure an adequate employment land supply but does present a decisional criteria issue for a plan map amendment that proposes to reduce the short-term supply below the levels established in the policy and change the designation, especially where a proposal



seeks to amend the plan to add land to another map designation category where a surplus might exist - such as multi-family residential². Based upon the Evidence in Section II and the Finding of Fact in Section IV, the City concludes that is not the circumstance for this amendment and the proposed amendment between similar categories of commercial will not have any appreciable impact on the short-term supply of employment lands for the City because future uses of the property under the two designations are so similar.

- C. For urban growth boundary amendments findings demonstrate 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

Conclusions of Law: The City concludes the proposed amendment does not concern a UGB amendment.

- D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule.

Conclusions of Law: The City herewith incorporates and adopts the below conclusions of law addressing the Transportation Planning Rule as follows:

OREGON TRANSPORTATION PLANNING RULE
Oregon Administrative Rules Chapter 660, Division 12

SECTION 660-012-0060

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Conclusions of Law (continued): The City concludes the proposed amendment from Tourist and Professional Office to Thoroughfare Commercial will not significantly affect a transportation facility based upon the evidence in Exhibit 10 which supports the following conclusions:

² This is given as a circumstantial example and the conclusion should not be construed to mean the City has an actual surplus of multi-family residential. No such multi-family land supply analysis exists in the application submittal.



- The proposed amendment will not change the functional classification of an existing or planned transportation facility because all the streets used by the subject application are functionally classified to serve commercial uses in the area and the proposed amendment will not materially alter the commercial trip generation of the site such that a functional classification would be altered.
- The amendment is a minor map amendment and does not propose any changes to standards implementing the City’s functional classification system.
- From a trip generation potential standpoint, the proposed amendment does not allow uses that generate materially more traffic than the existing designation so nothing about the amendment will allow land uses or level of development that are inconsistent with the functional classification of existing and planned transportation facilities in the area that are already planned in the City’s TSP to serve commercial uses at the subject property.
- From a trip generation potential standpoint, the proposed amendment does not allow uses that generate materially more traffic than the existing designation so nothing about the amendment would reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standards for facilities projected to meet adopted standards at the end of the planning period or worsen the performance of any facilities otherwise projected to exceed performance standards at the end of the planning period.

APPROVAL CRITERIA FOR ZONE CHANGE

**Chapter 17.10
ZONE CHANGE**

17.10.400 Approval criteria.

A recommendation or a decision to approve, approve with conditions or to deny an application for a text or map amendment shall be based on written findings and conclusions that address the following criteria:

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

Conclusions of Law: The City herewith incorporates and adopts its conclusions of law above regarding statewide planning goal compliance for the Plan amendment and the City concludes the proposed zoning is consistent in all ways with those conclusions demonstrating compliance with the statewide planning goals.

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

Conclusions of Law: The City concludes criteria that require general compliance with the Comprehensive Plan does not automatically transform all the Goals and Policies of the Comprehensive Plan into decisional criteria for a quasi-judicial land use application, *see Bennett vs. The City of Dallas*. The City has reviewed its Comprehensive Plan and finds it did not identify any plan goals or policies that, by their language and context, are intended to function as decisional criteria for the proposed zone change (where the application includes a



concurrent application for plan amendment to Thoroughfare Commercial that is found to comply with the City’s comprehensive plan).

- 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

Conclusions of Law: Based upon the evidence in Section II and the findings of fact in Section IV, the City concludes as follows with respect to public services and transportation networks to serve the property:

- Water, Sewer and Storm Drainage facilities exist at the property and are adequate in condition and capacity to serve the property.
- The proposed zone change will not materially change the trip generation potential of the site, see Exhibit10. The Applicant’s traffic engineer also analyzed the operation of transportation facilities in the area and that analysis shows that reasonable worst case development of the remaining vacant lot, together with the proposed Rogue Valley Microdevices project and the vet project under construction, can be accommodated with the existing capacity of the transportation system that serves the site, see Exhibit15.
- Police and Fire protection exist at the site currently and will continue at similar levels following the zone change.

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

Conclusions of Law: The City herewith incorporates and adopts its conclusions of law above regarding the Transportation Planning Rule hereinabove and concludes the City the proposed zoning is consistent in all ways with those conclusions demonstrating compliance with the Transportation Planning Rule.

* * * * *

VI

SUMMARY OF APPLICANTS’ STIPULATIONS

Applicants herewith agree to stipulate to the following, which they agree to observe if the same are attached as conditions to approval of the subject site plan review application:

Stipulation 1: *[RESERVED- The applicant did not identify the need for specific stipulations for the subject application but may supplement the initially submitted findings with certain stipulations if the same are found to be necessary during the course of the review process]*



VII

ULTIMATE CONCLUSIONS; DECISION

Based upon the record and the foregoing findings of fact and conclusions of law, it is concluded that the applications for Comprehensive Plan Amendment and Zone Change are consistent with the requirements of all of the relevant substantive approval criteria which have been addressed hereinabove.

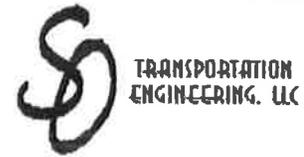
Respectfully submitted on behalf of Applicants and Property Owners.

CSA Planning, Ltd.



Jay Harland
Principal

October 17, 2016



S.O. Transportation Engineering, LLC

112 Monterey Drive
Medford, OR 97504

Telephone 541.941.4148
Fax 541.535.6873

Kwkpt1@Q.com

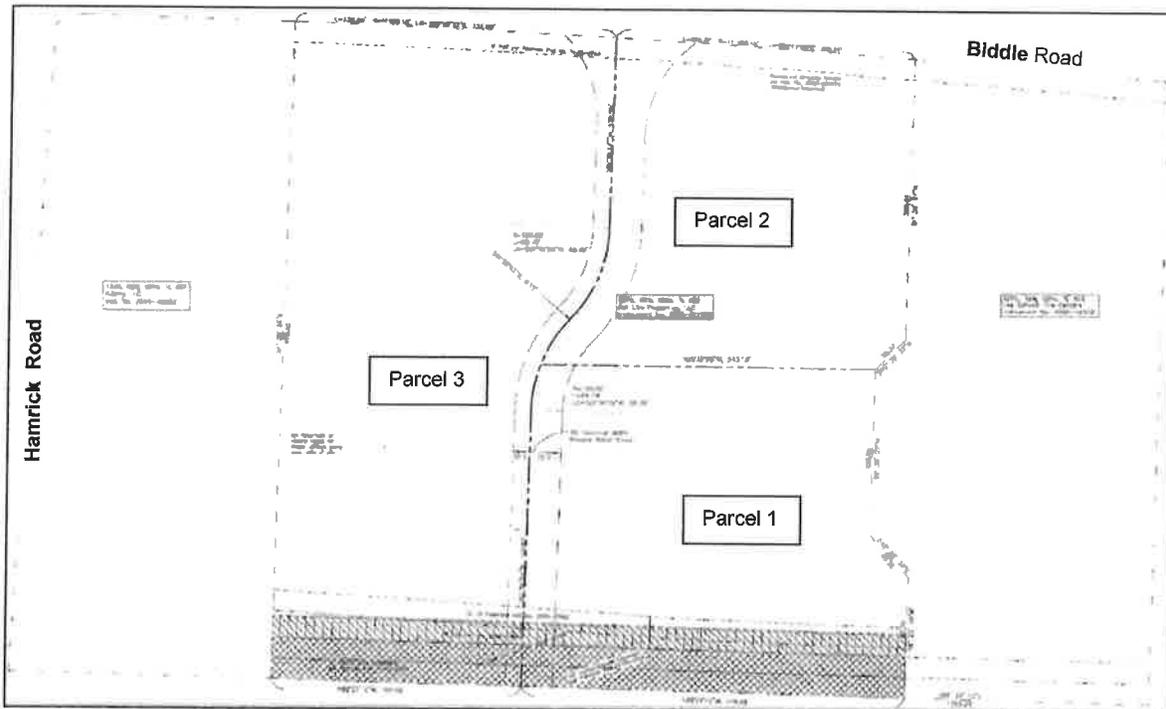
Memorandum

To: Matt Samitore, Central Point Public Works Director
Date: 05/16/2016
Subject: C4 to C5 Zone Change Traffic Findings and Conclusions

Southern Oregon Transportation Engineering, LLC evaluated impacts for a proposed zone change from C-4 to C-5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. The parcel is located along the south side of Biddle Road west of Hamrick Road adjacent to Super 8.

Existing Site

Tax lot 802 is currently vacant and has tentative plat approval to be split into three parcels. There's a planned veterinary center on the southeast corner (Parcel 1) that has land use approval and is currently under review for building permits. Access to the site is provided to Biddle Road and through an internal lane to Hamrick Road that is expected to be constructed contemporaneously with the site work for the veterinary building.



Zone Change from C-4 and C-5

The current C-4 zoning district is intended to provide for the development of concentrated tourist commercial and entertainment facilities that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets, while the C-5 zoning district provides for commercial and business uses that are most appropriately located along or near major highways or thoroughfares. Both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The C-5 zoning district allows light fabrication, assembly, packaging, and wholesale sales of consumer goods that are not permitted in the C-4 zoning district. Other differences include art schools, pawnshops, gymnasiums, and nurseries. The C-4 zoning district permits engineering services, legal services, art studios, and counselling

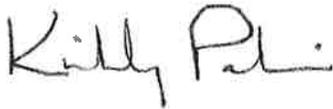
services, which are not permitted in the C-5 zone. As can be seen, non-permitted uses in both zones are the lower traffic generating uses. A full list of permitted uses for each zoning district is attached.

Conclusions

Traffic generations for both C-4 and C-5 zoning districts were compared and determined to have comparable, potential impacts to the transportation system. No change in the potential for additional traffic is estimated to occur as a result of the proposed zone change from C-4 to C-5.

If you have any questions or need additional information, please feel free to contact me.

Respectfully,

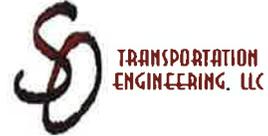


Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC

Cc: Michael Wang, PE (ODOT)
Mike Kuntz, PE (Jackson County)

Attachments: C4 and C5 permitted uses





**S.O. Transportation
Engineering, LLC**

112 Monterey Drive
Medford, OR 97504
Telephone 541.941.4148
Fax 541.535.6873
Kwkp1@Q.com

Memorandum

To: Matt Samitore, Central Point Public Works Director
Date: 10/04/2016
Subject: C4 to C5 Zone Change Additional Traffic Findings

Additional information was requested by the City of Central Point regarding a proposed zone change from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. A previous memorandum was prepared in May of 2016 that concluded the two zoning districts (C4 and C5) had comparable, potential impacts to the transportation system. This memorandum explains this in more detail and serves as an addendum to the first memorandum.

C4 and C5 Zoning Districts

The C4 and C5 zoning districts both allow development of concentrated commercial uses, but differ in how they are located. Where C4 typically provides for maximized ease of access and visibility from the Interstate 5 freeway and major arterial streets, C5 provides for uses most appropriately located along or near major highways or thoroughfares. As stated in the previous memorandum, both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The highest permitted traffic generator in either zone is a convenience market, which is shown in the ITE *Trip Generation* to generate 52.41 trips per 1000 square feet during the p.m. peak hour. There are other uses that are outright permitted in one zone but a conditional use in the other. However, both zones are built out with these types of uses in a manner that balances out potential trip generations. Overall, the highest and best uses in C5 are not shown to generate any more traffic than C4.

Traffic Impact Analysis Applicability

The City of Central Point Public Works Standards and Specifications require a traffic impact analysis for a land use application that involves one or more of the following actions in 320.10.03 (3)(a-g). These include:

- a) A change in zoning or plan amendment designation that generates 300 average daily trips (ADT) more than the current zoning;

The proposed zone change from C4 to C5 is shown to generate no additional traffic to the transportation system.

- 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 facilities;

There are no known operational or safety concerns as a result of the proposed zone change.

- c) An increase in site traffic volume generation by 250 average daily trips (ADT) or more, or 25 peak hour trips;

Not applicable at the time of zone change, but is being addressed with the proposed development application.

- d) An increase in peak hour volume of a particular movement to and from the State highway by 20 percent or more;

An access analysis is not applicable at the time of zone change, but is being addressed with the proposed development application. However, the site does not take access from a State highway and

Conclusions

The proposed zone change and comprehensive plan map amendment from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 is concluded to generate no increase in traffic to the transportation system. The proposed plan amendment and zone change will, therefore, not significantly affect any existing or planned transportation facility nor will it result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the City's Transportation System Plan (TSP) or Comprehensive Plan. Additionally, the plan/zoning amendment does not meet the Public Works Traffic Impact Analysis (TIA) Applicability requirements as set forth in section 320.10.03 (3)(a-g) of their Standards and Specifications, and does not warrant any further traffic analysis.

In conclusion, the application for plan and zoning amendment are found to be in compliance with the City of Central Point Comprehensive Plan pursuant to the Central Point Land Development Code, and are shown to be consistent with the Transportation Planning Rule (TPR). No further analysis is shown to be required.

Respectfully,



Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC



Attachments: C4 and C5 permitted use comparisons
OAR 660-012-0060

Permitted Use	C4	C5	Highest and Best Uses - ITE	
Bicycle shop	Yes	Yes	Potentially high - varies	
Audio/Video sales	Yes	Yes		
Printing and publishing	Yes	Yes		
Mobile food vendors	Yes	CU		
Liquor store	Yes	Yes		
Ice/Skating Rink	CU	Yes		
Dance Hall	CU	Yes		
Billiard/pool Hall	CU	Yes		
Miniature Golf	CU	Yes		
Business Schools	CU	Yes		
Physical Fitness Center	CU	Yes		
Carwash	CU	Yes		
Taxicab Office	CU	Yes		
Ambulance Services	CU	Yes		
Drive-in Fast Food	CU	Yes		32.65 PM / 1000 SF
Contractors Office	No	Yes		
Medical Clinic & Lab	No	Yes		
Appliance Service	No	Yes		
Locksmith	No	Yes		
Art/Music/Business School	No	Yes		
Upholstery Shop	No	Yes		
Veterinary Clinic	Yes	Yes		
Tire Sales	No	Yes		
Glass/Mirror Sales	No	Yes		
Large Retail Establishments	No	Yes		
RV Storage	No	Yes		
Light Fabrication	No	Yes		
Hardware Sales	No	Yes		
Monument Sales	No	Yes		
Feed, seed, fuel	No	Yes		
Electrical/Plumbing Supplies	No	Yes		
Heating & Air Equipment	No	Yes		
Stone/Tile Supplies	No	Yes		
Nursery	No	Yes		
Antique shop	No	Yes		
Pawnshop	No	Yes		
Public Utilities	No	Yes		
Furniture Sales	No	Yes		

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

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

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

Excerpt from Central Point Comprehensive PlanCOMMERCIAL LAND USECommercial Goal:

- To create an economically strong and balanced commercial sector of the community that is easily accessible, attractive, and meets the commercial needs of the local market area.

Commercial Land Use Plan:

The Land Use Plan shows three basic commercial categories:

General Commercial
Tourist & Office-Professional
Convenience Center

The General Commercial designation is applied to the central business district and areas along the east side of Highway 99 from Beall Lane northward to the high school. ~~In the late 1990's the City Council added General Commercial land use designations along Pine Street/Biddle Road on the East side of Interstate-5.~~ This general area is suitable for a wide range of commercial uses that are suitable for the central portions of the community ~~and along designated freight routes.~~ The Zoning Map for Central Point, which is consistent with the Comprehensive Plan Map, further subdivides the General Commercial category into three zoning districts. The Central Business District (~~C-3, TOD-EC~~) extends along Pine Street, roughly between First Street and Seventh Street. This zone is designed to strengthen the commercial core area of the City. ~~Adjacent to the C-3 zone to the north and south is the C-2 (Limited Commercial Professional) zoning district which is somewhat less intensive than the commercial core area, but provides a good transitional zone between the high intensity of the downtown area and the low density residential areas to the north and south.~~ ~~Also within the Central Business District (CBD) are those properties~~ ~~The third zone under this category is the C-5 (Thoroughfare Commercial) district which extends along Highway 99 designated TOD-GC which and provides for a mixture of mostly automobile-related commercial activities as well as fabrication to encourage 'maker spaces', many of which will be related to the light industrial areas across the highway to the west.~~ ~~The third zone under this category is the C-5 (Thoroughfare Commercial) district which is also compatible with light industry and located along major transportation corridors.~~

Tourist Commercial/Office Professional is the second of the commercial land use categories. This area is zoned ~~R-4 C-4~~, which is the City's corresponding zone. With the continued development of EXPO Park and the airport, the City sees a significant opportunity to plan for expanded tourist facilities and compatible professional office development, primarily along East Pine Street from Seventh Street to the vicinity of Hamrick Road.

The Convenience Center category would provide for small convenience shopping districts within the residential neighborhoods or at major arterial intersections. The City's ~~C-1C-N~~ zoning district provides for these types of uses and will ensure that these commercial uses will be compatible with the adjacent residential areas.

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: 16022**

**Before the City of Central Point Planning Commission
Consideration of a Comprehensive Plan Amendment and Land Use Redesignation on a 4.87 acre lot located at 4901 Biddle Road. The property is identified on the Jackson County Assessor’s map as 37S2W 01C, Tax Lot 802.**

Applicant:

Rogue Valley Microdevices Inc./)	Findings of Fact
Tail Light Properties, LLC)	and
City of Central Point, Oregon)	Conclusion of Law

**PART 1
INTRODUCTION**

It is requested that the above referenced tax lot be redesignated and rezoned to a Thoroughfare Commercial use to allow a wider range of employment options to facilitate greater job creation in Central Point. At the same time, it is the City’s intent to clarify the location and characteristics for commercial properties in the Land Use Element. These findings have been prepared with the understanding that both the Comprehensive Plan (Map) and Zoning Map will be changed to become consistent with one another.

The Comprehensive Plan Amendment involves legislative action on the City’s part while the request from the co-applicants involve a quasi-judicial map amendment, which is normally processed using Type III application procedures. Consequently, the City is processing this plan amendment using the broader Type IV procedures. These are set forth in Section 17.05.500 and provide the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

Applicable development code criteria for this Application include:

1. Statewide Planning Goals
2. Comprehensive Plan
3. State Transportation Planning Rule
4. CPMC, Chapter 17.96

Findings will be presented in four (4) parts addressing the requirements of Section 17.05.500 as follows:

1. Introduction
2. Statewide Planning Goals
3. Comprehensive Plan
4. Summary Conclusion

**PART 2
STATEWIDE PLANNING GOALS**

A finding of consistency with the applicable statewide planning goals is generally reserved for major amendments which revisions to the Land Use Element dictate in this case (reference CPMC, Chapter 17.96.500 Approval criteria).

Goal 2: Land Use Planning

PART I – PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions ...

Finding: The proposed Comprehensive Plan Land Use revision and Map change constitute an amendment to commercial land use in Central Point. They are compatible with the Commercial Goal: *To create an economically strong and balanced commercial sector of the Community that is easily accessible, attractive, and meets the commercial needs of the local market area.* The proposed language reflects land use changes made by the City over time and identifies current land uses and zones approved by the City and acknowledged by the state. The Oregon Department of Land Conservation and Development was notified of this Comprehensive Plan Amendment and has not yet commented.

Conclusion: Consistent with Statewide Planning Goal for Land Use Planning.

*The City will rely on the applicant's findings and Goal applicability for the comprehensive plan amendment as they apply to items other than land use planning.

PART 3 COMPREHENSIVE PLAN

The Comprehensive Plan Land Use Map currently designates the property in question as Tourist and Office Professional and the proposal is to re-designate this land for Thoroughfare Commercial to match the designation of an adjoining lot to the east. The Land Use Element (text) has not been updated to reflect past Comprehensive Plan (Map) amendments approved by the City Council. Those changes include Transit Oriented Development (TOD) designations in the Downtown and along the Highway 99 corridor as well as Thoroughfare Commercial designations along Biddle Road east of the interchange. The Council made conscious decisions in 1998 and again in 2001 to redefine commercial land uses but neglected to clarify this in the Comprehensive Plan text. The proposed revisions in Attachment "C" of this staff report offer new language to support the City's past actions as well as its current and future intentions. The Thoroughfare Commercial designation was created *to provide for commercial and business uses that are most appropriately located along or near major highways or thoroughfares, and are largely dependent upon highway visibility and easy vehicular access.* This is an appropriate designation along Biddle and Table Rock Roads.

Finding: The property in question proposes a land use category that has been adopted by the City and, given the coincident changes to Commercial Land Use language in the Comprehensive Plan, are consistent with past City goals, policies and actions.

Conclusion: Consistent.

PART 4 STATEWIDE TRANSPORTATION RULE

Section 660-012-0060(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that

allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a) Change the functional classification of an existing or planned transportation facility;*
- b) Change standards implementing a functional classification system; or*
- c) As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Finding 660-012-0060(1)(a): The proposed plan amendment and zone change does not change the functional classification of an existing or planned transportation facility. The proposed zone change from C-4 to C-5 is shown to generate no additional traffic to the transportation system.

Conclusion 660-012-0060(1)(a): No significant affect.

Finding 660-012-0060(1)(b): The highest and best uses in Thoroughfare Commercial (C-5) are not shown to generate any more traffic than Tourist and Office Professional (C-4). Consequently, the proposed amendments will not cause a change to standards implementing the City's transportation system.

Conclusion 660-012-0060(1)(b): No significant affect.

Finding 660-012-0060(1)(c)(A): The proposed plan amendment and zone change will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities.

Conclusion 660-012-0060(1)(c)(A): No significant affect.

Finding 660-012-0060(1)(c)(B): There are no known operational or safety concerns as a result of the proposed land use amendment and zone change. The proposed zone change will not reduce the performance of any existing or planned transportation facilities below the minimum acceptable performance standard identified in the Master Plan, or in the City's Transportation System Plan.

Conclusion 660-012-0060(1)(c)(B): No significant affect.

Finding 660-012-0060(1)(c)(C): The proposed plan amendment and zone change will not cause the worsening of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Master Plan or Comprehensive Plan. Capital improvements are scheduled in the City's TSP that are anticipated to mitigate the impacts of redevelopment in this sector of the community.

Conclusion 660-012-0060(1)(c)(C): No significant affect.

PART 5 ZONING ORDINANCE

17.10.300 Quasi-judicial amendments.

A. Applicability of Quasi-Judicial Amendments. Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zoning map amendments shall follow the Type III procedure, as governed by Section 17.05.400, using standards of approval in subsection B of this section. The approval authority shall be as follows:

- 1. The planning commission shall review and recommend land use district map changes that do not involve comprehensive plan map amendments;*
- 2. The planning commission shall make a recommendation to the city council on an application for a comprehensive plan map amendment. The city council shall decide such applications; and*
- 3. The planning commission shall make a recommendation to the city council on a land use district change application that also involves a comprehensive plan map amendment application. The city council shall decide both applications.*

Finding 17.10.300(A): A plan amendment and zone change application has been submitted to redesignate 4.87 acres from Tourist and Office Professional to Thoroughfare Commercial and to rezone C-4 to C-5. The proposal will be considered by the planning commission and a recommendation will be made to the City Council for final decision.

Conclusion 17.10.300(A): Consistent.

B. Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

- 1. Approval of the request is consistent with the applicable statewide planning goals;*

Finding 17.10.300(B)(1): See Part 2, Statewide Planning Goals findings and conclusions.

Conclusion 17.10.300(B)(1): Consistent

- 2. Approval of the request is consistent with the Central Point comprehensive plan;*

Finding 17.10.300(B)(2): See Part 3, Comprehensive Plan findings and conditions.

Conclusion 17.10.300(B)(2): Consistent.

3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and*

Finding 17.10.300(B)(3): Public facilities, services and transportation networks have been established pursuant to the City's TSP and are sufficient to serve the allowable uses. The proposal will not significantly increase the demand on public facilities over the current uses.

Conclusion 17.10.300(B)(3): Consistent.

4. *The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application.*

Finding 17.10.300(B)(4): The proposed plan amendment and zone change are consistent with Strategic Planning goals, are in the interest of the community, are compatible with surrounding land uses and correct inconsistencies in the Comprehensive Plan and zoning maps.

Conclusion 17.10.300(B)(4): Consistent.

17.10.600 Transportation planning rule compliance.

Section 660-012-0060(1) *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- a) *Change the functional classification of an existing or planned transportation facility;*
- b) *Change standards implementing a functional classification system; or*
- c) *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) *Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Finding 17.10.600(1): See Part 4, Statewide Transportation Planning Rule findings and conclusions.

Conclusion: Consistent.

Summary Conclusion: As evidenced in findings and conclusions, the proposed plan amendment and zone change are consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

PLANNING COMMISSION RESOLUTION NO. 836

A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THE COMPREHENSIVE PLAN AMENDMENT AND LAND USE REDESIGNATION OF APPROXIMATELY FIVE (5) ACRES SOUTH OF BIDDLE ROAD BETWEEN HAMRICK AND TABLE ROCK ROADS FROM TOURIST AND OFFICE PROFESSIONAL TO THOROUGHFARE COMMERCIAL

FILE NO. 16022

Applicants: Rogue Valley Microdevices; Tail Light Properties and the City of Central Point;

WHEREAS, the proposed Comprehensive Plan (Map) designation and text revision constitute a *legislative* amendment; and

WHEREAS, Section 17.05.500 of the municipal code dictates that City Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan amendment; and

WHEREAS, the Plan Amendment and Map Re-designation from Tourist and Office Professional to Thoroughfare Commercial uses will clarify the City's intent for commercial properties and allow a wider range of employment uses to facilitate greater job creation in Central Point; and

WHEREAS, As evidenced in findings and conclusions, the proposed plan amendment and zone change are consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), the Comprehensive Plan, and Statewide Transportation Planning Rule.

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 836, does recommend that the City Council approve the Comprehensive Plan Amendment and Map Re-designation from Tourist and Office Professional to Thoroughfare Commercial. This decision is based on the Staff Report dated December 6, 2016 attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 6th day of December, 2016.

Planning Commission Chair

ATTEST:

City Representative
Approved by me this 6th day of January, 2016

CONSIDERATION OF A TYPE III ZONE CHANGE FROM C-4, TOURIST AND
OFFICE PROFESSIONAL TO C-5, THOROUGHFARE COMMERCIAL ON 4.87
ACRES



STAFF REPORT
 December 6, 2016

AGENDA ITEM: File No. 16024

Consideration of a Zone (map) Change application from Tourist and Office Professional (C-4) to Thoroughfare Commercial (C-5) for a 4.87 acre parcel located at 4901 Biddle Road. The Project Site is identified on the Jackson County Assessor’s map as 37S 2W 01C, Tax Lot 802. **Applicant:** Rogue Valley Microdevices/Tail Light Properties, LLC. **Agent:** Jay Harland, CSA Planning.

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The applicant has requested a minor zone map amendment from C-4 to C-5 with the intent of developing a new tax lot for a Corporate Headquarters and Light Fabrication Facility. As shown in Table 1, the proposed zone change allows more permitted land uses and fewer conditional uses. However, the nature of the expanded list of permitted uses will not have an appreciable difference on traffic generation or impact and may even improve it (see Attachment B).

Table 1. Proposed Zone Change

Zoning District	Permitted Land Uses	Conditional/Not Permitted	
		CUP	NP
Current (C-4)	50	10	22
Proposed (C-5)	69	2	11

ISSUES & NOTES:

There are 4 issues/Notes relative to this application as follows:

1. **Zoning Map and Zoning Code Text Amendments, CPMC Chapter 17.10.** This municipal code section provides standards and procedures for major and minor amendments to the Central Point zoning map. In this case the application was submitted with a Comprehensive Plan Amendment and initiated jointly by the current and anticipated property owners (once it is partitioned). The action is considered a ‘minor’ amendment and is being processed using Type III procedures. The amendment should be based on the following criteria; 1) its consistency with the City’s Comprehensive Plan, 2) findings demonstrating that adequate public services and transportation networks will serve the property and 3) compliance with the State’s Transportation Planning Rule.
2. **Comprehensive Plan Compliance.** Approval of the proposed zone change must be found consistent with the City’s Comprehensive Plan Land Use Plan Map. The subject property has a current Comprehensive Plan designation of Tourist and Office Professional but is proposed for amendment to Thoroughfare Commercial concurrent with this zone change. If the Comp Plan Amendment is approved, the zone change to C-5, Thoroughfare Commercial will be consistent and compliant.

3. **Compatibility with Surrounding Land Uses and Zoning.** The subject property is contiguous to lands zoned C-5, Thoroughfare Commercial to the east, and is compatible with M-2, General Industrial to the south and C-4, Tourist and Office Professional to the west. Although the proposed zone change allows for the increase of permitted land uses versus conditional uses, the overall character will remain consistent with the surrounding commercial uses per CPMC 17.20.
4. **Transportation Planning Rule (TPR) Compliance, OAR 660-012-0060.** Criteria for TPR compliance is addressed in the traffic findings (Attachment B) demonstrating adequate public services and transportation networks.

CONDITIONS OF APPROVAL:

A recommendation to approve a minor amendment may include conditions and, in this case, staff advises that approval of the zone change be contingent upon approval of the Comprehensive Plan (map) amendment.

ATTACHMENTS:

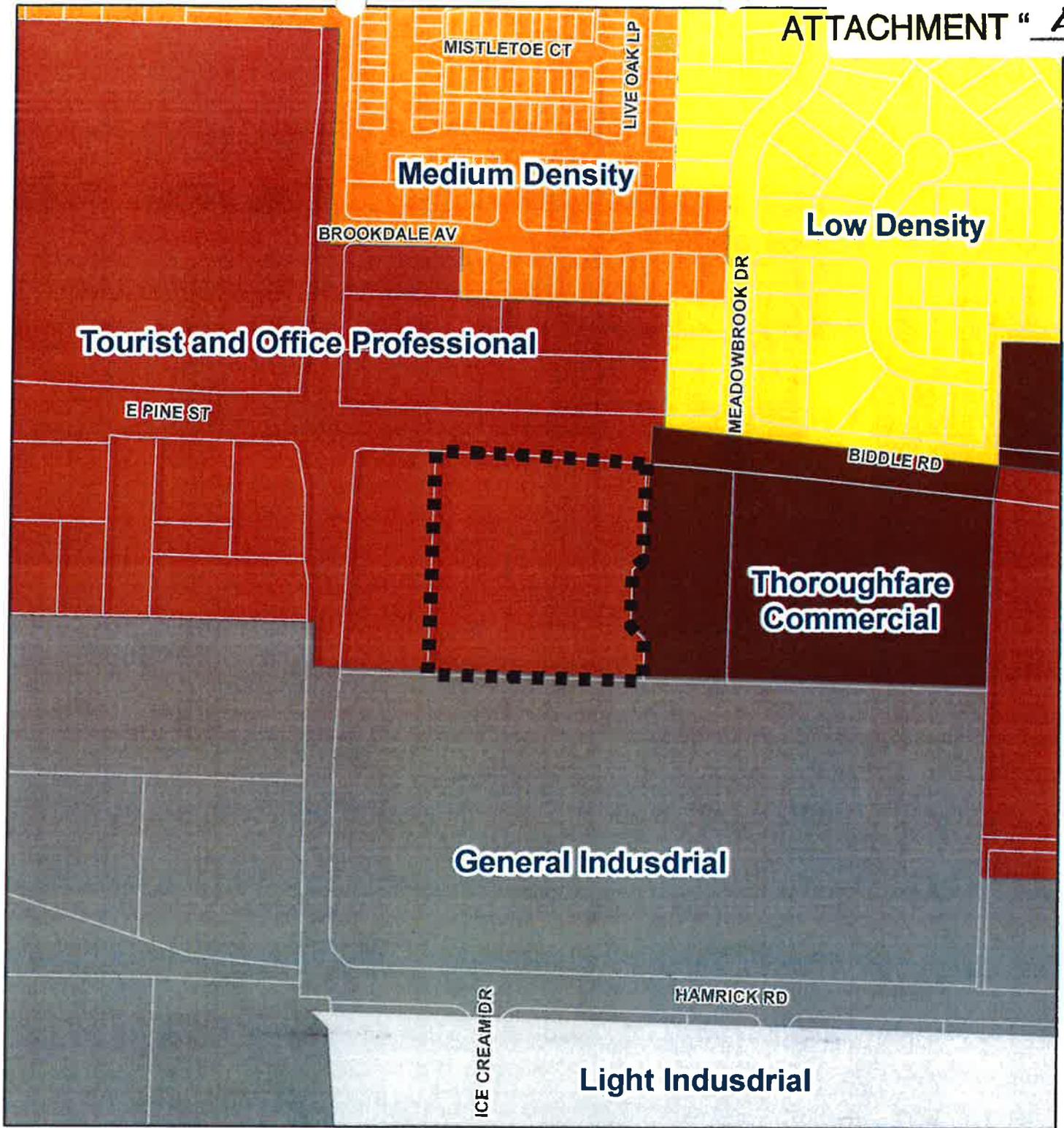
Attachment "A" – Comprehensive Plan and Zoning Maps
Attachment "B" – Traffic Findings, S. O. Transportation Engineering, LLC.
Attachment "C" – Planning Department's Findings
Attachment "D" – Resolution No. 837

ACTION:

Open public hearing and consider the proposed amendment to the Zoning map, close public hearing and 1) recommend approval to the City Council; 2) recommend approval with revisions; or 3) deny the application.

RECOMMENDATION:

Recommend approval of Resolution No. 837. Per the Staff Report dated December 6, 2016 and supported by Findings of Fact.



 Subject_Property
Tax Lots

Central Point Comp Land Use Plan

	General Industrial		Medium Density Res.
	Light Industrial		Thoroughfare Commercial
	Low Density Res.		Tourist and Office Professional

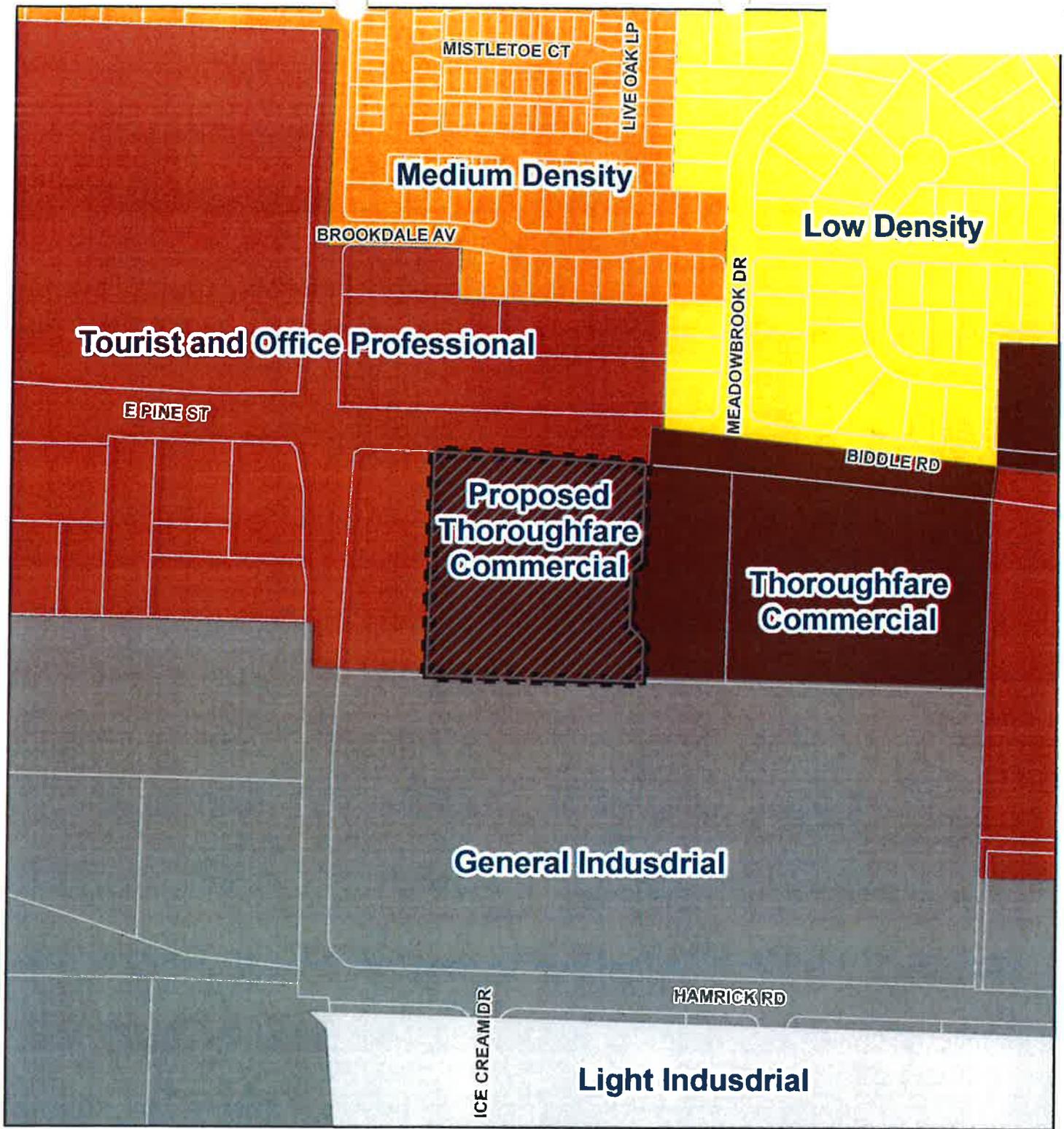
Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Existing Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices & Tail Lite Properties LLC
37-2W-01C-802







Subject_Property

Tax Lots

Central Point Comp Land Use Plan

-  General Industrial
-  Light Industrial
-  Low Density Res.
-  Medium Density Res.
-  Thoroughfare Commercial
-  Tourist and Office Professional

Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Proposed Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
 Rogue Valley Microdevices &
 Tail Lite Properties LLC
 37-2W-01C-802



300 150 0 300 Feet





2012 Aerial

 Subject_Property

Tax Lots

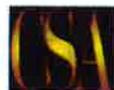
 Zoning Outline

300 150 0 300 Feet



Existing Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS



2012 Aerial

-  Subject_Property
-  Tax Lots
-  Zoning Outline



Proposed Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS

Memorandum

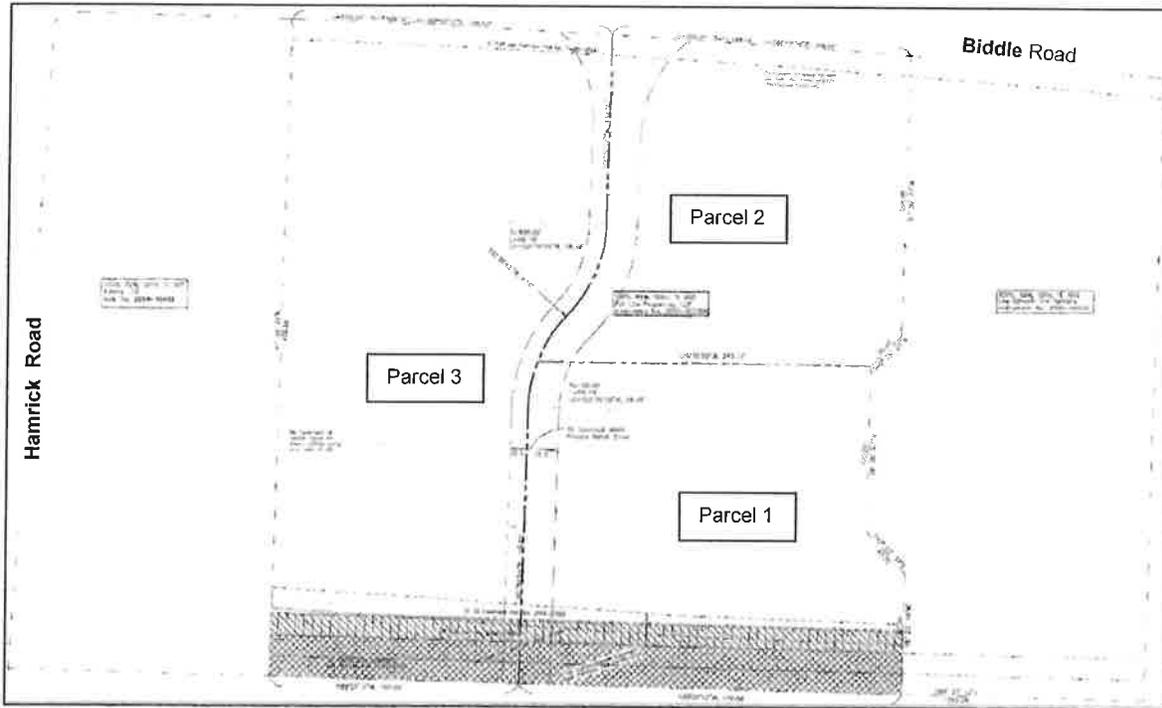
To: Matt Samitore, Central Point Public Works Director
Date: 05/16/2016
Subject: C4 to C5 Zone Change Traffic Findings and Conclusions

S.O. Transportation Engineering, LLC
112 Monterey Drive
Medford, OR 97504
Telephone 541.941.4148
Fax 541.535.6873
Kwkp1@Q.com

Southern Oregon Transportation Engineering, LLC evaluated impacts for a proposed zone change from C-4 to C-5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. The parcel is located along the south side of Biddle Road west of Hamrick Road adjacent to Super 8.

Existing Site

Tax lot 802 is currently vacant and has tentative plat approval to be split into three parcels. There's a planned veterinary center on the southeast corner (Parcel 1) that has land use approval and is currently under review for building permits. Access to the site is provided to Biddle Road and through an internal lane to Hamrick Road that is expected to be constructed contemporaneously with the site work for the veterinary building.



Zone Change from C-4 and C-5

The current C-4 zoning district is intended to provide for the development of concentrated tourist commercial and entertainment facilities that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets, while the C-5 zoning district provides for commercial and business uses that are most appropriately located along or near major highways or thoroughfares. Both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The C-5 zoning district allows light fabrication, assembly, packaging, and wholesale sales of consumer goods that are not permitted in the C-4 zoning district. Other differences include art schools, pawnshops, gymnasiums, and nurseries. The C-4 zoning district permits engineering services, legal services, art studios, and counselling

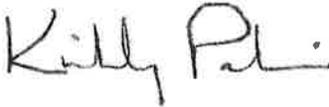
services, which are not permitted in the C-5 zone. As can be seen, non-permitted uses in both zones are the lower traffic generating uses. A full list of permitted uses for each zoning district is attached.

Conclusions

Traffic generations for both C-4 and C-5 zoning districts were compared and determined to have comparable, potential impacts to the transportation system. No change in the potential for additional traffic is estimated to occur as a result of the proposed zone change from C-4 to C-5.

If you have any questions or need additional information, please feel free to contact me.

Respectfully,

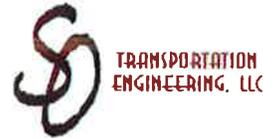


Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC

Cc: Michael Wang, PE (ODOT)
Mike Kuntz, PE (Jackson County)

Attachments: C4 and C5 permitted uses





**S.O. Transportation
Engineering, LLC**

112 Monterey Drive
Medford, OR 97504
Telephone 541.941.4148
Fax 541.535.6873
Kwkp1@Q.com

Memorandum

To: Matt Samitore, Central Point Public Works Director
Date: 10/04/2016
Subject: C4 to C5 Zone Change Additional Traffic Findings

Additional information was requested by the City of Central Point regarding a proposed zone change from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. A previous memorandum was prepared in May of 2016 that concluded the two zoning districts (C4 and C5) had comparable, potential impacts to the transportation system. This memorandum explains this in more detail and serves as an addendum to the first memorandum.

C4 and C5 Zoning Districts

The C4 and C5 zoning districts both allow development of concentrated commercial uses, but differ in how they are located. Where C4 typically provides for maximized ease of access and visibility from the Interstate 5 freeway and major arterial streets, C5 provides for uses most appropriately located along or near major highways or thoroughfares. As stated in the previous memorandum, both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The highest permitted traffic generator in either zone is a convenience market, which is shown in the ITE *Trip Generation* to generate 52.41 trips per 1000 square feet during the p.m. peak hour. There are other uses that are outright permitted in one zone but a conditional use in the other. However, both zones are built out with these types of uses in a manner that balances out potential trip generations. Overall, the highest and best uses in C5 are not shown to generate any more traffic than C4.

Traffic Impact Analysis Applicability

The City of Central Point Public Works Standards and Specifications require a traffic impact analysis for a land use application that involves one or more of the following actions in 320.10.03 (3)(a-g). These include:

a) A change in zoning or plan amendment designation that generates 300 average daily trips (ADT) more than the current zoning;

The proposed zone change from C4 to C5 is shown to generate no additional traffic to the transportation system.

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 facilities;

There are no known operational or safety concerns as a result of the proposed zone change.

c) An increase in site traffic volume generation by 250 average daily trips (ADT) or more, or 25 peak hour trips;

Not applicable at the time of zone change, but is being addressed with the proposed development application.

d) An increase in peak hour volume of a particular movement to and from the State highway by 20 percent or more;

An access analysis is not applicable at the time of zone change, but is being addressed with the proposed development application. However, the site does not take access from a State highway and

the projected trip volumes for any movements at the I-5 interchange would be less than 20% of the total volume of any of those movements.

e) An increase in use of adjacent streets by vehicles exceeding twenty thousand pounds gross vehicle weight by 10 vehicles or more per day;

Not applicable at the time of zone change, but is being addressed with the proposed development application.

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 at the discretion of the community development director; or

Not applicable at the time of zone change, but is being addressed with the proposed development application. No new direct access to the public street system is requested or required to serve the development on the land subject to the zone change.

g) A change in internal traffic patterns that, at the discretion of the Public Works Director, may cause safety problems, such as back-up onto a street or greater potential for traffic accidents.

Not applicable at the time of zone change, but is being addressed with the proposed development application. Nothing pertaining to the zone change application would be expected to allow development that would cause changes to internal traffic patterns that would create or worsen any safety problems on the public street system.

Transportation Planning Rule

The State Transportation Planning Rule (TPR) requires changes to land use plans and land use regulations (i.e. Comprehensive Plan Map Amendments and Zoning Map Amendments) to be consistent with the function and capacity of existing and planned transportation facilities. Oregon Administrative Rule (OAR) 660-012-0060 subsection 1 states:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Conclusions

The proposed zone change and comprehensive plan map amendment from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 is concluded to generate no increase in traffic to the transportation system. The proposed plan amendment and zone change will, therefore, not significantly affect any existing or planned transportation facility nor will it result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the City's Transportation System Plan (TSP) or Comprehensive Plan. Additionally, the plan/zoning amendment does not meet the Public Works Traffic Impact Analysis (TIA) Applicability requirements as set forth in section 320.10.03 (3)(a-g) of their Standards and Specifications, and does not warrant any further traffic analysis.

In conclusion, the application for plan and zoning amendment are found to be in compliance with the City of Central Point Comprehensive Plan pursuant to the Central Point Land Development Code, and are shown to be consistent with the Transportation Planning Rule (TPR). No further analysis is shown to be required.

Respectfully,



Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC



Attachments: C4 and C5 permitted use comparisons
OAR 660-012-0060

Permitted Use	C4	C5	Highest and Best Uses - ITE
Banks	Yes	Yes	24.3 PM / 1000 SF
Accounting Offices	Yes	No	
Real Estate Offices	Yes	Yes	
Insurance Offices	Yes	Yes	
Legal Services	Yes	No	
Engineering Services	Yes	No	
Photo and Art Studio	Yes	No	
Counselling services	Yes	No	
Govt Offices	Yes	No	
Medical/Dental Offices	Yes	No	
Convenience Market	Yes	Yes	52.41 PM / 1000 SF
Drugstore	Yes	Yes	13.87 PM / Fuel Sta.
Auto/Truck Service Station	Yes	Yes	
Auto/Tire sales and repairs	Yes	Yes	
Motel/Hotel	Yes	Yes	
Walk-in Movie Theater	Yes	Yes	
Bowling alley	Yes	Yes	
Photo/Art Gallery	Yes	No	
Photo Processing Station	Yes	Yes	
Travel Agency	Yes	No	
Barber/beauty shop	Yes	Yes	
Sit-down restaurant	Yes	Yes	9.85 PM / 1000 SF
Cocktail Lounge	Yes	CU	11.34 PM / 1000 SF
Tavern	Yes	No	11.34 PM / 1000 SF
Commercial parking lot	Yes	Yes	
Community Shopping Center	Yes	Yes	
Supermarket	Yes	Yes	9.48 PM / 1000 SF
Department store	Yes	Yes	
Sporting goods	Yes	Yes	
Bookstore	Yes	Yes	
Florist	Yes	Yes	
Leather Goods	Yes	No	
Pet Sales	Yes	Yes	
Photo supplies	Yes	Yes	
Health food	Yes	Yes	
Self-service Laundry	Yes	Yes	
Antique shop	Yes	Yes	
Delicatessen	Yes	Yes	
Pastry	Yes	Yes	
General Apparel	Yes	Yes	
Shoes and Boots	Yes	Yes	
Jewelry	Yes	Yes	
Clock sales	Yes	Yes	
Bakery	Yes	Yes	

Permitted Use	C4	C5	Highest and Best Uses - ITE
Bicycle shop	Yes	Yes	
Audio/Video sales	Yes	Yes	
Printing and publishing	Yes	Yes	
Mobile food vendors	Yes	CU	Potentially high - varies
Liquor store	Yes	Yes	
Ice/Skating Rink	CU	Yes	
Dance Hall	CU	Yes	
Billiard/pool Hall	CU	Yes	
Miniature Golf	CU	Yes	
Business Schools	CU	Yes	
Physical Fitness Center	CU	Yes	
Carwash	CU	Yes	
Taxicab Office	CU	Yes	
Ambulance Services	CU	Yes	
Drive-in Fast Food	CU	Yes	32.65 PM / 1000 SF
Contractors Office	No	Yes	
Medical Clinic & Lab	No	Yes	
Appliance Service	No	Yes	
Locksmith	No	Yes	
Art/Music/Business School	No	Yes	
Upholstery Shop	No	Yes	
Veterinary Clinic	Yes	Yes	
Tire Sales	No	Yes	
Glass/Mirror Sales	No	Yes	
Large Retail Establishments	No	Yes	
RV Storage	No	Yes	
Light Fabrication	No	Yes	
Hardware Sales	No	Yes	
Monument Sales	No	Yes	
Feed, seed, fuel	No	Yes	
Electrical/Plumbing Supplies	No	Yes	
Heating & Air Equipment	No	Yes	
Stone/Tile Supplies	No	Yes	
Nursery	No	Yes	
Antique shop	No	Yes	
Pawnshop	No	Yes	
Public Utilities	No	Yes	
Furniture Sales	No	Yes	

(b) Affected cities and counties that do not have acknowledged plans and land use regulations as provided in subsection (a) of this section, shall apply relevant sections of this rule to land use decisions and limited land use decisions until land use regulations complying with this amended rule have been adopted.

(5) Cities and counties shall update their TSPs and implementing measures as necessary to comply with this division at each periodic review subsequent to initial compliance with this division. Local governments within metropolitan areas shall amend local transportation system plans to be consistent with an adopted regional transportation system plan within one year of the adoption of an updated regional transportation system plan or by a date specified in the adopted regional transportation system plan.

(6) The director may grant a whole or partial exemption from the requirements of this division to cities under 10,000 population and counties under 25,000 population, and for areas within a county within an urban growth boundary that contains a population less than 10,000. Eligible jurisdictions may request that the director approve an exemption from all or part of the requirements in this division. Exemptions shall be for a period determined by the director or until the jurisdiction's next periodic review, whichever is shorter.

(a) The director's decision to approve an exemption shall be based upon the following factors:

(A) Whether the existing and committed transportation system is generally adequate to meet likely transportation needs;

(B) Whether the new development or population growth is anticipated in the planning area over the next five years;

(C) Whether major new transportation facilities are proposed which would affect the planning areas;

(D) Whether deferral of planning requirements would conflict with accommodating state or regional transportation needs; and

(E) Consultation with the Oregon Department of Transportation on the need for transportation planning in the area, including measures needed to protect existing transportation facilities.

(b) The director's decision to grant an exemption under this section is appealable to the commission as provided in OAR 660-002-0020 (Delegation of Authority Rule)

(7) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter 660, division 18, Post Acknowledgment Procedures.

Stat. Auth.: ORS 183, 197.040 & 197.245

Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.610 - 197.625, 197.628 - 197.646, 197.712 & 197.717

Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 1-1993, f. & cert. ef. 6-15-93; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-1998, f. & cert. ef. 10-30-98; LCDD 2-2000, f. & cert. ef. 2-4-00; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

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

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: 16024**

Before the City of Central Point Planning Commission

**Consideration of a Zone (Map) Change Application on a 4.87 acre lot located at 4901 Biddle Road.
The property is identified on the Jackson County Assessor’s map as 37S2W 01C, Tax Lot 802.**

Applicant:) Findings of Fact
Rogue Valley Microdevices Inc./) and
Tail Light Properties, LLC) Conclusion of Law

**PART 1
INTRODUCTION**

It is requested that the above referenced tax lot be rezoned from Tourist and Office Professional (C-4) to Thoroughfare Commercial (C-5). The applicant has already obtained City approval to partition the subject property into three (3) parcels.

The zone change request is a quasi-judicial map amendment, which is processed using Type III application procedures. Type III procedures set forth in Section 17.05.400 provide the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

Applicable development code criteria for this Application include:

- 1. Comprehensive Plan
- 2. State Transportation Planning Rule
- 3. CPMC, Chapter 17.10

**PART 2
FINDINGS & CONCLUSIONS**

Staff has reviewed the Findings (Attachment’s A through E, File No. 16022) and the Findings from Staff Report File No. 16024 and found that they address all of the applicable development code criteria for the proposed zone (map) amendment. The Findings provided in the Staff Reports for File No. 16022 and File No. 16024, dated December 6, 2016 are incorporated herein.

**PART 3
SUMMARY CONCLUSION**

As evidenced in findings and conclusions provided in the Staff Reports (File Nos. 16022 & 16024), the proposed zone change is consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

PLANNING COMMISSION RESOLUTION NO. 837

A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THE REZONING OF 4901 BIDDLE ROAD FROM TOURIST AND OFFICE PROFESSIONAL (C-4) TO THROUGHFARE COMMERCIAL (C-5)

FILE NO. 16024

Applicant: Rogue Valley Microdevices, Inc. and Tail Light Properties LLC;

WHEREAS, the Comprehensive Plan Land Use Map is proposed to re-designate 4901 Biddle Road as Thoroughfare Commercial; and

WHEREAS, the proposed Thoroughfare Commercial (C-5) zoning is an urban Thoroughfare Commercial zoning district consistent with the Comprehensive Plan and surrounding land uses; and

WHEREAS, adequate public services and transportation networks are available to the site; and

WHEREAS, the proposed zone change from C-4 to C-5 has been determined to be consistent with the State Transportation Planning Rule.

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 837, does recommend that the City Council approve the change of zone on 4901 Biddle Road, also identified by the Jackson County Assessor's Map as 37S2W 01C Tax Lot 802. This decision is based on the Staff Report dated December 6, 2016 attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 6th day of December, 2016.

Planning Commission Chair

ATTEST:

City Representative
Approved by me this 6th day of December, 2016.

CONSIDERATION OF A CONDITIONAL USE PERMIT APPLICATION FOR A LIGHT
FABRICATION USE IN THE (PROPOSED) C-5, THOROUGHFARE COMMERCIAL
ZONING DISTRICT



STAFF REPORT
December 6, 2016

AGENDA ITEM (File No. 16023)

Consideration of a Conditional Use Permit to allow Rogue Valley Microdevices to operate a light manufacturing facility which will serve as their corporate headquarters building. Rogue Valley Microdevices proposes to operate in the Thoroughfare Commercial (C-5) zoning district. The project site is located at 4901 Biddle Rd., and is defined on the Jackson County Assessor’s map as 37S 2W 01C, Tax Lot 802 (Property).

Applicant/Owner: Rogue Valley Microdevices, Inc. /Tail Lite Properties, LLC
Agent: CSA Planning, Ltd. (Jay Harland)

SOURCE

Molly Bradley, Community Planner I

BACKGROUND

Rogue Valley Microdevices (“Applicant”) is a microelectronics manufacturing facility that proposes to relocate its operations and corporate headquarters building from Medford to the Property. The proposed building will serve as a light fabrication facility that custom designs and produces microelectronics. The manufacturing process involves the use of chemicals and hazardous materials.

The Property is currently planned and zoned for Tourist and Office Professional (C-4) uses. Light fabrication is not a permitted use in the C-4 district. The Property is in the process of both a land use and zone change to Thoroughfare Commercial (C-5). Light fabrication is a permitted use in the C-5 zone per CPMC 17.43.020(F), and subject only to Site Plan & Architectural Review (Type II Procedure). However, because of the use of hazardous materials the Community Development Director has the authority per CPMC 17.46.030 to require the proposed use to be processed as a conditional use. The Conditional Use designation is necessary due to the chemical processes associated with the fabrication of electronic wafer boards. The conditional use permit is also required to address reduction in the maximum allowable parking, per CPMC 17.76.040(E)(3).

Project Description:

The proposed Rogue Valley Microdevices development is a 43,000 square foot manufacturing building, including a production area and two levels of office space (Attachment “A-1”). The proposed offices are positioned in the front of the building near Biddle Road, while the light fabrication operations are located

in the rear (Attachment "A-2"). The main parking lot is located in the front of the building near Biddle Road, while a second parking lot is located in the rear, to also be used as a loading area and for truck circulation.

Access to the site will be from the private retail street that intersects with Biddle Road through a right-in/right-out configuration and from another private access road to the south of the project site. The facility will receive multiple ground deliveries daily as well as 1-2 semi-truck deliveries per week. The building will be occupied by a maximum of 27 employees at one time, with shifts overlapping throughout the day (Attachment "B"). There will be limited customer interface at this facility, except for regular bi-monthly meetings.

The Property abuts C-4 property (Super 8) on the west, M-1 property (USF Reddaway) on the south, proposed C-5 property (vacant land and a veterinary hospital) on the east and C-4 (vacant) lands to the north (Attachment "C").

ISSUES

There are three (3) issues to address relative to this application, as described below:

1) Hazardous Materials: Rogue Valley Microdevices handles hazardous materials during their fabrication process (electronic wafer boards). Because the use of hazardous materials could be construed to have adverse or dangerous characteristics not normally associated with other uses allowed in the C-5 district, a potential safety concern may be posed to surrounding properties, including the Super 8 Motel located on property immediately adjacent to the west.

Comment: In the Applicant's findings, it is noted that at their current facility in Medford, Microdevices conducts weekly self-inspections to ensure compliance with applicable local, state and federal health and safety requirements. Inspections are also regularly conducted by the Medford Fire Department, Medford's Regional Water Reclamation plant, and the DEQ. Since commencing operations in Medford, Microdevices has operated without violation of any local or state hazardous materials regulations or health and safety requirements (Attachment "D"). The Applicant indicates that they will continue with its current inspection process to assure the continued compliance with local, state and federal health and safety requirements. The only change will be compliance inspection from Fire District No. 3 instead of the Medford Fire Department.

In accordance with procedure, this application was noticed to surrounding property owners within 100 feet of the project site to allow them an opportunity to comment. To date, no comments or concerns have been received. Additionally, interviews with affected agencies regarding hazardous material use have found no incidents or violations. Staff finds that the safety protocol required by local, state, and federal law regarding the use of hazardous materials, as well as the past compliance record of the applicant, are sufficient evidence to meet safety requirements that protect the facility and surrounding properties.

2) Parking Adjustment: Per Table 17.64.02B, the required amount of parking for a manufacturing facility is determined based on either the number of employees per shift or the square footage of gross floor area, whichever is greater. In this case, 86 parking spaces are required. This project proposes 46 parking spaces to serve the facility. The Applicant is requesting a reduction to the off-street parking standards as part of the Conditional Use Permit approval, asserting that strict application of the code would require significantly more parking spaces than are expected to be needed for the use (Attachment “E”).

CPMC Table 17.64.02B Off-Street Parking Requirements				
Manufacturing		Peak Period Demand		Required Parking Spaces
Building Area	43,000 ft ²	1 space per 500ft ² 1 x (43,000/500) =		86
Employees	27 (largest shift)	2 spaces per 3 employees 2 x (27/3) =		18
Total Range:				86 spaces

Comment: Per CPMC 17.76.040(E)(3), adjustments to off-street parking requirements require approval of a conditional use permit in accordance with any unique characteristics of the proposed use. The Applicant proposes that 46 spaces will be sufficient for the use, maintaining that the building will occupy a maximum of 35 people at any given time, including employees and visitors. The Applicant provided information from the ITE manual which demonstrates that a manufacturing use will generate 34-51 parking spaces (Attachment “F”). The 46 parking spaces proposed are calculated based on number of employees and expected visitors. The Applicant’s proposal falls within the range generated by the ITE manual and the Central Point Municipal Code, and is therefore considered acceptable.

ITE Parking Demand Generations				Total	Total
Manufacturing Land Use: 140		Average Peak Period Demand (spaces)	85 th Percent Demand (spaces)	Average Peak Period Demand (spaces)	85 th Percent Demand (spaces)
Building Area	43,000 ft ²	1.02 per 1000 ft ²	1.18 per 1000 ft ²	44	51
Maximum Occupancy	35 occupants	0.97 per occupant	1.14 per occupant	34	40
Total Range:				34 – 51 spaces	

3) Off-Street Loading Berths: The Applicant has indicated that the facility receives deliveries by van multiple times per day at varying intervals, while semi-trailer truck deliveries occur once or twice per week. Per CPMC 17.64.01 Off-Street Loading Requirements, a total of two (2) loading berths are required based on the square footage of the facility. The Applicant proposes to construct two central loading doors on the west side of the facility along the loading drive, as well as one berth on the south end, which is fenced off from the parking lot. In addition, a fourth loading door is located on the east side of the facility, to be accessed from the private retail street. This easterly door is intended for occasional equipment deliveries. Access to these four (4) loading berths is a potential concern for traffic circulation.

Comment: Daily van deliveries will be accommodated through the one-way loading drive on the facility's west side, so as to avoid obstructing surrounding roads or access drives. Semi-trailer truck deliveries will be accommodated at the south loading berth, either by backing into the loading drive or maneuvering within the south parking lot. The loading door located on the east side of the building has the potential to obstruct vehicle and pedestrian traffic on the private retail street when deliveries are made. As conditioned, the eastern loading berth shall be used only during restricted hours.

FINDINGS

The Applicant has stated in their findings that all requirements outlined per the Conditional Use Permit section 17.76.040 have been met (Attachment "D").

CONDITIONS OF APPROVAL

1. The approval of this Conditional Use Permit is contingent upon the approval of the zone change of 37S 2W 01C, Tax Lot 802 from C-4 to C-5 (File No. 16024).
2. The eastern loading berth located on the retail street shall not be used for deliveries during the hours of 7:30am – 5:30pm.
3. Prior to issuance of a building permit, the following conditions must be met:
 - a. Conditions as listed in the Rogue Valley Sewer Services memo, dated November 4, 2016 (Attachment "G").
 - b. Conditions as listed in the letter from the Airport, dated November 4, 2016 (Attachment "H").
 - c. Conditions as set forth in the Fire District #3 memo, dated November 10, 2016 (Attachment "I").
 - d. Submittal of a Hazardous Materials List and floor plan indicating the type of material, class, quantity, and storage as conditioned in the Building Department memo dated November 4, 2016 (Attachment "J").

ATTACHMENTS

Attachment "A-1" – Site Plan

Attachment "A-2" – Floor Plan detail

Attachment "B" – Memo – Employee Shifts

Attachment "C" – Vicinity Map

Attachment "D" – Applicant's Findings of Fact (Exhibit IV)

Attachment "E" – Parking Assessment – Southern Oregon Transportation Engineering, LLC

Attachment "F" – ITE Manual, Parking Generation, 4th Edition

Attachment "G" – RVSS Comments

Attachment "H" – Airport Comments

Attachment "I" – Fire District #3 Comments

Attachment "J" – Building Official Comments

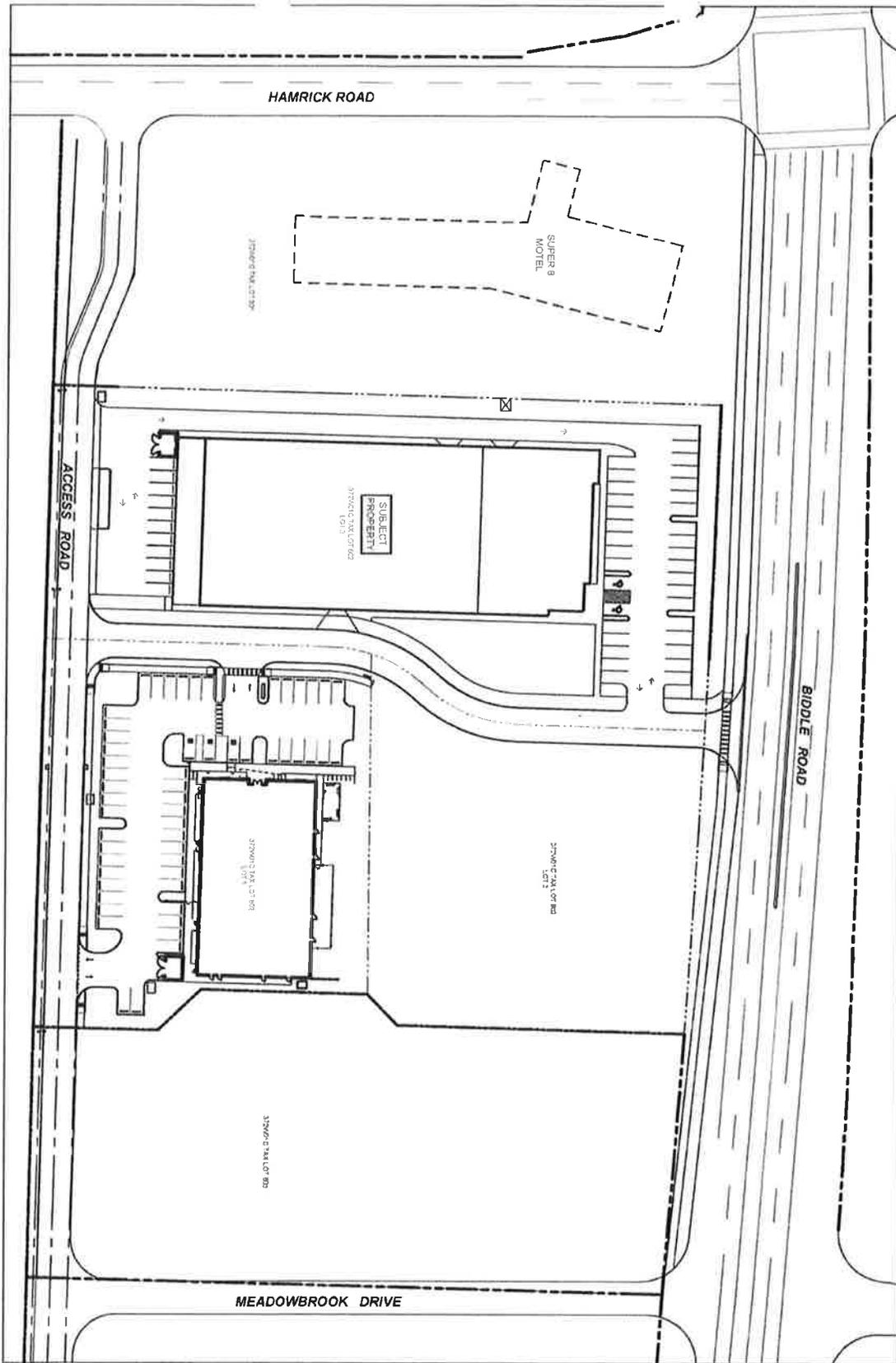
Attachment "K" – Resolution No. 838

ACTION

Consideration of a Conditional Use Permit (CUP) to allow Rogue Valley Microdevices to operate in the Thoroughfare Commercial (C-5) zoning district: approve the CUP, approve the CUP with conditions, or deny the CUP.

RECOMMENDATION

Approve the Conditional Use Permit with conditions as recommended in the Staff Report dated December 6, 2016, and contingent on the approvals of the Comprehensive Plan Amendment (File No. 16025) and the Zone Change Amendment (File No. 16024), or as otherwise amended by the Planning Commission.



1	AREA PLAN DATE: 9/9/2017 SCALE: 1:800	ROGUE VALLEY MICRODEVICES	
----------	--	----------------------------------	---

Hi Kim,

Here is an overview of the information you requested:

Employees: 20 at main location

Shifts:	5:00 a.m. – 2:00 p.m.	2 Employees
	6:00 a.m. – 3:00 p.m.	1 Employee
	7:00 a.m. – 4:00 p.m.	6 Employees
	8:00 a.m. – 5:00 p.m.	4 Employees
	9:30 a.m. – 6:30 p.m.	3 Employees
	11:00 a.m. – 8:00 p.m.	2 Employee
	3:00 p.m. – Midnight	2 Employees

Of the 20 employees, 13 of them spend most of their day in the fabrication/manufacturing area, but also have desk space in the office. The remaining 7 work in the office area.

On average, half of the employees may leave the office on a daily basis for approximately 1 hour for lunch, errands, etc. The time is dependent on the shift.

The daily deliveries are:

	10:00 – 11:00 a.m.	3 Deliveries: FedEx, UPS, FedEx
Ground	2:30 p.m.	2 Pick-ups: FedEx and UPS
	4:00 p.m.	1 Pick-up: FedEx Ground

Weekly deliveries are:

Average of 2 semi-truck deliveries per week

Our public/customer interaction, in person, is very minimal. We have meetings at our facility on average twice per month.

Let me know if you have any questions. I'm happy to elaborate further as needed.

Best regards,
 JoAnn Martin
 Rogue Valley Microdevices, Inc.

Hi Kim,

Laid out the probable increases by shift for Rogue V Micro, as follows:

<u>Shifts:</u>	<u>Employees</u>
5 am – 2 pm	3
6 am – 3 pm	1
7 am – 4 pm	9
8 am – 5 pm	6
9:30 am – 6:30 pm	5
11 am – 8 pm	3
3 pm – Midnight	<u>3</u>

TOTAL 30 Maximum number of people there at any one time is: 27

Square footage:

Fabrication:	23,595 net sq ft
1 st Floor Office:	9,535 net sq ft
2 nd Floor Office:	<u>8,975 net sq ft</u>
Total:	42,104 net sq ft

CSA Planning, LTD,

Beverly Thruston, AIA
Associate Planner

4497 Brownridge Terrace #101
Medford, OR 97504
Phone: 541/779-0569 Fax/l 541/779-0114



Project Location Map



Legend

- ECG - Bear Creek Greenway
- C2 (M) - Commercial - Medical District
- C4 - Tourist and Office
- C6 - Theologians Commercial
- CN - Neighborhood Commercial
- CMB (TOD)
- EC - Employment Commercial (TOD)
- GC - General Commercial (TOD)
- HMR - High Mix Residential (TOD)
- LMR - Low Mix Residential (TOD)
- M-1 - Industrial
- M-2 - Industrial General
- MMR - Medium Mix Residential (TOD)
- OS - Open Space (TOD)
- R-3 - Multiple Family Residential
- R-2 - Two-Family Residential
- R-1-6 - SF Residential - 6,000
- R-1-3 - SF Residential - 6,000
- R-1-10 - SF Residential - 10,000
- R-5 - Low Density Residential

MAP FOR ILLUSTRATION PURPOSES ONLY

Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Ownership/Applicant:** Tax Lot 802 is owned in fee simple by Tail Lite Properties, LLC. Rogue Valley Microdevices is in contract to purchase Lot 3 of the subject property. Agent CSA Planning, Ltd. is submitting this application on behalf of the property owner and contract purchaser.
2. **Location:** The subject property is located on the south side of Biddle Road between Hamrick Road and Table Rock Road. The property is identified as Tax Lot 802 in Township 37 South, Range 02 West (W.M.), Section 01C. The site address is 4901 Biddle Road, Central Point, OR.
3. **Parcel Size:** Tax Lot 802 currently has 4.87 acres. *See*, Exhibit 4.
4. **Comprehensive Plan Map Designation / Zoning:** Designated *Tourist and Office Professional / Zoned C-4 Tourist and Office Professional*. *See*, Exhibits 5 and 7.
5. **Proposed Comprehensive Plan Map Designation / Zoning:** Designation proposed to be amended to *Thoroughfare Commercial* and to change the zone to *C-5*. *See*, Exhibits 6 and 8.
6. **Existing Frontage and Access:** The subject property has frontage along its northern boundary on Biddle Road. Biddle Road is classified in the TSP as an arterial. Tax Lot 802 also has access easements on the access drives that run south from Biddle Road along Tax Lot 803 and along the southern boundaries of Tax Lots 801, 802 and 803 and intersecting with Hamrick Road. These private commercial accesses were reviewed and approved by Central Point at the time of land division that created the parent parcel. A private north-south Retail Street has been approved to intersect with Biddle Road approximately mid-block between existing accesses. The Retail Street will have right-in/right-out only access with a median in Biddle Road and is currently under construction.
7. **Lot Legality:** Tax Lot 802 was created through two partitions. Tax Lot 800 was divided through partition *P-03-2004* into three parcels in 2004, and in 2005 the resulting Parcel 2 was subdivided into three lots, of which Tax Lot 802 was Lot 1. In 2007 a lot line adjustment was made to the border between Tax Lots 802 and 803 creating its current configuration. In April of 2016, the City of Central Point approved a tentative partition plat to divide Tax Lot 802 into three separate parcels. The proposed conditional use permit and site plan review are directed at Parcel 3 of the approved tentative land division; it is possible, if not probable, that the final plat will be recorded prior to completion of the subject land use review.
8. **Previous Planning Permits:**
File No. 16004 - Site Plan and Architectural Review which approved a veterinary clinic on Parcel 1 of the land division and *File No. 16005*- Tentative Partition were approved April 14, 2016.
9. **Existing Development:** The property is currently vacant but construction of the Retail Street and the veterinary clinic has begun.



10. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The stretch of Biddle Road/East Pine Street ("BR/EPS") that is east of the Interstate-5 in Central Point is an employment area with a mix of commercial uses right along BR/EPS on the south side with some industrial uses further to the south. Except for a small portion of a larger residential area near Meadowbrook Drive and Orchard View Avenue, the north side of BR/EPS is primarily undeveloped employment designated property; further to the north is the Jackson County Expo (fairgrounds), the Central Point East residential area, and some legacy County development patterns. There are a mix of developed and undeveloped properties between the interstate and Table Rock Road.

East: To the east of the subject property is vacant land owned by Les Schwab. Further to the east is additional vacant employment land that is marketed for sale. This land has a Comprehensive Plan Map of Thoroughfare Commercial and is zoned C-5

North: Across Biddle Road is the Dulany property. This property has a single family dwelling on it and is under developed in relation to its plan designation. The property is planned Tourist and Professional Office and is zoned C-4. The land to the northeast is planned and zoned for residential uses and has been developed with single-family dwellings. Land to the northwest is a large vacant 21 acre site planned Tourist and Office Professional and zoned C-4.

South: South of the subject property across the private commercial access drive is the USF Reddaway warehouse logistics facility. This facility is planned General Industrial and zoned M-2.

West: Immediately to the west is the Super 8 Motel. This site is planned Tourist and Office Professional and is zoned C-4. Further to the west is some vacant commercial land across Hamrick Road and a road maintenance yard further to the southwest.

- 11. Topography:** The subject property is essentially level, sloping very gently to the north.
- 12. Water Facilities and Services:** Underground water utilities exist at the west property line and along the utility and access easement along the southern portion of the property. These water facilities are available for connection.
- 13. Sanitary Sewer Facilities and Services:** Underground sanitary sewer utilities exists in the utility easements along the south portion of the property and are available for connection.
- 14. Power and Natural Gas:** Underground power is available from Pacific Power and underground gas is available from Avista Utilities and the same exist in the utility easements along the south portion of the property and are available for connection.
- 15. Fire and Police Protection:** The subject properties are located within and are served by Fire District No. 3. Police service is provided by the City of Central Point Police Department.
- 16. Wetlands, Streams and floodplain:** The subject property does not contain any jurisdictional wetlands per Jackson County GIS Services. The subject property does not contain any streams or floodplains per Jackson County GIS Services.
- 17. Storm Drainage Facilities and Services:** Underground storm drainage lines are located in Biddle Road and in the private access easement and utility area on the south portion of the property. These storm drain lines are available for connection. The approval of the prior



land division necessitated construction of a stormwater detention facility on Lot 2 of the partition which is planned to handle a significant portion of the Rogue Valley Microdevices' storm drainage needs, see Exhibit 13, Sheet C-1.

18. Transportation and Access:

A. Access and Circulation: Access to the site is via a private retail street that is under construction and was approved under Planning File No. 16005. The retail street intersects with Biddle Road and is a right-in-right-out intersection allowing in-movement from the west and out-movement to the east onto Biddle Road. A concrete median in Biddle Road will be constructed in conjunction with the new retail street. Access coming from the east will be from a left turn onto the private street connection opposite Meadowbrook and then right along the private access drive to the south and then a right onto the private retail street. Access out of the site to the west will involve a right turn onto the private retail street and then out the private access drive along the south property line to a right turn on Hamrick then to the signal where a left can be made onto East Pine Street.

The office driveway is located on the private retail street. It is somewhat close to the intersection with Biddle Road but there is adequate room for at least two stacked vehicles and it is a right into the site so no queuing at this location is expected. The other access onto the site is via two large driveways to the south access drive; the wide driveways are needed to get semi-trucks into the back parking lot area and then out onto the private access drive. These south driveways will be truck vehicle access points; smaller trucks that use the west service drive will exit via the front office parking lot access point.

B. Transportation Impacts from Proposed Development: The Applicant's traffic engineer also prepared a traffic impacts analysis that analyzes the proposed Rogue Valley Microdevices project, see Exhibit 15. That analysis was an update to the Southern Oregon Veterinary Specialty Center analysis done for that project which is now under construction. In the prior analysis, Parcel 3 was assumed to be a future site for a 25,000 square foot specialty retail center, along with the veterinary clinic and an assumed sit down restaurant on the remaining Parcel 2. The updated analysis continues to assume the sit down restaurant on Parcel 2 and assumes the veterinary clinic use on Parcel 1 but substitutes the Rogue Valley Microdevices use for Parcel 3. This results in a reduced trip generation of the entire site of 53 P.M. peak hour trips.

The results of the analysis show that the transportation system can accommodate the proposed use in conformance with all applicable performance standards.

19. Proposed Development Project:

The proposed Rogue Valley Microdevices corporate headquarters and light fabrication facility has the following features:

A. Design Scheme: The approach to the building is to create a modern and attractive high-tech light manufacturing building. The building is proposed to contain a 10,000 square foot clean room within a 24,000 square foot production area and the building will have approximately 19,000 square feet of accessory office space on two levels. Being a high-tech facility, the interior is a purpose built design that reflects workflow needs and the demands of the clean room.



The nature of the interior layout dictates the location of certain outdoor connections in terms of entrance location, delivery doors and access to the accessory office uses. Overall, the exterior is a modern, but relatively simple flat-roofed commercial building with several attractive architectural elements on the main façade and attractive materials on all elevations. *See*, Exhibit 13.

B. Vehicle Parking and Loading: The project proposes 46 parking spaces. The application is requesting an adjustment to the off-street parking standards as part of the Conditional Use Permit approval (pursuant to special conditions of approval that may be imposed under 17.76.040(E)(3)) because a strict application of the code would require significantly more parking than is expected to be needed by the use. There is a wide disparity between the two calculation methods for the parking requirements. The employee calculation method for industrial uses yields a need for approximately 18 spaces. The gross floor area method would require 84 spaces, one for every 500 square feet of gross floor area, which is difference of over 60 parking spaces. The proposed 46 spaces is between the two need calculation methods and is projected to be adequate for the use. It is expected that this amount of parking will be adequate to allow for nearly doubling of the size of the company within the new space, which is the largest it can be within the new facility. A parking demand analysis has been prepared by Southern Oregon Transportation Engineering for this submittal and is located in Exhibit 16.

Industrial uses of 37,501 square feet to 50,000 square feet are required to have four loading berths; the actual fabrication area is 24,000 square feet which would require four berths. The site plan and building elevations depict four overhead loading doors for the facility. Two overhead doors are located on the west elevation along the service drive. These will be accessed by forklift for semis from the main rear parking lot and by smaller delivery vehicles such as FedEx and UPS. This entire circulation area on the west side of the building could be considered a series of loading berths, in which case the site has the equivalent of 8 loading berths just on this side. One overhead door loading location on the east elevation, trucks could use this for delivery from the private retail street although this would be expected to be a rare occurrence; primarily this would be accessed by forklift on the occasion when equipment needed to be loaded on the east side of the clean room. The fourth overhead door is shown on the south elevation and this berth will generally be used by a forklift off-loading from a semi-trailer truck parked in the rear lot.

C. Bike Parking: The code requires four bike parking spaces. The covered bike parking spaces will be under a canopy area located at the outdoor break area.

D. Landscaping: This high-tech light manufacturing facility is proposed to be fully landscaped at the time of development, see Exhibit 13, Sheet L-1. The proposed landscaping is extensive for an industrial use and is proposed in a manner that will allow it to blend well with commercial uses in the area. The 10-foot sidewalk with tree wells on the retail street will create an attractive streetscape for this private street. The planting scheme includes a number of mass plantings that will create an attractive landscape throughout the year.

20. Conditional Use Permit Findings: Even though the proposed use could properly be approved as a permitted use under Use F – Light Fabrication. The planning staff has the authority to refer uses to the Planning Commission as a Conditional Use Permit. The Pre-Application indicated the Staff's intent to refer the application to the Planning Commission



Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

for Conditional Use Permit approval. The City of Central Point has conditional use permit criteria that require specific findings. Applicant's agent provides the below testimony as evidence to address such required findings and this testimony may be relied upon as substantial evidence; CSA Planning are experts in Oregon Land Use Planning and have experience as a professional planning firm for over 35 years.

A. Lot Size and Configuration: A site plan has been submitted concurrent with the proposed use. The proposed design can be found to be in compliance with applicable sections of the code and the site plan shows the use can be accommodated on the site. The only aspects of the size of the lot and proposed development are relatively minor issues relating to parking supply and the storm drainage. A portion of the storm drainage detention for the building is being placed in the swale on the northeast lot; this swale was designed to accommodate drainage from the Rogue Valley Microdevices building in accordance with private agreements between the parties. The other minor issue is parking supply. The parking supply issue is largely a function of the code's methods for calculating parking demand. The two methods vary widely, but the code requires the "higher" method to be used; applicant has requested the City approve an adjustment to the off-street parking requirements based upon the unique characteristics of the proposed use pursuant to CPMC 17.76.040(E)(3). With approval of this parking supply adjustment, the proposed development will satisfy all applicable City development requirements on the subject lot.

B. Traffic and Access: See transportation and access findings and related evidence elsewhere in the application submittal.

C. Effects on Abutting Property: Analysis of abutting properties are analyzed by direction:

i. North: Lands to the north are across Biddle Road, which is a major arterial roadway. The north building elevation is where the accessory office uses are located and the design and appearance of this portion of the buildings is similar to two-story office buildings permitted in the zone and serves to further buffer uses to the north. Given the intensity of the Biddle Road use and the low-intensity office use of the northern third of the building, no adverse effects on properties to the north are expected. Signage, landscaping and outdoor lighting will be similar on the north elevation to uses permitted in the zone and effect on lands to the north will not be adverse.

ii. Northeast: Land to the northeast is a vacant lot that will be created by recording the final plat for Planning File No. 16005. The resulting lot will be across the private retail street from Rogue Valley Microdevices. Also, there will be a bioswale adjacent to the retail street that will further separate the uses as will the large landscape area on the east side of the building. The northern two-thirds of this lot will be adjacent to the office use of the building. The bioswale is required to be a minimum length which moves the access to the vacant lot south in a location where the driveways will be separated. Even though the driveways will be offset they will be offset in the direction that still allows for smooth traffic flow because the left-outs of each parking lot will not conflict with one another. The access separation will be adequate for all movements to see one another in an appropriate manner. Signage, landscaping and outdoor lighting will be similar when viewed



from the northeast and compared to uses permitted in the zone and effect on the parcel to the northeast will not be adverse.

- iii. **Southeast:** Land to the southeast is under construction for a veterinary clinic. The owner of the veterinary clinic is the owner of the subject development property. The veterinary clinic's front entrance will face the east elevation where there are high windows throughout and a single roll-up door; that particular roll-up door is expected to be used on a limited basis but is necessary to provide forklift access to the outside of the building on that side to the clean-room. There will be approximately 115 feet of separation from the east wall to the veterinary clinic entrance. The veterinary clinic provides emergency 24-hour animal care and the lighting and development of the Rogue Valley Microdevices building is expected to enhance lighting and safety in the area during night operations. The design of the building includes a full height exterior wall on the back of the building to screen the outdoor equipment area at the back of the building. Because Tail Lite LLC (a limited liability company owned by the owners of Southern Oregon Veterinary Specialty Center) is the seller of the property to Rogue Valley Microdevices, they have coordinated the designs of their respective buildings to assure compatibility between the respective uses and designs. Signage, landscaping and outdoor lighting will be similar when viewed from the southeast and compared to uses permitted in the zone and effect on the parcel to the southeast will not be adverse.
- iv. **South:** Land to the south is a private access road and further to the south is the USF Reddaway trucking facility. This is a warehousing, trucking and freight handling facility. A 6 foot high block fence with landscaping runs the entire length of the parcel's southern boundary. The Rogue Valley Microdevices project is designed so that the outdoor equipment and primary loading areas face this industrial trucking use to the south. Industrial trucking uses are not aesthetically sensitive uses and are noisy themselves with a considerable area devoted to outdoor storage. Signage, landscaping and outdoor lighting will be similar to other commercial outdoor storage and loading areas when viewed from the south and are similar and typical of industrial uses to the south.
- v. **West:** Land to the west is occupied by the Super 8 Motel. This is a 3-story hotel with internal access halls to the individual room. Each room appears to have its own Packaged Terminal Air Conditioner unit (PTAC) below windows on its east elevation. The proposed design includes a full height wall extension in the back of the building to shield noise sources from the hotel and to visually screen this equipment. All other noise producing equipment is roof mounted behind parapet walls on the roof and this HVAC equipment is similar from a noise and visual perspective to other HVAC equipment that is typical of other commercial and light manufacturing buildings in the area. The proposed building is 32 feet in height which is tall enough to limit the number of rooms looking down on a roof structure to only the top floor and even that floor will primarily be looking across and not down on the roof structure. Virtually all of the second and third stories would look down on a roof structure to the east if the site were developed with a single-story retail use. There is considerable separation between the two buildings, approximately 100 feet. The project will be adding landscaping along the west property line that will serve to screen and separate the two uses. The proposed



service drive aisle is expected to be used infrequently and almost exclusively during the day which should minimize the potential for conflicts with patrons at the Super 8. Lighting on the west elevation will consist of shielded sconce lighting aimed downward that will serve to create a safe space without any direct lighting impacts to the Super 8 motel. The Rogue Valley Microdevices project design has thoughtfully considered the abutting Super 8 motel use and has been designed in a manner that will minimize potential adverse impacts to a level that is equal or less than what would otherwise be expected from development of uses outright permitted in the C-5 zone (or the C-4 zone for that matter if the site were not re-designated).

D. Compliance with Local, State and Federal Health and Safety Regulations: Rogue Valley Microdevices takes appropriate precautions to comply with applicable health and safety requirements. DEQ conducts periodic unannounced inspections for regulation compliance. In these inspections, no major corrections have been required. All gaseous wastes are vented through a scrubber at their current site to remove particulate emissions according to industry best practices design. All gas process inputs are within an enclosed system and the storage tanks will be located within a storage cabinet that also vents to the scrubber in the event of any leak. The design of the building is such that a closed catchment system exists in the floor so that any liquid spill drains to the catchment system where it can be containerized and picked up for off-site disposal. From a sewage standpoint, Medford's Regional Wastewater Reclamation plant has an inspector on staff and this person routinely conducts inspections to evaluate the quantity and type of effluent released into the sanitary sewer to assure it is in compliance with applicable discharge requirements. Rogue Valley Microdevices self-reports to DEQ annually and transmits a hazardous waste reduction plan that identifies ways for operation to reduce the use of hazardous waste for each unit of production.

Rogue Valley Microdevices has internal controls in place that involve weekly self-inspections for items such as labelling, dates, seal connections, container conditions, etc. From the standpoint of handling materials from the delivery trucks to the facility, this has been taken into account with the design of the building with the external circulation and roll-up doors to allow for direct forklift routes from delivery trucks to storage locations. Roll-up door heights are specifically designed to assure adequate clearance when moving materials. All materials are palletized and shipped in containers that are designed for the particular material being handled. Rogue Valley Microdevices has an employee, Dan Swanson, who is certified to provide forklift training so that all operators are properly trained and he is also available in-house for ongoing supervision.

With respect to safety, the Medford Fire Department regularly conducts inspections at the site. None of these Fire Department inspections have ever resulted in significant corrections except in an instance where a new system was installed in accordance with department directions and a later inspection determined that direction was incorrect. In this circumstance, Rogue Valley Microdevices promptly implemented the correction at their sole expense.



SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC112 Monterey Drive - Medford, Or. 97504 – Phone (541) 608-9923 – Email: Kwkp1@Q.com

September 9, 2016

Jessica Gomez, Rogue Valley Microdevices, Inc.
 943 Automation Way, Suite F
 Medford, Oregon 97504

RE: Parking Demand for Rogue Valley Microdevices Headquarters

Dear Jessica,

Upon your request, Southern Oregon Transportation Engineering, LLC evaluated the parking demand for the proposed Microdevices building located within the Hamrick Business Park southeast of Hamrick Road and Biddle Road in Central Point, Oregon. Information from the City of Central Point, Microdevices, and the Institute of Transportation Engineers (ITE) *Parking Generation*, 4th edition handbook was compared to determine the minimum number of parking spaces to meet the demand of Microdevice's manufacturing use. The land use considered in the City of Central Point and ITE requirements were 140 – Manufacturing.

Parking RequirementsCity of Central Point need calculation methods:

Minimum number of required parking spaces for manufacturing land use in Table 17.64.02B:

Manufacturing - 1 space per 500 square feet = $1 \times (42,100/500) = 84$ spacesOr 2 space per 3 employees (largest shift) = $2 \times (27/3) = 18$ spaces***Total range of spaces based on size and number of employees = 18-84 spaces***Microdevices parking assessment:

Largest shift – 27 employees potentially overlapping between 5:00 am – Midnight

Deliveries estimated at 3 potentially overlapping during the day from Fed Ex and UPS

Normal trips from outside public is zero, but bi-monthly meetings are estimated to bring parking demand up to 35 spaces with regular employees plus visitors.

Total estimated potential occupancy at one time = 35 spacesITE parking demand:

Weekday Peak Period

Average Demand = Observed peak period demand expressed as a rate

85th % Demand = The point at which 85 percent of the values fall at or below

Table 1 – ITE Parking Demand Generations						
Land Use	Unit	Size	Average Peak Period Demand	85th % Demand	Average Peak Period Demand (spaces)	85th % Demand (spaces)
					Total	Total
140 - Manufacturing	1,000 SF	42.1	1.02	1.18	43	50
140 - Manufacturing	Employees	30	0.97	1.14	29	34
Total Range (spaces)					29 - 50	

Note: SF=Square Feet

Parking Assessment

The information published by the ITE provides a guide to planners and designers regarding parking demand. Average rates, 85th percentile demands, and other measures are provided to help determine the most reliable parking demand when local data is not available. In this case, local data is provided and supports a parking demand within the range provided by the ITE. Rogue Valley Microdevice's local data shows a potential need of 35 spaces when their facility is maximized.

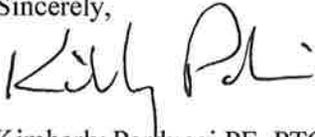
The goal with parking is to strike a balance between an oversupply of parking and an undersupply of parking. Providing enough parking for a maximized situation ensures that drivers will seldom be unsuccessful in finding a parking space, but it also creates waste when a facility isn't operating at maximum. As more parking is provided, more cars take advantage of it and fewer people use public transportation. As the number of cars increase, so does road congestion. In response, local governments then pay for increased wear and tear on the roads.

Failing to address the oversupply of parking creates many of the same problems that minimum parking requirements were supposed to solve (e.g. sprawl, poor economic environment, loss of investment). A balance is struck when there are enough parking spaces to accommodate recurrent peak-parking demand, but additional spaces do not undercut current transit ridership, nor a city's financial ability to meet other public needs and obligations.

Conclusion

The average parking demand in the ITE shows the need for 44 spaces for proposed development. The 85th percentile parking demand shows 50 spaces. Local data for Rogue Valley Microdevices shows a potential need of 35 spaces when their facility is maximized. All of these parking demands are similar. In contrast, the City's parking requirement of 84 spaces would likely serve more than the maximum need of the proposed facility which would result in an excess of parking spaces the majority of time. The proposed site plan for Rogue Valley Microdevices proposes 46 spaces, which provides 31% more than what local data shows is necessary when maximized. It is our conclusion that the proposed number of spaces (46) are adequate to meet the demand of the proposed development without creating an excess number of under-utilized spaces.

Sincerely,



Kimberly Parducci PE, PTOE

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC



Attachments: City of Central Point Municipal Code
Microdevices Local Data
ITE Parking Generation data sheets

Land Use: 140 Manufacturing

Description

Manufacturing facilities are areas where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses.

Database Description

- Average parking supply ratios: 1.3 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (three study sites) and 1.3 spaces per employee (three study sites).
- Average site employment density: 1.0 employee per 1,000 sq. ft. GFA (three study sites).

Parking demand counts were only submitted between 10:00 and 11:00 a.m. and between 2:00 and 3:00 p.m.

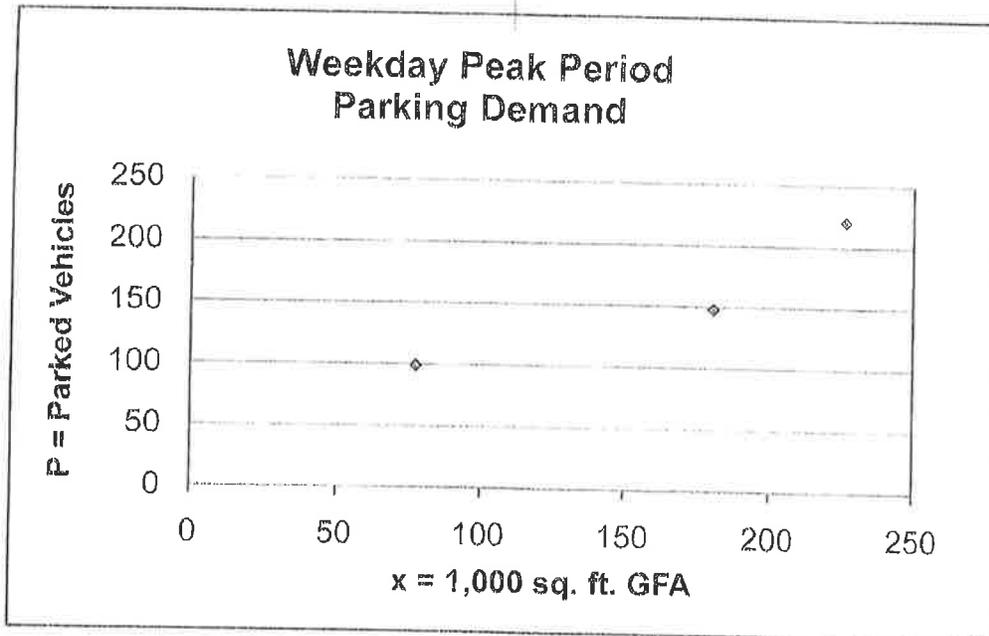
Study Sites/Years

Bellevue, WA (1991); Kent, WA (1991)

Land Use: 140 Manufacturing

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Weekday**

Statistic	Peak Period Demand
Peak Period	2:00–3:00 p.m.
Number of Study Sites	3
Average Size of Study Sites	165,000 sq. ft. GFA
Average Peak Period Parking Demand	1.02 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.23
Coefficient of Variation	23%
Range	0.82–1.27 vehicles per 1,000 sq. ft. GFA
85th Percentile	1.18 vehicles per 1,000 sq. ft. GFA
33rd Percentile	0.92 vehicles per 1,000 sq. ft. GFA

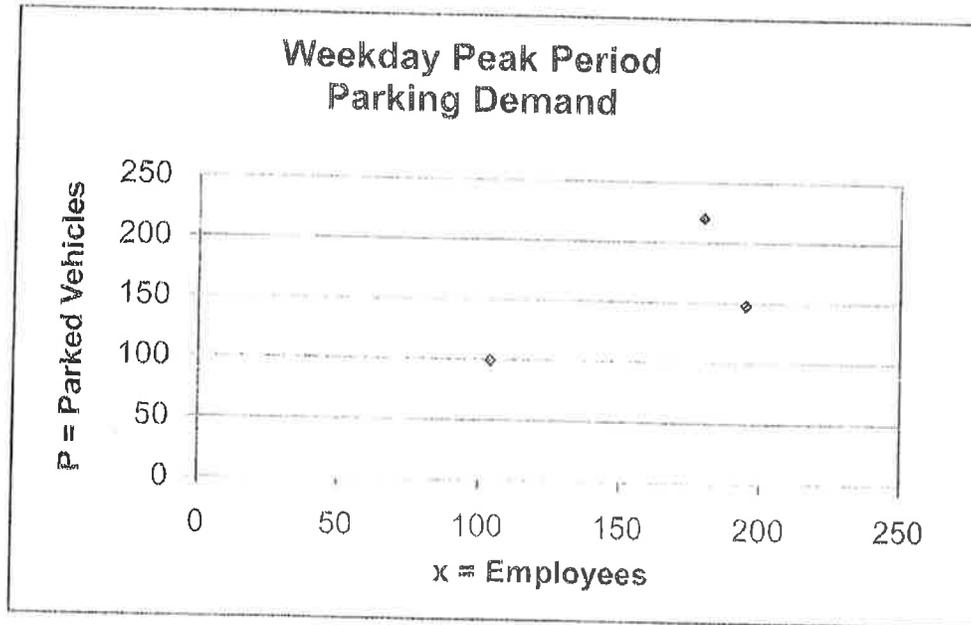


♦ Actual Data Points

Land Use: 140 Manufacturing

Average Peak Period Parking Demand vs. Employees On a Weekday

Statistic	Peak Period Demand
Peak Period	2:00–3:00 p.m.
Number of Study Sites	3
Average Size of Study Sites	160 employees
Average Peak Period Parking Demand	0.97 vehicles per employee
Standard Deviation	0.24
Coefficient of Variation	24%
Range	0.75–1.22 vehicles per employee
85th Percentile	1.14 vehicles per employee
33rd Percentile	0.88 vehicles per employee



◆ Actual Data Points



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

November 4, 2016

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

Re: File 16023-CUP, Rogue Valley Microdevices – Tax Lot 802, Map 372W01C

Sewer service to the proposed development can be had by making a service connection to the existing 8 inch sewer main which crosses the southerly portion of the subject property. The permit for this connection will be issued by RVSS upon payment of related development fees.

The project is within the Phase 2 stormwater quality area and must comply with stormwater quality requirements outlined in the Regional Stormwater Design Manual.

The proposed development appears to disturb more than 1 acre of land so will require an NPDES 1200-CN permit prior to the start of any ground disturbing activities.

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

Prior to the start of construction:

1. Applicant must obtain a sewer permit from RVSS for the new connections. Sewer permits will be issued upon payment of related development fees.
2. Applicant must obtain an NPDES 1200-CN erosion and sediment control permit from RVSS.
3. Applicant must have all erosion and sediment control measures in place prior to any ground-disturbing activities.
4. Applicant must submit a stormwater management plan demonstrating compliance with the regional Stormwater Design Manual for review and approval by RVSS.

During Construction

1. Applicant must sequence construction so that the permanent stormwater quality features are installed first and will be operational when stormwater enters them.
2. Applicant must fence off and protect stormwater quality features from equipment traffic.
3. Applicant must comply with conditions of 1200-CN and sewer connection permits.

K:\DATA\AGENCIES\CENTPT\PLANNING\CUP\2016\16023_ROGUE MICRODEVICES.DOC

Prior to final acceptance of project:

1. Applicant must have new sewer laterals inspected and approved by RVSS.
2. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.
3. Applicant must record an operations and maintenance agreement for all new stormwater quality features.

At the conclusion of construction RVSS will issue a final acceptance letter indicating that all sanitary sewer and stormwater requirements have been met.

Feel free to call me if you have any questions.

Carl Tappert

Carl Tappert, PE
Manager

Molly Bradley

From: Marcy Black <BlackMA@jacksoncounty.org>
Sent: Friday, November 04, 2016 3:07 PM
To: Molly Bradley
Subject: RE: Action Needed: Agency Comments on Land Use Application

The Airport is requesting a Noise Easement be required as part of the process.

Based on the location of this project, the 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 they file a 7460-1 – Notice of Proposed Construction or Alteration.

Thanks for the opportunity to comment.

Marcy Black
 Deputy Director-Administration

From: Molly Bradley [mailto:Molly.Bradley@centralpointoregon.gov]
Sent: Friday, November 04, 2016 9:26 AM
To: Aaron Gratiias <Aaron.Gratiias@pacificorp.com>; Bobbie Pomeroy <Bobbie.Pomeroy@centralpointoregon.gov>; Carl Tappert <ctappert@rvss.us>; Chad Pliler <Chad.Pliler@ECISO911.com>; David McFadden <David.McFadden@avistacorp.com>; Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>; Jason Elsy <Jason@hajc.net>; Jeff Keyser <jeff.keyser@pacificorp.com>; Jeff Wedman <jeff.wedman@centurylink.com>; Marcy Black <BlackMA@jacksoncounty.org>; Mark Kimmelshue <mark.kimmelshue@centurylink.com>; Mark Northrop <MarkN@jcf3.com>; Matt Samitore <Matt.Samitore@centralpointoregon.gov>; Mike Ono <Mike.Ono@centralpointoregon.gov>; Rogue River Valley Irrigation District <rrvid@rrvid.org>; SURVEYOR <Surveyor@jacksoncounty.org>; Stephanie Holtey <Stephanie.Holtey@centralpointoregon.gov>
Subject: Action Needed: Agency Comments on Land Use Application

Good Morning,

The City is considering a Conditional Use Permit request from Rogue Valley Microdevices to operate a light manufacturing facility in the Tourist and Office-Professional (C-4) zoning district. The Conditional Use designation is necessary due to some of the chemical processes associated with the fabrication of small electronic wafer boards inside the facility, and for requesting adjustments to the required amount of parking. The project site is located at 4901 Biddle Road, which is on the south side of Biddle Road between Hamrick and Table Rock Road, immediately east of the Super 8 Motel. The property is identified as 37S 2W 01C Tax Lot 802.

The site plan and specific details regarding the project are available on our website:
<http://www.centralpointoregon.gov/cd/project/rogue-valley-microdevices-conditional-use-permit>

If you have any questions or would like additional information, please let me know.

Thank you,

Molly Bradley
 Community Planner I
 City of Central Point
 140 South 3rd Street

Jackson County Fire District 3

8383 Agate Road
White City, OR 97503-1075
(541) 826-7100 (Office)
(541) 826-4566 (Fax)
www.jcfd3.com



Request for Comments

Permit #TBD

Molly Bradley
Community Planner I
City of Central Point

RE: 16023/Rogue Valley Microdevices CUP

An evaluation was conducted for Rogue Valley Microdevices. Jackson County Fire District 3 feels there is adequate access and water supply for the area. Oregon Fire Code section 5001.5 requires a Hazardous Materials Management Plan and a Hazardous Materials Inventory Statement. Please provide these items before building permits are issued.

Plan review completed by: DFM Mark Northrop

This plan review is conducted utilizing the 2014 Oregon Fire Code as amended an adopted by JCFD3. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provision of applicable codes and standards. Permits presuming to give authority to violate or cancel the provisions of a code, ordinance, or standard shall not be valid. The approval and issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents or data.

City of Central Point, Oregon
140 S Third Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Building Department
Derek Zwagerman, P.E., Building Official

November 4, 2016

Molly Bradley
Community Planner I
City of Central Point

RE: 16023/Rogue Valley Microdevices CUP

Prior to issuance of any building permits, a hazardous material list and floor plan indicating the type of material, class, quantity, and storage location must be provided.

All other building code and permitting items will be analyzed when construction documents have been submitted for review.

A handwritten signature in black ink, appearing to read "Derek Zwagerman".

Derek Zwagerman, P.E.
Building Official

PLANNING COMMISSION RESOLUTION NO. 838

A RESOLUTION GRANTING THE APPROVAL OF A CONDITIONAL USE PERMIT FOR ROGUE VALLEY MICRODEVICES

**Applicant: Rogue Valley Microdevices/Tail Lite Properties, LLC;
Agent: CSA Planning, Ltd.**

**(37S 2W 01C, Tax Lot 802)
File No. 16023**

WHEREAS, the applicant submitted an application for a Conditional Use Permit to operate a light manufacturing facility which will also serve as their corporate headquarters building in the Thoroughfare Commercial (C-5) zoning district (Application), identified on the Jackson County Assessor's map as 37S 2W 01C, Tax Lot 802 (Property); and

WHEREAS, the Property is currently planned and zoned for Tourist and Office Professional (C-4) uses, and light fabrication is not a permitted use in the C-4 zone; and

WHEREAS, the Property is in the process of both a land use and zone change to Thoroughfare Commercial (C-5), where light fabrication is a permitted use; and

WHEREAS, the proposed use is designated a Conditional Use in the C-5 zone because the light manufacturing process involves the use of chemicals and hazardous materials, and is potentially dangerous for surrounding properties; and

WHEREAS, on December 6, 2016, the Central Point Planning Commission opened a duly-noticed public hearing on the Application, at which time the Planning Commission heard testimony and comments on the Application; and

WHEREAS, the Planning Commission, as part of the Conditional Use Permit application, has considered and finds per the Staff Report dated December 6, 2016, that adequate findings have been made demonstrating that approval of the conditional use permit is consistent with the intent of the Thoroughfare Commercial (C-5) zoning district, now, therefore;

BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 838 does hereby approve the Application based on the findings and conclusions of approval as set forth in Attachment "P" of the Staff Report dated December 6, 2016, which also includes attachments, attached hereto by reference and incorporated herein; and

PASSED by the Planning Commission and signed by me in authentication of its passage this 6th day of December, 2016.

Planning Commission Chair

ATTEST:

City Representative

Approved this 6th day of December, 2016.

Planning Commission Chair

CONSIDERATION OF A SITE PLAN & ARCHITECTURAL REVIEW APPLICATION
FORA NEW 43,000 SQUARE FOOT BUILDING FOR ROGUE VALLEY
MICRODEVICES, INC. CORPORATE HEADQUARTERS AND LIGHT FABRICATION
FACILITY.

STAFF REPORT

December 6, 2016

AGENDA ITEM (File No. 16021)

Consideration of a Site Plan and Architectural Review application for the construction of a 43,000 square foot corporate headquarters and light fabrication facility for Rogue Valley Microdevices. Rogue Valley Microdevices proposes to operate in the Thoroughfare Commercial (C-5) zoning district. The project site is located at 4901 Biddle Rd., and is defined on the Jackson County Assessor's map as 37S 2W 01C, Tax Lot 802.

Applicant: Rogue Valley Microdevices, Inc.; **Agent:** Jay Harland, CSA Planning.

Approval Criteria: CPMC 17.72, Site Plan & Architectural Review

SOURCE

Stephanie Holtey, Community Planner II

BACKGROUND

Rogue Valley Microdevices, Inc. ("Applicant") is a microelectronics manufacturing company that intends to relocate its current operation in Medford to a 2.24 acre site on Biddle Road ("Property"). The proposed location is Lot 3 of a three (3) lot tentative partition (File No. 16005) approved in April 2016 (Attachment "A").

The Property is currently planned and zoned for Tourist and Office Professional (C-4) uses; light fabrication is not a permitted use in the C-4 district. The Property is in the process of both a land use and zone change to Thoroughfare Commercial (C-5). Light fabrication is outright permitted in the C-5 zone per CPMC 17.43.020(F). Due to the limited use of hazardous materials processes associated with the fabrication of small electronic wafer boards, the Community Development Director referred the application to the Planning Commission as a conditional use per CPMC 17.46.030 (File No. 16023). Pending approval of the above actions, the Applicant requests Site Plan & Architectural Review approval for the site development.

Project Description:

The Applicant proposes to construct a 43,000 square foot light manufacturing building consisting of 24,000 square feet of production area on one level and 19,000 square feet of office area on two levels (Attachment "B-1"). The offices are located in the front of the building nearest Biddle Road and the light fabrication operations in the back nearest to USF Reddaway Trucking, an industrial use (Attachment "B-3", and "B-4").

The Property has frontage on Biddle Road and adjoins a private retail street to the east and a private access drive to the south. The primary façade and main pedestrian entry (North Elevation) front Biddle Road and the main parking area (35 spaces). Access at this location is from the private retail street, which has limited access to Biddle Road (right-in/right-out). Secondary parking (11 spaces) is behind the building (South Elevation) with two points of access from the private retail street and

access drive. The southerly private drive provides full access (right-in/left-in, right-out/left out) onto Hamrick Road. A one-way loading drive parallels the west building elevation and provides access to two loading bays.

Architecturally the structure has a modern design that provides variation in building materials to distinguish the manufacturing (i.e. painted tip-up concrete) and office (i.e. stucco) uses. Elements such as recessed windows, sun shades/canopies and inset panels mitigate building mass on the North, East and West elevations (Attachment “B-2”). The color palette is off-white, dark blue/black and matte stainless steel.

ISSUES

There are three (3) issues relative to the application as follows:

1. **Legal Lot Status.** At the time of this review, the 2.24 acre project site has been tentatively approved but not legally created. Since the Southern Oregon Specialty Veterinary Center occupies the parent parcel (Tentative Lot 1), construction activities may not commence until the final plat is recorded.

Comment: The Applicant’s findings state that the tentative plan improvements are underway with completion of the final plat anticipated within the next couple of months. Staff recommends the lot legality issue be resolved with a condition of approval requiring final plat completion prior to building permit issuance.

2. **Parking Adjustment.** Per Table 17.64.02B, the required amount of parking for a manufacturing facility is determined based on either the number of employees per shift or the square footage of gross floor area, whichever is greater. In this case, 86 parking spaces are required. The Applicant’s parking plan proposes 46 spaces. To meet the off-street parking interior landscape requirements (See Issue 3a), the applicant may lose one (1) space in the secondary parking lot south of the building resulting in 45 spaces. Provision of 45-46 spaces does not meet the minimum/maximum parking requirement.

Comment: As part of the Conditional Use Permit (File No. 16023), the Applicant requested a parking reduction on the basis that strict application of the code requirement would significantly increase the number of parking spaces needed for the proposed use. The Applicant’s Findings (Attachment “C”) state that the a maximum of 35 people will occupy the building at any time, including employees and visitors. Based on a Parking Demand Analysis using the Institute of Traffic Engineers (ITE) Manual, the manufacturing use will generate 34-51 parking spaces (Attachment “C”, Exhibit 16). The parking plan with 45-46 spaces falls within the range generated by the ITE manual and the Central Point Municipal Code, and is therefore considered acceptable.

3. **Off-Street Parking Landscape Requirements.** Proposed off-street parking lot landscaping improvements are not consistent with the requirements for interior islands and tree planting per CPMC 17.75.039(G)(2):

- a. **Interior Islands.** CPMC 17.75.039(G)(2) requires landscape islands a minimum of 8-ft wide be placed within parking rows that contain ten (10) or more spaces. Four

(4) interior islands that are 4-ft wide are dispersed throughout the front (North) parking lot. The proposed islands do not meet the minimum width for interior landscape islands. The south parking lot behind the building (South Elevation) has an 11 space parking row and does not meet the interior landscaping requirement for islands.

Comment: Based on staff’s review, the interior landscape requirements can be met with minor modifications to the parking lot configuration (i.e. adding and modifying islands). The landscape islands within the north parking lot can be consolidated into two (2) 8-ft islands without losing any parking spaces. However, the addition of an interior island in the south parking lot appears to result in the loss of one (1) space. As demonstrated in the Applicant’s parking demand analysis (Attachment “D”), a total of 45 parking spaces would remain within the acceptable range of parking generated by the use.

Staff recommends a revised Site Plan be submitted at the time of building permit application demonstrating compliance with the interior landscape requirements per CPMC 17.75.039(G)(2).

- b. **Trees.** CPMC 17.75.039(G)(2)(a-c) provides the tree planting requirements for off-street parking lot interior landscape areas (i.e. terminals and islands). The number of trees required is a function of the parking lot visibility from the public realm. Highly visible parking lots require more trees than those that are located away from public rights-of-way (i.e. behind buildings).

The north parking lot is between the primary building façade and Biddle Road and requires 1 tree for every four (4) spaces. There are 35 spaces requiring eight (8) trees; however, only two (2) are shown on the landscape plan (Attachment “B-5”). The south parking lot is behind the building and requires one (1) tree for every eight (8) spaces resulting in one (1) tree for the 10-11 space parking row. No trees are shown on the landscape plan at this location. Table 1 shows the tree planting requirements for each parking area.

Table 1. Tree Requirement Status				
Parking Lot Location	No. Spaces	Trees Required	Trees Proposed	Difference (+/-)
North	35	8	2	(-6)
South	45-46	1	0	(-1)

Comment: Staff recommends that a revised Landscape Plan be submitted at the time of building permit application demonstrating compliance with the interior landscape requirements for trees per CPMC 17.75.039(G)(2)(a) and (c).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Site Plan and Architectural Review application for the proposed Rogue Valley Microdevices development has been evaluated for compliance with the Site Plan and Architectural Review criteria

set forth in Chapter 17.72 of the Central Point Municipal Code and found to comply, as evidenced by the Applicant's Findings (Attachment "C").

CONDITIONS OF APPROVAL

1. Site Plan and Architectural Review approval is subject to designation of the project site (37S 2W 01C, TL 802) as Commercial Thoroughfare and C-5; and approval of a Conditional Use Permit (File No. 16023). Failure to obtain any of the required land use approvals shall result in the denial of this site plan and architectural review application.
2. At the time of building permit application, the applicant shall submit a revised site plan and landscape plan demonstrating compliance with the off-street parking lot landscape requirements in CPMC 17.75.039(G)(2). Modifications that alter the site layout may be subject to CPMC 17.09, Modifications to Approved Plans.
3. Prior to building permit issuance, the final plat for the Tail Light Properties Minor Partition (File No. 16005) shall be approved by the City of Central Point and recorded by the Jackson County Assessor.
4. The Applicant shall comply with agency conditions as listed in the:
 - a. Rogue Valley Sewer Services letter dated November 16, 2016 (Attachment "E").
 - b. Jackson County Roads letter dated November 16, 2016 (Attachment "F").

ATTACHMENTS

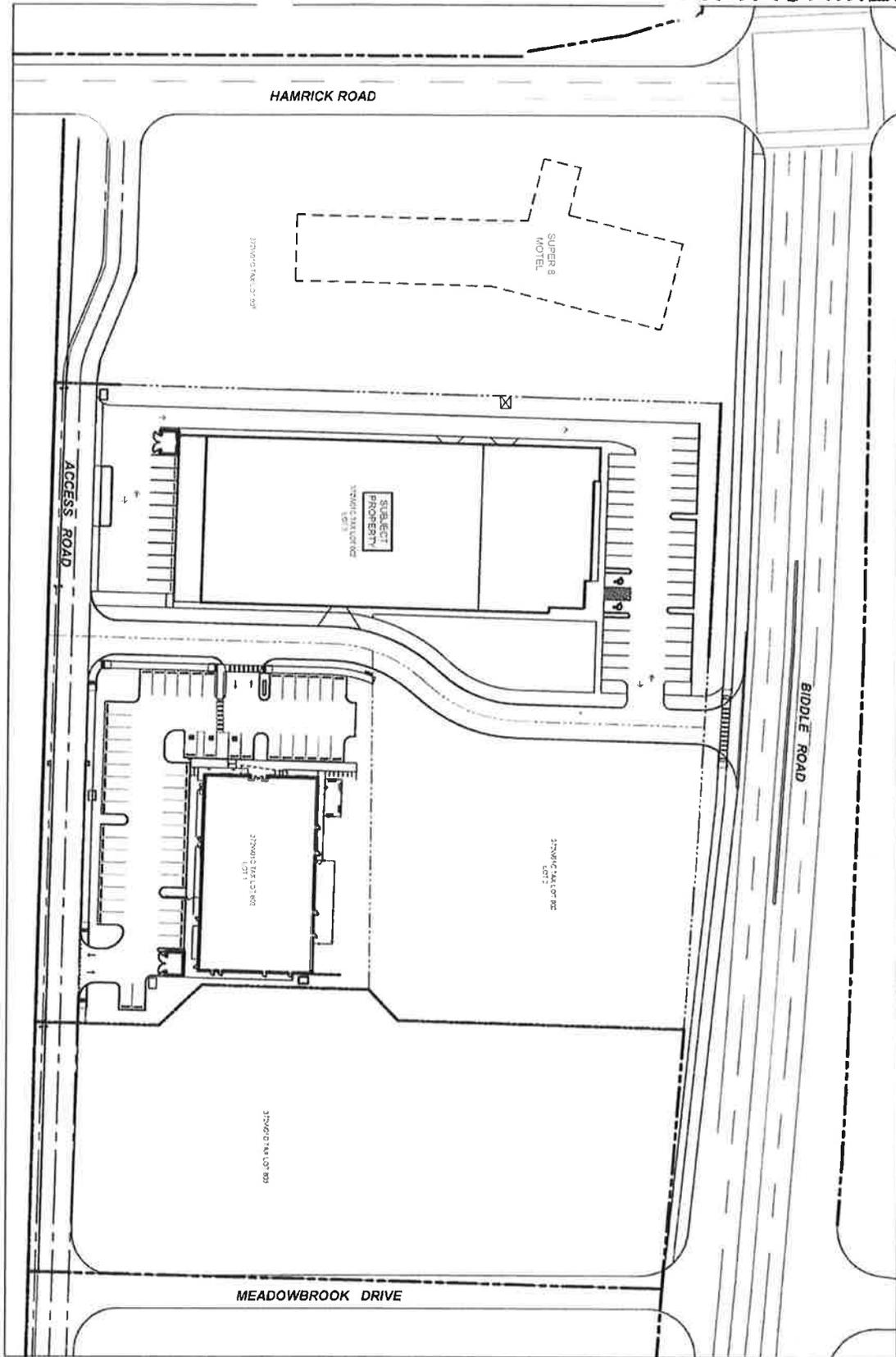
Attachment "A" – Area Plan with Tentative Partition Plan
Attachment "B-1" – Site Plan
Attachment "B-2" – Architectural Elevations
Attachment "B-3" – 1st Floor Plan
Attachment "B-4" – 2nd Floor Plan
Attachment "B-5" – Landscape & Irrigation Plan
Attachment "B-6" – Civil Site Grading & Utility Plan
Attachment "C" – Applicant's Findings, with Exhibits 1-16.
Attachment "D" – Application Clarification Memo from CSA Planning dated November 29, 2016
Attachment "E" – Rogue Valley Sewer Services letter dated November 16, 2016
Attachment "F" – Jackson County Roads letter dated November 16, 2016
Attachment "G" – Resolution No. 839

ACTION

Consider the Site Plan and Architectural Review application and 1) approve; 2) approve with conditions; or 3) deny the application.

RECOMMENDATION

Approve the Rogue Valley Microdevices Site Plan & Architectural Review with conditions as recommended in the Staff Report dated December 6, 2016, and contingent on the approvals of the Comprehensive Plan Amendment (File No. 16025), the Zone Change Amendment (File No. 16024), and Conditional Use Permit (File No. 16023).



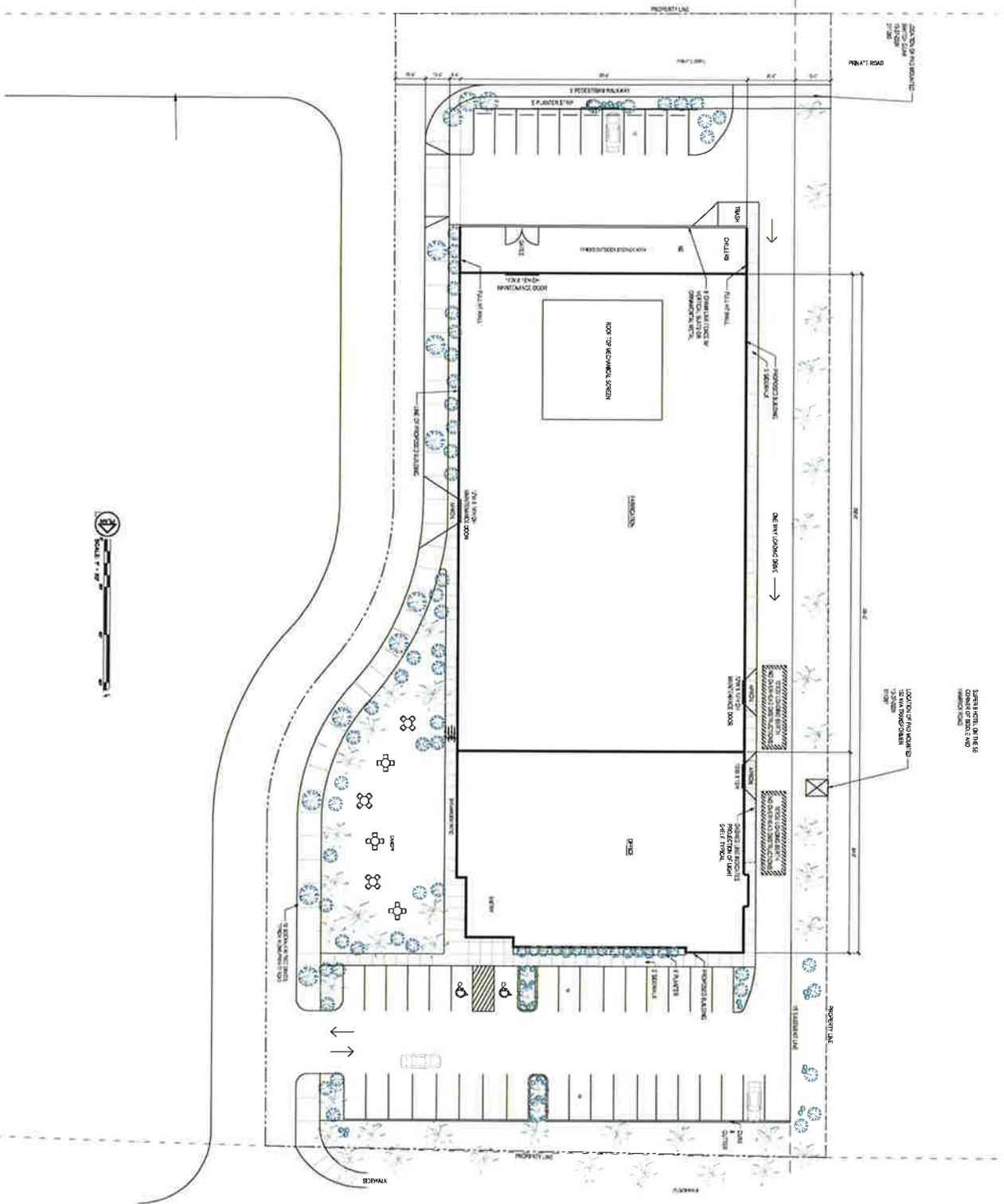
1

DATE 9/9/2017
SCALE 1:800

AREA PLAN

ROGUE VALLEY MICRODEVICES



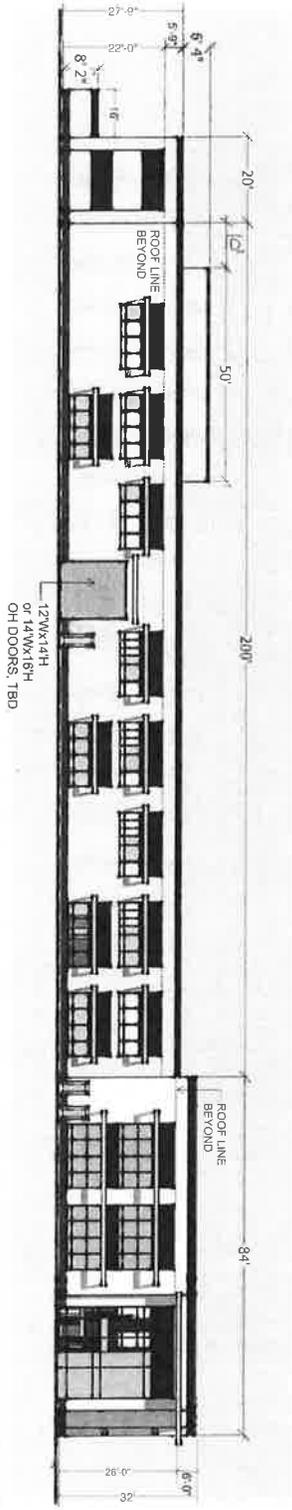


Biddle Road

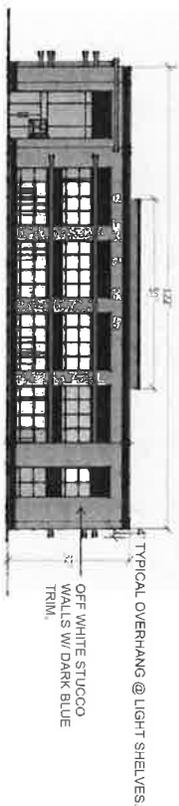
NOT FOR CONSTRUCTION	
DATE: 08/20/2018	SCALE: AS SHOWN
DESIGNED BY: [Signature]	CHECKED BY: [Signature]
DRAWN BY: [Signature]	DATE: 08/20/2018

ROGUE VALLEY MICRODEVICES
 4601 BIDDLE-TAX LOT 802
 CENTRAL POINT, OREGON


STRAUS & SEIBERT
 ARCHITECTS
 1000 W. 10TH ST. S.W.
 ASTORIA, OR 97103
 PHONE: 503.325.1234
 FAX: 503.325.1235



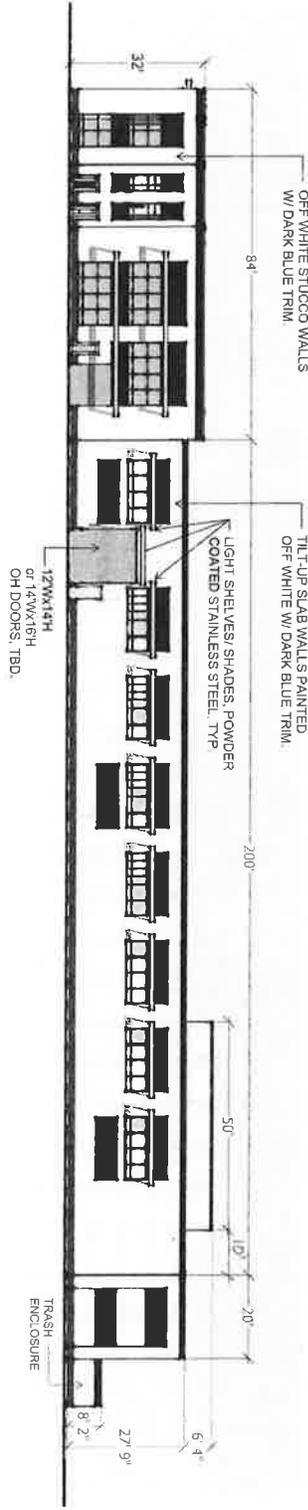
EAST ELEVATION



NORTH ELEVATION

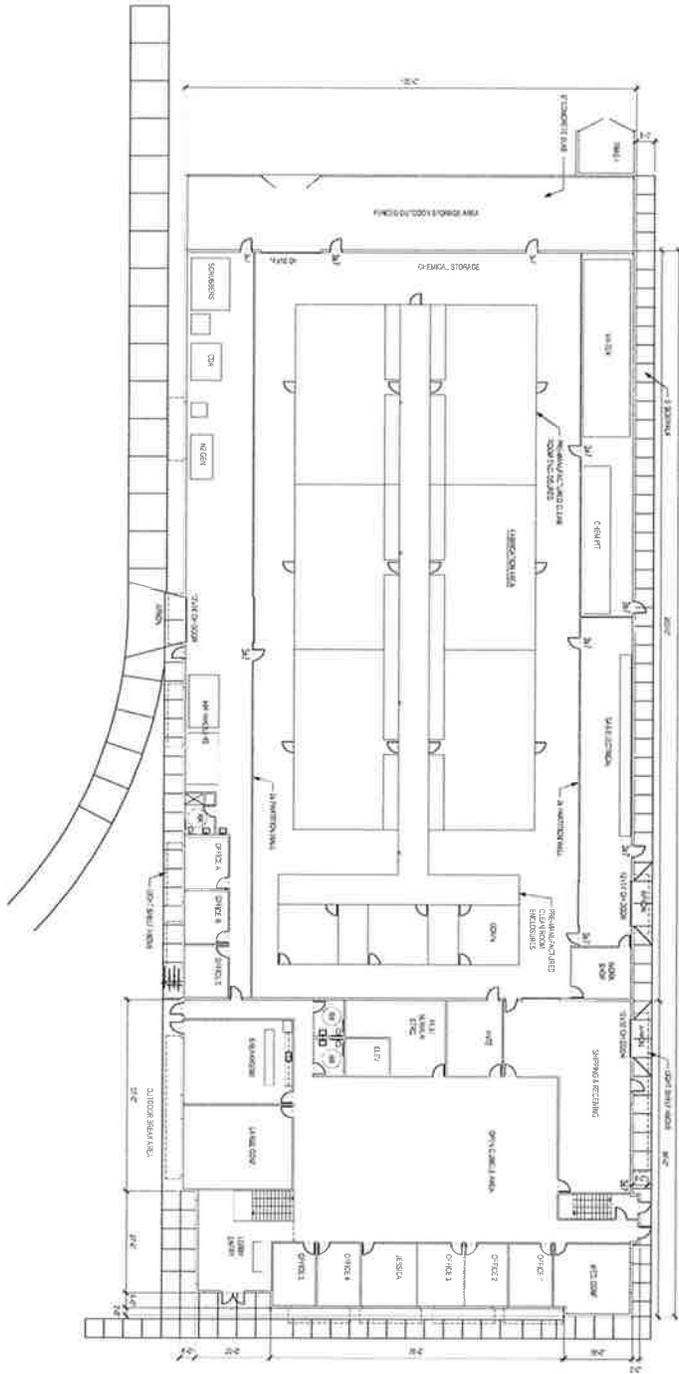


SOUTH ELEVATION



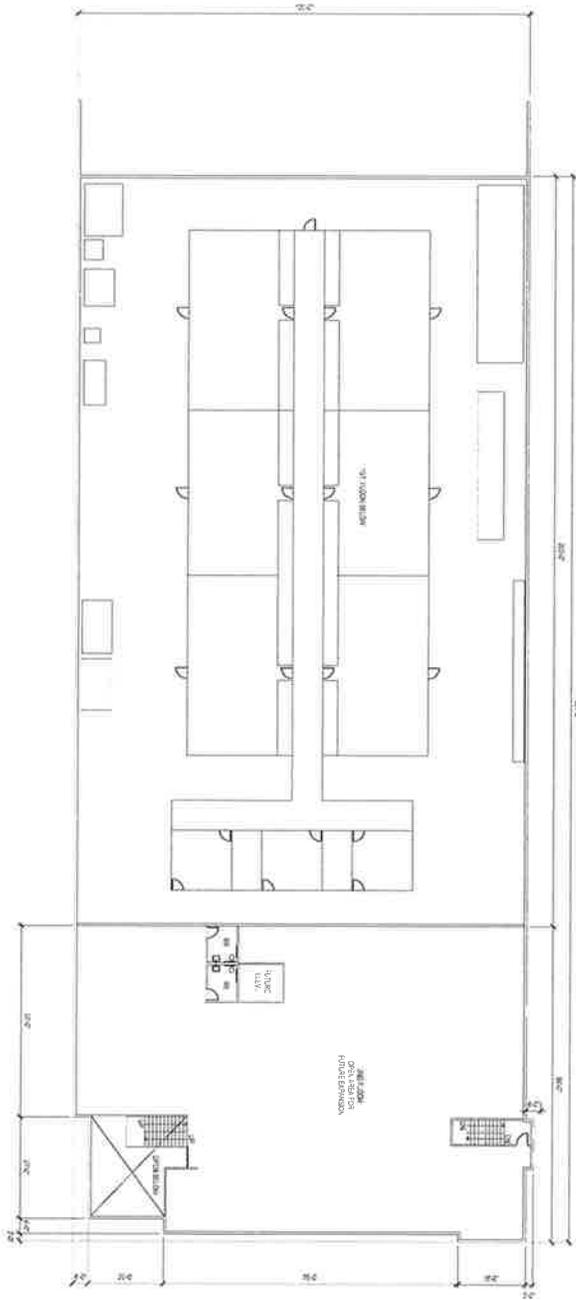
WEST ELEVATION

ROGUE VALLEY MICRODEVICES
 CENTRAL POINT, OREGON
 EXTERIOR ELEVATIONS
 STRAUS & SEBERT ARCHITECTS



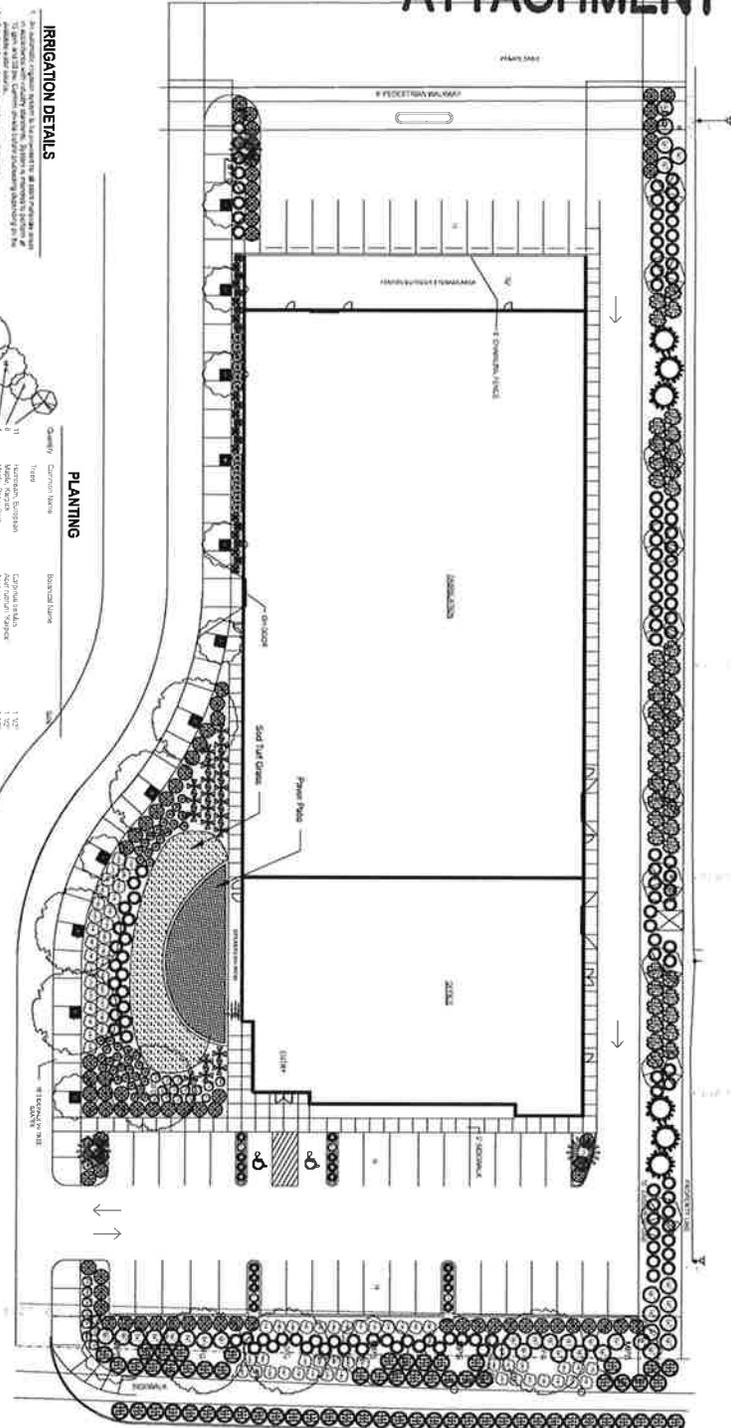
1st FLOOR PLAN
SCALE: 1/8" = 1'-0"

<p>NOT FOR CONSTRUCTION</p>	<p>PROJECT: ROSS</p> <p>DATE: 11/20/08</p>	<p>ROGUE VALLEY MICRODEVICES 4601 BIDDLE-TAX LOT 802 CENTRAL POINT, OREGON</p>	<p>STRAUS & SEIBERT</p> <p>ARCHITECTS</p> <p>1100 N. 10TH ST., SUITE 100 ASTORIA, OREGON 97103 TEL: 503-325-1100 WWW.STRAUS-SEIBERT.COM</p>
	<p>OWNER: ROSS</p> <p>DESIGNER: STRAUS & SEIBERT</p> <p>DATE: 11/20/08</p>		



202 FLOOR PLAN
SCALE: 1/8" = 1'-0"

<p>NOT FOR CONSTRUCTION</p>	<p>ROGUE VALLEY MICRODEVICES 4601 BIDDLE-TAX LOT 802 CENTRAL POINT, OREGON</p>	<p>STRAUS & SEIBERT</p>		<p>PROFESSIONAL ARCHITECT 1000 N. CENTRAL AVENUE, SUITE 200 CENTRAL POINT, OREGON 97502 PHONE: (541) 871-1111 FAX: (541) 871-1112</p>
				<p>DATE: 11/20/08 DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: 1/8" = 1'-0"</p>



IRRIGATION DETAILS

1. Irrigation system shall be designed to provide uniform water distribution to all plants in the landscape.
2. The system shall be designed to provide a minimum of 1.0 inch of water per week during the growing season.
3. The system shall be designed to provide a minimum of 0.5 inch of water per week during the dormant season.
4. The system shall be designed to provide a minimum of 0.2 inch of water per week during the winter season.
5. The system shall be designed to provide a minimum of 0.1 inch of water per week during the summer season.
6. The system shall be designed to provide a minimum of 0.05 inch of water per week during the fall season.
7. The system shall be designed to provide a minimum of 0.02 inch of water per week during the spring season.
8. The system shall be designed to provide a minimum of 0.01 inch of water per week during the summer season.
9. The system shall be designed to provide a minimum of 0.005 inch of water per week during the fall season.
10. The system shall be designed to provide a minimum of 0.002 inch of water per week during the spring season.
11. The system shall be designed to provide a minimum of 0.001 inch of water per week during the summer season.
12. The system shall be designed to provide a minimum of 0.0005 inch of water per week during the fall season.
13. The system shall be designed to provide a minimum of 0.0002 inch of water per week during the spring season.
14. The system shall be designed to provide a minimum of 0.0001 inch of water per week during the summer season.
15. The system shall be designed to provide a minimum of 0.00005 inch of water per week during the fall season.
16. The system shall be designed to provide a minimum of 0.00002 inch of water per week during the spring season.
17. The system shall be designed to provide a minimum of 0.00001 inch of water per week during the summer season.
18. The system shall be designed to provide a minimum of 0.000005 inch of water per week during the fall season.
19. The system shall be designed to provide a minimum of 0.000002 inch of water per week during the spring season.
20. The system shall be designed to provide a minimum of 0.000001 inch of water per week during the summer season.

PLANTING

Plant	Quantity	Notes
1. Tree	1	Plant in front of building
2. Shrub	2	Plant in front of building
3. Flowering Shrub	2	Plant in front of building
4. Tree	1	Plant in front of building
5. Shrub	2	Plant in front of building
6. Flowering Shrub	2	Plant in front of building
7. Tree	1	Plant in front of building
8. Shrub	2	Plant in front of building
9. Flowering Shrub	2	Plant in front of building
10. Tree	1	Plant in front of building
11. Shrub	2	Plant in front of building
12. Flowering Shrub	2	Plant in front of building
13. Tree	1	Plant in front of building
14. Shrub	2	Plant in front of building
15. Flowering Shrub	2	Plant in front of building
16. Tree	1	Plant in front of building
17. Shrub	2	Plant in front of building
18. Flowering Shrub	2	Plant in front of building
19. Tree	1	Plant in front of building
20. Shrub	2	Plant in front of building
21. Flowering Shrub	2	Plant in front of building
22. Tree	1	Plant in front of building
23. Shrub	2	Plant in front of building
24. Flowering Shrub	2	Plant in front of building
25. Tree	1	Plant in front of building
26. Shrub	2	Plant in front of building
27. Flowering Shrub	2	Plant in front of building
28. Tree	1	Plant in front of building
29. Shrub	2	Plant in front of building
30. Flowering Shrub	2	Plant in front of building

GENERAL CONSTRUCTION NOTES

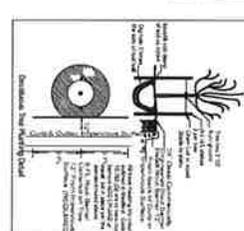
1. All construction shall be in accordance with the applicable codes and regulations.
2. The contractor shall be responsible for obtaining all necessary permits.
3. The contractor shall be responsible for the quality of all work.
4. The contractor shall be responsible for the safety of all workers.
5. The contractor shall be responsible for the protection of all existing utilities.
6. The contractor shall be responsible for the cleanup of all construction materials.
7. The contractor shall be responsible for the maintenance of all construction equipment.
8. The contractor shall be responsible for the disposal of all construction waste.
9. The contractor shall be responsible for the completion of all construction within the specified time frame.
10. The contractor shall be responsible for the final inspection of all construction.

PLANTING

1. Plants shall be installed in accordance with the applicable codes and regulations.
2. The contractor shall be responsible for the quality of all plants.
3. The contractor shall be responsible for the safety of all workers.
4. The contractor shall be responsible for the protection of all existing utilities.
5. The contractor shall be responsible for the cleanup of all construction materials.
6. The contractor shall be responsible for the maintenance of all construction equipment.
7. The contractor shall be responsible for the disposal of all construction waste.
8. The contractor shall be responsible for the completion of all construction within the specified time frame.
9. The contractor shall be responsible for the final inspection of all construction.

GRADING

1. All grading shall be in accordance with the applicable codes and regulations.
2. The contractor shall be responsible for the quality of all grading.
3. The contractor shall be responsible for the safety of all workers.
4. The contractor shall be responsible for the protection of all existing utilities.
5. The contractor shall be responsible for the cleanup of all construction materials.
6. The contractor shall be responsible for the maintenance of all construction equipment.
7. The contractor shall be responsible for the disposal of all construction waste.
8. The contractor shall be responsible for the completion of all construction within the specified time frame.
9. The contractor shall be responsible for the final inspection of all construction.



Biddle Road



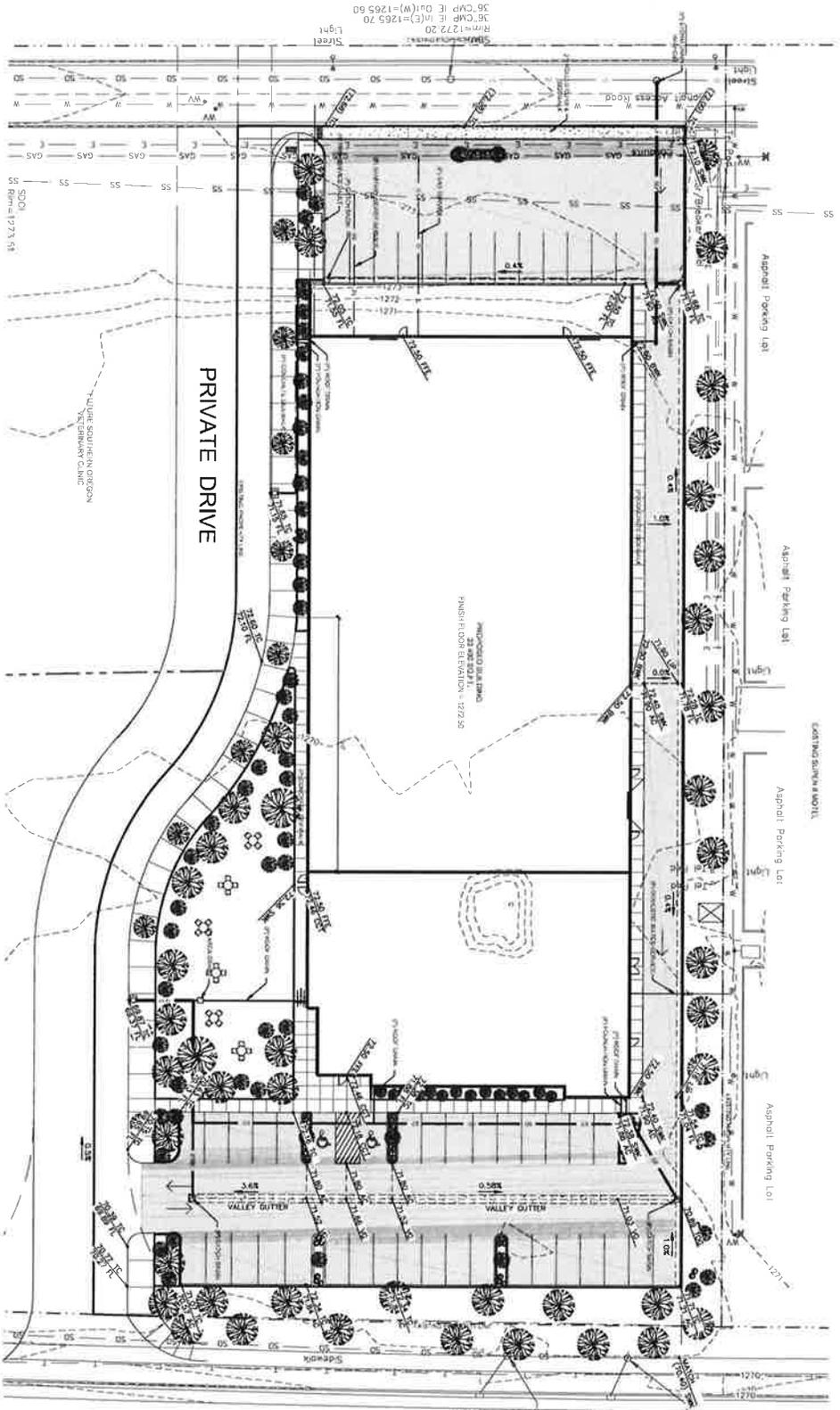
L1

SCALE 1" = 20'

ROGUE VALLEY MICRODEVICES
4601 BIDDLE ROAD TAX LOT 802
CENTRAL POINT, OREGON 97502

Madara Design Inc
Landscape Design & Consultation
2394 Wells Fargo Rd
Central Point, Or 97502
541-864-7055





CALL BEFORE YOU DIG
 1-800-485-3244
 A MESSAGE FROM THE STATE OF OREGON
 ADVISORY BOARD ON THE PROTECTION OF UTILITIES
 850 NE OREGON STREET, SUITE 200, PORTLAND, OREGON 97232
 OR 503-948-3800

PROPOSED ASPHALT SURFACE
 PROPOSED CONCRETE SURFACE

- LEGEND - NEW CONSTRUCTION**
- AC ASPHALT
 - CB CATCH BASIN
 - CO CONCRETE
 - DI DIRT/FILL ROW
 - DM DOMESTIC WATER
 - FG FINISHED GRADE
 - FL FLOORLINE
 - FS FINISH SURFACE
 - IN INVERT ELEVATION
 - SW SWOGEWALK
 - TOB TOP OF BANK
 - WV VALLEY GUTTER
 - PROPOSED
- CC1 CONCRETE
 - CO2 STORM DRAIN CLEAN W/LET
 - CO3 STORM DRAIN CLEAN OUT
 - SW1 SANITARY SEWER MANHOLE
 - SW2 SANITARY SEWER, PVC ASTM D-3034
 - SW3 SANITARY SEWER, CLEAN OUT
 - TOP FACE OF CURB
 - WATER METER
 - EXISTING GRADE
 - TOP OF BANK
 - TOP POINT
 - LOW POINT



PRELIMINARY
 NOT BE USED FOR
 CONSTRUCTION
 REVISIONS
 1/2025 (REV. 0)



C1
 CIVIL SITE
 GRADING & UTILITY
 PLAN

**ROGUE VALLEY
 MICRODEVICES**
 4601 BIDDLE-TAX LOT 802
 CENTRAL POINT, OREGON

**STRAUS
 &
 SEIBERT**
 ARCHITECTS LLP
 1000 NE Oregon Street
 Portland, OR 97232

BEFORE THE PLANNING COMMISSION AND
CITY COUNCIL

FOR THE CITY OF CENTRAL POINT

STATE OF OREGON

IN THE MATTER OF A REQUEST FOR A
CONDITIONAL USE PERMIT, SITE PLAN
AND ARCHITECTURAL REVIEW FOR A
LIGHT FABRICATION FACILITY. THE
SUBJECT TRACT IS LOCATED AT 4901
BIDDLE ROAD WHICH IS ON THE
SOUTH SIDE OF BIDDLE ROAD
BETWEEN HAMRICK AND TABLE ROCK
ROAD IMMEDIATELY EAST OF THE
SUPER 8 MOTEL. THE PROPERTY IS
LOCATED IN THE CITY OF CENTRAL
POINT AND IS MORE SPECIFICALLY
IDENTIFIED AS TAX LOT 802 IN
TOWNSHIP 37 SOUTH, RANGE 2 WEST
(WM), SECTION 01C.

PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW

Applicants' Exhibit 2

Applicant/ Owners:
Rogue Valley Microdevices, Inc.
Tail Lite Properties, LLC

Agent: **CSA Planning, Ltd.**

I

NATURE OF THE APPLICATION

The Applicants request a Site Plan and Architectural Review for the building and site plan for the proposed Rogue Valley Microdevices corporate headquarters building. In addition, based upon information in the Pre-Application Conference Report, per staff's recommendation the Applicant is also applying for a conditional use permit based on the nature of the business and its parking needs.

Rogue Valley Microdevices corporate headquarters building is proposed to be located on Lot 3 of the tentative partition plan which is the western half of an approved land division. The infrastructure for the partition plat is under construction now. It is possible, if not likely, that the final plat will be completed contemporaneous with the review of this subject application. The partition plat includes a retail street running from Biddle Road to the southern private access road. A new veterinary clinic was approved for Lot 1 at the southeast corner of the property and is currently under construction. The approved tentative plat actually included two alternate lot layouts, "A-1" and "A-2". Tail Lite Properties, Inc. is constructing "A-2" consistent with the approved alternative that supports the proposed Rogue Valley Microdevices headquarters use.



Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

The request for the CUP is based on two things. First, the business uses small amounts of hazardous materials for its fabrication of small electronic wafer boards. Second, the parking calculations per the code are not aligned with the actual need for this building and use. Therefore the Applicant requests a conditional use permit that allows for its small scale handling of hazardous materials and for the proposed amount of parking.



II

EVIDENCE SUBMITTED WITH THE APPLICATIONS

Applicant herewith submits the following evidence with its land use application:

- Exhibit 1.** Completed application forms and Duly Executed Limited Powers of Attorney from Applicants and Owners authorizing CSA Planning, Ltd. to act on their behalf.
- Exhibit 2.** These proposed findings of fact and conclusions of law, demonstrating how the application complies with the applicable substantive criteria of Central Point' s Land Development Ordinance
- Exhibit 3.** Applicants' Demonstration of Compliance with Applicable Development Standards
- Exhibit 4.** Jackson County Assessor Plat Map 37-2W-01C
- Exhibit 5.** Comprehensive Land Use Plan Map
- Exhibit 6.** Proposed Comprehensive Land Use Plan Map
- Exhibit 7.** Zoning Map on Aerial Photo
- Exhibit 8.** Proposed Zoning Map
- Exhibit 9.** Area Plan (depicting Approved In-Process Project and Proposed Development)
- Exhibit 10.** Letter Evaluating Transportation Impacts from Plan Amendment and Zone Change, Southern Oregon Transportation Engineering.
- Exhibit 11.** Survey of Existing Conditions; *Pariani Land Surveying, February 9, 2015.*
- Exhibit 12.** Site Photos and Site Photo Key Map
- Exhibit 13.** Proposed Site Development Plans:
 - Exterior Building Elevations
 - Site Plan
 - Floor Plan
 - C-1 Civil Plan
 - L-1 Landscape Plan
- Exhibit 14.** Tentative Partition Plat Notice of Decision and Staff Report with Exhibit A-2
- Exhibit 15.** Development Transportation Impact Analysis, Southern Oregon Transportation Engineering
- Exhibit 16.** Parking Demand Analysis, Southern Oregon Transportation Engineering



III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The relevant substantive Central Point Zoning Ordinance (CPZO) criteria prerequisite to approving a Conditional Use Permit, Site Plan and Architectural Review are recited in relation to the proposed development on Parcel 3:

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

CONDITIONAL USE PERMIT REVIEW CRITERIA

17.46.060 General requirements.

- 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.
- 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.
- 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. (Ord. 1684 §46, 1993; Ord. 1615 §44, 1989; Ord. 1436 §2(part), 1981).

17.46.010 Purpose.

The C-5 district is intended to provide for commercial and business uses that are most appropriately located along or near major highways or thoroughfares, and are largely dependent upon highway visibility and easy vehicular access. (Ord. 1883 (part), 2006; Ord. 1436 §2(part), 1981).

17.46.020 Permitted uses.

The following uses are permitted in the C-5 district:

- F. Light fabrication, such as:
 - 1. Light fabrication, assembly, packaging, mail-order sales and wholesale sales of consumer goods, and
 - 2. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheetmetal, signs, stone monuments, upholstery and welding;

17.46.030 Conditional uses.

The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:

- 26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;

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



Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

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

SITE PLAN AND ARCHITECTURAL REVIEW CRITERIA

Chapter 17.72

SITE PLAN AND ARCHITECTURAL REVIEW

17.72.020 Applicability.

B. Major Projects. The following are "major projects" for the purposes of the site plan and architectural review process and are subject to Type 2 procedural requirements as set forth in Chapter 17.05, Applications and Types of Review Procedures:

- 1. New construction, including private and public projects, that:
 - a. Includes a new building or building addition of five thousand square feet or more;
 - b. Includes the construction of a parking lot of ten or more parking spaces;

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 standards:

- A. Applicable site plan, landscaping, and architectural design standards as set forth in Chapter 17.75, Design and Development Standards;



Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

- B. City of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction;
- C. Accessibility and sufficiency of fire fighting facilities to such a standard as 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.



IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Ownership/Applicant:** Tax Lot 802 is owned in fee simple by Tail Lite Properties, LLC. Rogue Valley Microdevices is in contract to purchase Lot 3 of the subject property. Agent CSA Planning, Ltd. is submitting this application on behalf of the property owner and contract purchaser.
2. **Location:** The subject property is located on the south side of Biddle Road between Hamrick Road and Table Rock Road. The property is identified as Tax Lot 802 in Township 37 South, Range 02 West (W.M.), Section 01C. The site address is 4901 Biddle Road, Central Point, OR.
3. **Parcel Size:** Tax Lot 802 currently has 4.87 acres. *See*, Exhibit 4.
4. **Comprehensive Plan Map Designation / Zoning:** Designated *Tourist and Office Professional / Zoned C-4 Tourist and Office Professional*. *See*, Exhibits 5 and 7.
5. **Proposed Comprehensive Plan Map Designation / Zoning:** Designation proposed to be amended to Thoroughfare Commercial and to change the zone to C-5. *See*, Exhibits 6 and 8.
6. **Existing Frontage and Access:** The subject property has frontage along its northern boundary on Biddle Road. Biddle Road is classified in the TSP as an arterial. Tax Lot 802 also has access easements on the access drives that run south from Biddle Road along Tax Lot 803 and along the southern boundaries of Tax Lots 801, 802 and 803 and intersecting with Hamrick Road. These private commercial accesses were reviewed and approved by Central Point at the time of land division that created the parent parcel. A private north-south Retail Street has been approved to intersect with Biddle Road approximately mid-block between existing accesses. The Retail Street will have right-in/right-out only access with a median in Biddle Road and is currently under construction.
7. **Lot Legality:** Tax Lot 802 was created through two partitions. Tax Lot 800 was divided through partition *P-03-2004* into three parcels in 2004, and in 2005 the resulting Parcel 2 was subdivided into three lots, of which Tax Lot 802 was Lot 1. In 2007 a lot line adjustment was made to the border between Tax Lots 802 and 803 creating its current configuration. In April of 2016, the City of Central Point approved a tentative partition plat to divide Tax Lot 802 into three separate parcels. The proposed conditional use permit and site plan review are directed at Parcel 3 of the approved tentative land division; it is possible, if not probable, that the final plat will be recorded prior to completion of the subject land use review.
8. **Previous Planning Permits:**
File No. 16004 - Site Plan and Architectural Review which approved a veterinary clinic on Parcel 1 of the land division *and File No. 16005*- Tentative Partition were approved April 14, 2016.
9. **Existing Development:** The property is currently vacant but construction of the Retail Street and the veterinary clinic has begun.



10. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The stretch of Biddle Road/East Pine Street (“BR/EPS”) that is east of the Interstate-5 in Central Point is an employment area with a mix of commercial uses right along BR/EPS on the south side with some industrial uses further to the south. Except for a small portion of a larger residential area near Meadowbrook Drive and Orchard View Avenue, the north side of BR/EPS is primarily undeveloped employment designated property; further to the north is the Jackson County Expo (fairgrounds), the Central Point East residential area, and some legacy County development patterns. There are a mix of developed and undeveloped properties between the interstate and Table Rock Road.

East: To the east of the subject property is vacant land owned by Les Schwab. Further to the east is additional vacant employment land that is marketed for sale. This land has a Comprehensive Plan Map of Thoroughfare Commercial and is zoned C-5

North: Across Biddle Road is the Dulany property. This property has a single family dwelling on it and is under developed in relation to its plan designation. The property is planned Tourist and Professional Office and is zoned C-4. The land to the northeast is planned and zoned for residential uses and has been developed with single-family dwellings. Land to the northwest is a large vacant 21 acre site planned Tourist and Office Professional and zoned C-4.

South: South of the subject property across the private commercial access drive is the USF Reddaway warehouse logistics facility. This facility is planned General Industrial and zoned M-2.

West: Immediately to the west is the Super 8 Motel. This site is planned Tourist and Office Professional and is zoned C-4. Further to the west is some vacant commercial land across Hamrick Road and a road maintenance yard further to the southwest.

11. **Topography:** The subject property is essentially level, sloping very gently to the north.
12. **Water Facilities and Services:** Underground water utilities exist at the west property line and along the utility and access easement along the southern portion of the property. These water facilities are available for connection.
13. **Sanitary Sewer Facilities and Services:** Underground sanitary sewer utilities exists in the utility easements along the south portion of the property and are available for connection.
14. **Power and Natural Gas:** Underground power is available from Pacific Power and underground gas is available from Avista Utilities and the same exist in the utility easements along the south portion of the property and are available for connection.
15. **Fire and Police Protection:** The subject properties are located within and are served by Fire District No. 3. Police service is provided by the City of Central Point Police Department.
16. **Wetlands, Streams and floodplain:** The subject property does not contain any jurisdictional wetlands per Jackson County GIS Services. The subject property does not contain any streams or floodplains per Jackson County GIS Services.
17. **Storm Drainage Facilities and Services:** Underground storm drainage lines are located in Biddle Road and in the private access easement and utility area on the south portion of the property. These storm drain lines are available for connection. The approval of the prior



land division necessitated construction of a stormwater detention facility on Lot 2 of the partition which is planned to handle a significant portion of the Rogue Valley Microdevices' storm drainage needs, see Exhibit 13, Sheet C-1.

18. Transportation and Access:

A. Access and Circulation: Access to the site is via a private retail street that is under construction and was approved under Planning File No. 16005. The retail street intersects with Biddle Road and is a right-in-right-out intersection allowing in-movement from the west and out-movement to the east onto Biddle Road. A concrete median in Biddle Road will be constructed in conjunction with the new retail street. Access coming from the east will be from a left turn onto the private street connection opposite Meadowbrook and then right along the private access drive to the south and then a right onto the private retail street. Access out of the site to the west will involve a right turn onto the private retail street and then out the private access drive along the south property line to a right turn on Hamrick then to the signal where a left can be made onto East Pine Street.

The office driveway is located on the private retail street. It is somewhat close to the intersection with Biddle Road but there is adequate room for at least two stacked vehicles and it is a right into the site so no queuing at this location is expected. The other access onto the site is via two large driveways to the south access drive; the wide driveways are needed to get semi-trucks into the back parking lot area and then out onto the private access drive. These south driveways will be truck vehicle access points; smaller trucks that use the west service drive will exit via the front office parking lot access point.

B. Transportation Impacts from Proposed Development: The Applicant's traffic engineer also prepared a traffic impacts analysis that analyzes the proposed Rogue Valley Microdevices project, see Exhibit 15. That analysis was an update to the Southern Oregon Veterinary Specialty Center analysis done for that project which is now under construction. In the prior analysis, Parcel 3 was assumed to be a future site for a 25,000 square foot specialty retail center, along with the veterinary clinic and an assumed sit down restaurant on the remaining Parcel 2. The updated analysis continues to assume the sit down restaurant on Parcel 2 and assumes the veterinary clinic use on Parcel 1 but substitutes the Rogue Valley Microdevices use for Parcel 3. This results in a reduced trip generation of the entire site of 53 P.M. peak hour trips.

The results of the analysis show that the transportation system can accommodate the proposed use in conformance with all applicable performance standards.

19. Proposed Development Project:

The proposed Rogue Valley Microdevices corporate headquarters and light fabrication facility has the following features:

A. Design Scheme: The approach to the building is to create a modern and attractive high-tech light manufacturing building. The building is proposed to contain a 10,000 square foot clean room within a 24,000 square foot production area and the building will have approximately 19,000 square feet of accessory office space on two levels. Being a high-tech facility, the interior is a purpose built design that reflects workflow needs and the demands of the clean room.



The nature of the interior layout dictates the location of certain outdoor connections in terms of entrance location, delivery doors and access to the accessory office uses. Overall, the exterior is a modern, but relatively simple flat-roofed commercial building with several attractive architectural elements on the main façade and attractive materials on all elevations. See, Exhibit 13.

B. Vehicle Parking and Loading: The project proposes 46 parking spaces. The application is requesting an adjustment to the off-street parking standards as part of the Conditional Use Permit approval (pursuant to special conditions of approval that may be imposed under 17.76.040(E)(3)) because a strict application of the code would require significantly more parking than is expected to be needed by the use. There is a wide disparity between the two calculation methods for the parking requirements. The employee calculation method for industrial uses yields a need for approximately 18 spaces. The gross floor area method would require 84 spaces, one for every 500 square feet of gross floor area, which is difference of over 60 parking spaces. The proposed 46 spaces is between the two need calculation methods and is projected to be adequate for the use. It is expected that this amount of parking will be adequate to allow for nearly doubling of the size of the company within the new space, which is the largest it can be within the new facility. A parking demand analysis has been prepared by Southern Oregon Transportation Engineering for this submittal and is located in Exhibit 16.

Industrial uses of 37,501 square feet to 50,000 square feet are required to have four loading berths; the actual fabrication area is 24,000 square feet which would require four berths. The site plan and building elevations depict four overhead loading doors for the facility. Two overhead doors are located on the west elevation along the service drive. These will be accessed by forklift for semis from the main rear parking lot and by smaller delivery vehicles such as FedEx and UPS. This entire circulation area on the west side of the building could be considered a series of loading berths, in which case the site has the equivalent of 8 loading berths just on this side. One overhead door loading location on the east elevation, trucks could use this for delivery from the private retail street although this would be expected to be a rare occurrence; primarily this would be accessed by forklift on the occasion when equipment needed to be loaded on the east side of the clean room. The fourth overhead door is shown on the south elevation and this berth will generally be used by a forklift off-loading from a semi-trailer truck parked in the rear lot.

C. Bike Parking: The code requires four bike parking spaces. The covered bike parking spaces will be under a canopy area located at the outdoor break area.

D. Landscaping: This high-tech light manufacturing facility is proposed to be fully landscaped at the time of development, see Exhibit 13, Sheet L-1. The proposed landscaping is extensive for an industrial use and is proposed in a manner that will allow it to blend well with commercial uses in the area. The 10-foot sidewalk with tree wells on the retail street will create an attractive streetscape for this private street. The planting scheme includes a number of mass plantings that will create an attractive landscape throughout the year.

20. Conditional Use Permit Findings: Even though the proposed use could properly be approved as a permitted use under Use F – Light Fabrication. The planning staff has the authority to refer uses to the Planning Commission as a Conditional Use Permit. The Pre-Application indicated the Staff's intent to refer the application to the Planning Commission



for Conditional Use Permit approval. The City of Central Point has conditional use permit criteria that require specific findings. Applicant's agent provides the below testimony as evidence to address such required findings and this testimony may be relied upon as substantial evidence; CSA Planning are experts in Oregon Land Use Planning and have experience as a professional planning firm for over 35 years.

A. Lot Size and Configuration: A site plan has been submitted concurrent with the proposed use. The proposed design can be found to be in compliance with applicable sections of the code and the site plan shows the use can be accommodated on the site. The only aspects of the size of the lot and proposed development are relatively minor issues relating to parking supply and the storm drainage. A portion of the storm drainage detention for the building is being placed in the swale on the northeast lot; this swale was designed to accommodate drainage from the Rogue Valley Microdevices building in accordance with private agreements between the parties. The other minor issue is parking supply. The parking supply issue is largely a function of the code's methods for calculating parking demand. The two methods vary widely, but the code requires the "higher" method to be used; applicant has requested the City approve an adjustment to the off-street parking requirements based upon the unique characteristics of the proposed use pursuant to CPMC 17.76.040(E)(3). With approval of this parking supply adjustment, the proposed development will satisfy all applicable City development requirements on the subject lot.

B. Traffic and Access: See transportation and access findings and related evidence elsewhere in the application submittal.

C. Effects on Abutting Property: Analysis of abutting properties are analyzed by direction:

i. **North:** Lands to the north are across Biddle Road, which is a major arterial roadway. The north building elevation is where the accessory office uses are located and the design and appearance of this portion of the buildings is similar to two-story office buildings permitted in the zone and serves to further buffer uses to the north. Given the intensity of the Biddle Road use and the low-intensity office use of the northern third of the building, no adverse effects on properties to the north are expected. Signage, landscaping and outdoor lighting will be similar on the north elevation to uses permitted in the zone and effect on lands to the north will not be adverse.

ii. **Northeast:** Land to the northeast is a vacant lot that will be created by recording the final plat for Planning File No. 16005. The resulting lot will be across the private retail street from Rogue Valley Microdevices. Also, there will be a bioswale adjacent to the retail street that will further separate the uses as will the large landscape area on the east side of the building. The northern two-thirds of this lot will be adjacent to the office use of the building. The bioswale is required to be a minimum length which moves the access to the vacant lot south in a location where the driveways will be separated. Even though the driveways will be offset they will be offset in the direction that still allows for smooth traffic flow because the left-outs of each parking lot will not conflict with one another. The access separation will be adequate for all movements to see one another in an appropriate manner. Signage, landscaping and outdoor lighting will be similar when viewed



from the northeast and compared to uses permitted in the zone and effect on the parcel to the northeast will not be adverse.

- iii. **Southeast:** Land to the southeast is under construction for a veterinary clinic. The owner of the veterinary clinic is the owner of the subject development property. The veterinary clinic's front entrance will face the east elevation where there are high windows throughout and a single roll-up door; that particular roll-up door is expected to be used on a limited basis but is necessary to provide forklift access to the outside of the building on that side to the clean-room. There will be approximately 115 feet of separation from the east wall to the veterinary clinic entrance. The veterinary clinic provides emergency 24-hour animal care and the lighting and development of the Rogue Valley Microdevices building is expected to enhance lighting and safety in the area during night operations. The design of the building includes a full height exterior wall on the back of the building to screen the outdoor equipment area at the back of the building. Because Tail Lite LLC (a limited liability company owned by the owners of Southern Oregon Veterinary Specialty Center) is the seller of the property to Rogue Valley Microdevices, they have coordinated the designs of their respective buildings to assure compatibility between the respective uses and designs. Signage, landscaping and outdoor lighting will be similar when viewed from the southeast and compared to uses permitted in the zone and effect on the parcel to the southeast will not be adverse.
- iv. **South:** Land to the south is a private access road and further to the south is the USF Reddaway trucking facility. This is a warehousing, trucking and freight handling facility. A 6 foot high block fence with landscaping runs the entire length of the parcel's southern boundary. The Rogue Valley Microdevices project is designed so that the outdoor equipment and primary loading areas face this industrial trucking use to the south. Industrial trucking uses are not aesthetically sensitive uses and are noisy themselves with a considerable area devoted to outdoor storage. Signage, landscaping and outdoor lighting will be similar to other commercial outdoor storage and loading areas when viewed from the south and are similar and typical of industrial uses to the south.
- v. **West:** Land to the west is occupied by the Super 8 Motel. This is a 3-story hotel with internal access halls to the individual room. Each room appears to have its own Packaged Terminal Air Conditioner unit (PTAC) below windows on its east elevation. The proposed design includes a full height wall extension in the back of the building to shield noise sources from the hotel and to visually screen this equipment. All other noise producing equipment is roof mounted behind parapet walls on the roof and this HVAC equipment is similar from a noise and visual perspective to other HVAC equipment that is typical of other commercial and light manufacturing buildings in the area. The proposed building is 32 feet in height which is tall enough to limit the number of rooms looking down on a roof structure to only the top floor and even that floor will primarily be looking across and not down on the roof structure. Virtually all of the second and third stories would look down on a roof structure to the east if the site were developed with a single-story retail use. There is considerable separation between the two buildings, approximately 100 feet. The project will be adding landscaping along the west property line that will serve to screen and separate the two uses. The proposed



service drive aisle is expected to be used infrequently and almost exclusively during the day which should minimize the potential for conflicts with patrons at the Super 8. Lighting on the west elevation will consist of shielded sconce lighting aimed downward that will serve to create a safe space without any direct lighting impacts to the Super 8 motel. The Rogue Valley Microdevices project design has thoughtfully considered the abutting Super 8 motel use and has been designed in a manner that will minimize potential adverse impacts to a level that is equal or less than what would otherwise be expected from development of uses outright permitted in the C-5 zone (or the C-4 zone for that matter if the site were not re-designated).

D. Compliance with Local, State and Federal Health and Safety Regulations: Rogue Valley Microdevices takes appropriate precautions to comply with applicable health and safety requirements. DEQ conducts periodic unannounced inspections for regulation compliance. In these inspections, no major corrections have been required. All gaseous wastes are vented through a scrubber at their current site to remove particulate emissions according to industry best practices design. All gas process inputs are within an enclosed system and the storage tanks will be located within a storage cabinet that also vents to the scrubber in the event of any leak. The design of the building is such that a closed catchment system exists in the floor so that any liquid spill drains to the catchment system where it can be containerized and picked up for off-site disposal. From a sewage standpoint, Medford's Regional Wastewater Reclamation plant has an inspector on staff and this person routinely conducts inspections to evaluate the quantity and type of effluent released into the sanitary sewer to assure it is in compliance with applicable discharge requirements. Rogue Valley Microdevices self-reports to DEQ annually and transmits a hazardous waste reduction plan that identifies ways for operation to reduce the use of hazardous waste for each unit of production.

Rogue Valley Microdevices has internal controls in place that involve weekly self-inspections for items such as labelling, dates, seal connections, container conditions, etc. From the standpoint of handling materials from the delivery trucks to the facility, this has been taken into account with the design of the building with the external circulation and roll-up doors to allow for direct forklift routes from delivery trucks to storage locations. Roll-up door heights are specifically designed to assure adequate clearance when moving materials. All materials are palletized and shipped in containers that are designed for the particular material being handled. Rogue Valley Microdevices has an employee, Dan Swanson, who is certified to provide forklift training so that all operators are properly trained and he is also available in-house for ongoing supervision.

With respect to safety, the Medford Fire Department regularly conducts inspections at the site. None of these Fire Department inspections have ever resulted in significant corrections except in an instance where a new system was installed in accordance with department directions and a later inspection determined that direction was incorrect. In this circumstance, Rogue Valley Microdevices promptly implemented the correction at their sole expense.



V

CONCLUSIONS OF LAW

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

The following conclusions of law and ultimate conclusions are reached under each of the relevant substantive criteria which are recited verbatim and addressed below. The conclusions of law are supported by Applicants' evidentiary exhibits at Section II – including Applicants' review of applicable development standards (Exhibit 3) and the findings of fact as set forth in Section IV herein above.

CONDITIONAL USE PERMIT REVIEW CRITERIA

17.46.060 General requirements.

- 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.

Conclusions of Law: The City concludes that the proposed use has been referred to the planning commission for further review per section 17.46.030(26). The City herewith incorporates and adopts the below conclusions of law where compliance with each of the relevant conditional use permit criteria is demonstrated. Furthermore and based upon the evidence in Section II and the findings of fact in Section IV, the City concludes all processes, equipment and materials will operate in a manner that will not be harmful to persons living or working in the vicinity and specifically concludes as follows:

- With respect to odors and fumes, the release of any gasses from systems and processes are vented through a scrubber that removes contaminants to levels acceptable to DEQ and DEQ conducts periodic unannounced visits to verify proper operation and compliance.
- With respect to dust, smoke, cinders and dirt, such matters are the bane of the microelectronics industry and not only are there no such discharges the industry goes to great lengths to remove any presence of such things in the air.
- With respect to refuse, solid waste is similar to waste from most any office or commercial use and is simply placed in the dumpster for proper disposal by Rogue Disposal and Recycling.
- With respect to liquid wastes, the processes are designed with great care to be a closed system for hazardous wastes so that spend liquids end up in sealed drums and are transported off-site for specialty processing and disposal. The closed system is further designed with a liquid catchment system so that any spill that might occur



drains to the catchment system where it can be collected into sealed drums for disposal. For water wastes that are allowed to go into the sanitary sewer system, these wastes are carefully monitored and inspected by staff of the regional water reclamation facility on a regular basis.

- With respect to noise, most all of the noise generating machinery is located inside of the building with exception of the standard HVAC to serve the office on the roof and the chillers that are located in the back of the building. The full height wall extensions on the back of the building are specifically designed to trap and direct any chiller noise away from the potentially noise sensitive use of the Super 8 motel and direct it toward the USF Reddaway site which is a trucking and warehousing facility that is not especially noise sensitive and is a source of noise itself.
 - Like dust, vibration is a major concern of the industry and not only will vibration not be produced, every effort is made by the industry to eliminate any source of vibration whatsoever.
 - With respect to illumination and glare, the proposed use does not represent any significant source of illumination or glare that is different from any number of other commercial uses that are outright permitted in the zone and compliance with the City's design requirements for lighting will assure no such impact will occur.
 - With respect to fire and explosion hazards, the City concludes this is not an absolute standard because most all commercial and light industrial uses involve some degree of fire hazard. Rather, the City interprets this provision to require acceptable levels of risk based upon the fire code requirements and any additional requirements of the Fire District 3. The City concludes the use has operated in compliance with all such requirements at its present location in the City of Medford and it can feasibly and will comply with such requirements in Fire District 3 to assure the risk of fire or explosion is minimized and is not substantially greater than is typically experienced for other commercial and industrial uses in the area.
- 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.**

Conclusions of Law: Based upon the findings of fact in Section IV demonstrating Rogue Valley Microdevices has a track record of compliance and performs due diligence to assure future and ongoing compliance, the City concludes the proposed use can feasibly and will operate in compliance with all applicable state and federal environmental, health and safety regulations.

- 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. (Ord. 1684 §46, 1993; Ord. 1615 §44, 1989; Ord. 1436 §2(part), 1981).**



Conclusions of Law: The City concludes the building is sited toward the rear of the lot to allow for the main parking lot to be located in the front of the building, however the parking and loading area near the rear of the building is also necessary for truck circulation. Moreover, the City observes at this location that the rear of the lot is not the most noise sensitive because the rear of the lot abuts an industrial zone and a lot developed with a trucking and warehousing use.

17.46.010 Purpose.

The C-5 district is intended to provide for commercial and business uses that are most appropriately located along or near major highways or thoroughfares, and are largely dependent upon highway visibility and easy vehicular access. (Ord. 1883 (part), 2006; Ord. 1436 §2(part), 1981).

Conclusions of Law: The City concludes the Rogue Valley Microdevices use is consistent with this purpose in significant part because the use is a highly specialized use that requires easy vehicular access to the entire labor market in the region which the C-5 in this location will provide.

17.46.020 Permitted uses.

The following uses are permitted in the C-5 district:

- F. Light fabrication, such as:
 - 1. Light fabrication, assembly, packaging, mail-order sales and wholesale sales of consumer goods, and
 - 2. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheetmetal, signs, stone monuments, upholstery and welding;

Conclusions of Law: The City concludes the Rogue Valley Microdevices use is a light fabrication use that involves low volumes of total materials and precision manufacturing to produce custom microelectronics and such use can be considered a permitted use in the C-5 zone, but due to some of the chemical processes associated with the fabrication activities the staff referred the use a conditional use in the Pre-Application Conference summary.

17.46.030 Conditional uses.

The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:

- 26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;

Conclusions of Law: The City concludes that the staff referred the use as a conditional use in the Pre-Application Conference summary based upon the chemical processes associated with the use.

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;



Conclusions of Law: Based upon the findings of fact in Section IV, the City concludes the site is adequate in size and shape to accommodate the use. The City further concludes the site size and shape is adequate because an adjustment to the off-street parking requirements is warranted as may be conditioned under CPMC 17.76.040(E)(3) based on the analysis of parking demand in Exhibit 16 prepared by Southern Oregon Traffic Engineering that estimates parking demand for the proposed use to be between 29 and 50 spaces and the proposed 46 spaces is adequate to handle the need.

- 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;

Conclusions of Law: Based upon the traffic analysis in Exhibit 15, the City concludes the site has adequate access to the public street system and the street is adequate in size and condition to handle the traffic expected to be generated by the 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;

Conclusions of Law: Based upon the analysis of potential impacts on abutting properties prepared by Applicant's professional land use planning consultant in Section IV Finding 21(C) herewith incorporated and adopted, the City concludes that the proposed use will have no significant adverse effect on abutting property or permitted uses thereof.

- 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;

Conclusions of Law: Based upon the summary of permitting and compliance with applicable local, state, and federal health and safety regulations and the analysis of effects on abutting properties prepared by Applicant's professional land use planning consultant in Section IV Finding 21(C)&(D) both herewith incorporated and adopted, the City concludes that the proposed use can feasibly and will comply with all applicable regulations and that compliance with such will regulations, together with the design of the building and layout of the proposed use, will assure that the proposed microelectronics use will not be detrimental or injurious to the property and improvements in the neighborhood or the general welfare of the community will have no significant adverse effect on abutting property or permitted uses thereof.

- 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,



Findings of Fact and Conclusions of Law

Applicant: Rogue Valley Microdevices, Inc. and Tail Lite Properties, LLC

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

Conclusions of Law: With respect to off-street parking, the City concludes that it has the authority under CPMC 17.76.040(E)(3) to adjust the parking requirements based upon the unique requirements of the use. The City concludes the Applicant has provided a specific parking demand analysis prepared by an Oregon Registered Professional Engineer with expertise in transportation that demonstrates the base code requirement of 84 spaces would far exceed the number of spaces required to serve the 85th percentile demand estimated to be 50 parking spaces. Based upon this analysis in Exhibit 16, the City concludes the proposed 46 spaces is an adequate number of parking spaces that will appropriately serve the requested conditional use.

With the exception of the adjustment to the parking requirements for the unique characteristics of the proposed use, the Applicant believes the City can and should apply its standard and customary conditions of approval for similar developments and that such standard and customary conditions of approval will be adequate to protect the public health, safety and general welfare.

APPROVAL CRITERIA FOR SITE DEVELOPMENT PLAN

Chapter 17.72

SITE PLAN AND ARCHITECTURAL REVIEW

17.72.020 Applicability.

B. Major Projects. The following are "major projects" for the purposes of the site plan and architectural review process and are subject to Type 2 procedural requirements as set forth in Chapter 17.05, Applications and Types of Review Procedures:

1. New construction, including private and public projects, that:
 - a. Includes a new building or building addition of five thousand square feet or more;
 - b. Includes the construction of a parking lot of ten or more parking spaces;



Conclusions of Law: The City concludes the proposed building is new and is approximately 43,000 square feet and therefore requires a site plan review.

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 standards:

A. Applicable site plan, landscaping, and architectural design standards as set forth in Chapter 17.75, Design and Development Standards;

Conclusions of Law: The City herewith incorporates and adopts Applicant's Exhibit 3 Demonstration of Compliance with Applicable Development standards, and based thereupon, concludes the application is in compliance with all applicable site plan, landscaping and architectural design standards in Chapter 17.75, except for the adjustment to the off-street parking requirements imposed through a condition of approval under the Conditional Use Permit standards at CPMC 17.76.040(E)(3).

B. City of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction;

Conclusions of Law: The City concludes that the proposed project is located on a discreet parcel that is newly created with most all public improvements necessary for the development already in place but that any additional new public improvements, such as additional storm drainage facilities, can feasibly and will be constructed in accordance with the Central Point Department of Public Works Standard and Specifications and the Uniform Standard Details for Public Works Construction.

C. Accessibility and sufficiency of fire fighting facilities to such a standard as 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.

Conclusions of Law: The City concludes that the design of the project provides for adequate fire access. Most all of the entire building is within 150 feet of the private retail street travel surface with the exception of the northwest corner of the building. The parking drive aisle in the north parking lot is more than 20-feet wide and provides 20-feet of clear space for access within 150 feet of the northwest corner of the building. Additional access is available at the back of the building in the semi-truck loading area. And while less than 20-feet in width, the drive aisle along the west boundary is also adequate width for one-way fire apparatus access.

* * * * *



VI

SUMMARY OF APPLICANTS' STIPULATIONS

Applicants herewith agree to stipulate to the following, which they agree to observe if the same are attached as conditions to approval of the subject site plan review application:

Stipulation 1: *[RESERVED- The applicant did not identify the need for specific stipulations for the subject application but may supplement the initially submitted findings with certain stipulations if the same are found to be necessary during the course of the review process]*

VII

ULTIMATE CONCLUSIONS; DECISION

Based upon the record and the foregoing findings of fact and conclusions of law, it is concluded that the applications for Site Development Plan approval and Conditional Use Permit approval are consistent with the requirements of all of the relevant substantive approval criteria which have been addressed hereinabove.

Respectfully submitted on behalf of Applicant and Property Owner,

CSA Planning, Ltd.



Jay Harland
Principal

October 17, 2016



APPLICANT'S EXHIBIT 3

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

The relevant approval standards applicable to the site development plan review are recited verbatim below followed by findings to establish compliance with the same:

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

Title 17 Zoning

17.60.015 Paving of open areas.

In all commercial and industrial zones, all open areas utilized by vehicles, or used as sales or storage areas, shall be surfaced with pavement or otherwise treated so that no dust is created by the uses. This requirement shall be applicable to all development whenever a site plan is required or a change in use occurs.

Compliance Discussion: Parking areas are proposed to be paved.

17.60.090 Special setback requirements.

To permit or afford better light, air and vision on more heavily traveled streets, to protect arterial streets and to permit the eventual widening of streets, to preserve the natural beauty and distinctive character of creeks and other water drainage channels (hereinafter referred to as "creeks") and to protect both public and private property adjacent to creeks from flood damage, the following special setback lines are established along all secondary and major arterial streets and highways, as identified in the comprehensive plan, and along all creeks. No building, structure, or parking area shall be erected or maintained within such setback areas, with the exception that fences may be erected and maintained within street setback areas in accordance with Chapter 17.57.

D. In any C-4, C-5 and M-2 district the street setback line shall be:

1. Fifty feet distant from the centerline of any secondary arterial or highway;
2. Sixty feet distant from the centerline of any major arterial street or highway.

Compliance Discussion: The proposed parking lot is located approximately 72 feet from the centerline of Biddle Road, a major arterial street. This exceeds the required street setback line for a major arterial street.

17.60.100 Projections from buildings.

Bay windows, cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features and other similar architectural features may project not more than twenty-four inches into a required yard or into a required open space as established by coverage standards. (Ord. 1981 §3 (Exh. C) (part), 2014; Ord. 1436 §2(part), 1981).

Compliance Discussion: The proposed building is adequately setback such that no intrusions into the required yards will occur that might be more than 24 inches.

17.60.110 Clear-vision areas--Establishment.

A clear-vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad. A clear-vision area shall contain no planting, fence, wall, structure or temporary or permanent obstruction exceeding three and one-half feet in height, measured from the top of the curb, or



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

where no curb exists, from the established street centerline grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight feet above the grade.

Compliance Discussion: The proposed building is not within a clear vision area and no landscaping is proposed that would affect a clear vision area.

17.60.130 Access.

Each lot shall abut a minimum frontage of forty feet upon a public street, other than an alley, with the exception of padlots and lots fronting on a cul-de-sac, which may be permitted a reduced frontage of not less than thirty feet, provided all driveway and off-street parking requirements of Chapter 17.64 can be met. This section is not intended to prohibit the creation or development of flag lots. (Ord. 1746 §1, 1996; Ord. 1684 §58, 1993; Ord. 1436 §2(part), 1981).

Compliance Discussion: Parcel has 134 feet of frontage on Biddle Road.

17.60.135 Landscaping requirements.

For all land use applications that require site plan approval, the Community Development Director may, in its discretion, attach as a condition of approval, reasonable landscaping requirements designed to beautify the development. (Ord. 1684 §59, 1993).

Compliance Discussion: Applicant's plans depict proposed landscaping which will create an attractive and desirable project.

ROGUE VALLEY MICRODEVICES LOADING/ PARKING REQUIREMENTS

17.64.030 Off-street loading.

A. In all districts for each use for which a building is to be erected or structurally altered to the extent of increasing the floor area to equal the minimum floor area required to provide loading space and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, there shall be provided off-street loading space in accordance with the standards set forth in Table 17.64.01, Off-Street Loading Requirements.

TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
INDUSTRIAL, WAREHOUSING AND WHOLESALING	
Sq. Ft. of Floor Area	No. of Loading Berths Required
12,501-25,000	2

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

Compliance Discussion: The proposed use has no need for standard loading berths, as the goods produced are shipped out by delivery truck at irregular intervals rather than primarily semi-trailer trucks. The business typically has delivery vans coming three times daily. To accommodate van deliveries, the design includes a 350 foot long loading drive with two central loading doors on the



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

west side, so that delivery trucks can be staged and unloaded without blocking the surrounding roads or access drives. This drive is 15 feet wide and is the length of eight of the standard loading berths.

Occasional semi-trailer truck delivery unloading will be accommodated on the north side of the south parking lot. Semis are unloaded by forklift. A gate in the fence provides access to a loading door is located in the south wall of the building. This approach to loading will function well for the business and meets the basic intention of the code, to ensure that unloading trucks are accommodated on-site and will not block roadways. A fourth loading door is located on the east side for occasional equipment deliveries. Forklifts will be used to bring materials from the south parking lot to this door.

17.64.040 Off-street parking requirements.

All uses shall comply with the number of off-street parking requirements identified in Table 17.64.02A, Residential Off-Street Parking Requirements, and Table 17.64.02B, Non-Residential Off-Street Parking Requirements. For residential uses the off-street parking requirements are stated in terms of the minimum off-street parking required. For non-residential uses the off-street parking requirements are presented in terms of both minimum and maximum off-street parking required. The number of off-street parking spaces in Table 17.64.02B, Non-Residential Off-Street Parking, may be reduced in accordance with subsection B of this section, Adjustments to Off-Street Vehicle Parking.

The requirement for any use not specifically listed shall be determined by the community development director on the basis of requirements for similar uses, and on the basis of evidence of actual demand created by similar uses in the city and elsewhere, and such other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement.

**TABLE 17.64.02B
NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS**

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
INDUSTRIAL and MANUFACTURING	
Assembly and Manufacturing	2 spaces per each 3 employees on the 2 largest shifts*, or 1 space per each 500 square feet of gross floor area, whichever is greatest. (*1 space per employee if the business has only one shift).

Compliance Discussion: This use has two approaches for calculating the number of required parking spaces. The company has multiple overlapping shifts with a projected future maximum of 30 employees. This being the case, the 2 spaces per each 3 employees on the 2 largest shifts applies. The maximum number of employees that would be present on a shift is projected to be 27, therefore this approach with two spaces per three employees would require 18 parking spaces.

Approach 2 -The proposed building is 43,000 gross floor area. At 1 space per each 500 square feet of gross floor area, 86 spaces would be required.

Table 17.64.02B requires the greatest number of parking spaces for the two options be used, which would be 86 spaces. 46 spaces are proposed, therefore the minimum requirement is not met. See Section B for request for reduction of from the maximum requirement.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

B. Adjustments to Non-Residential Off-Street Vehicle Parking. The off-street parking requirements in Table 17.64.02B, Non-Residential Off-Street Parking Requirements, may be reduced, or increased in any commercial (C) or industrial (M) district as follows:

1. Reductions. The maximum off-street parking requirements may be reduced by no more than twenty percent.
2. Increases. The off-street parking requirements may be increased based on a parking demand analysis prepared by the applicant as part of the site plan and architectural review process. The parking demand analysis shall demonstrate and documents justification for the proposed increase.

Compliance Discussion: The Applicant is requesting an adjustment in the number of parking spaces required through the conditional use permit process, pursuant to CPMC 17.76-.040(E)(3). See Exhibit 16. The project proposes 46 spaces, which is between the two extremes identified by code, 18 and 86. It is a number that is more than one and a half times the number of employees that would be present at any one time. The Applicant requests that this alternative number of spaces be approved as part of the CUP approval, see the main findings document where detailed findings and conclusions of law addressing the requested adjustment are provided.

C. Accessible Parking Requirements. Where parking is provided accessory to a building, accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233, and Section 1104 of the latest Oregon Structural Specialty Code as set forth in this section.

1. The minimum number of accessible parking spaces shall be provided for all uses in accordance with the standards in Table 17.64.03, Minimum Number of Accessible Parking Spaces. Parking spaces used to meet the standards in Table 17.64.03, Minimum Number of Accessible Parking Spaces, shall be counted toward meeting off-street parking requirements in Tables 17.64.02A and 17.64.02B, Residential and Non-Residential Off-Street Parking Requirements. The accessible parking requirements set forth in Table 17.64.03, Minimum Number of Accessible Parking Spaces, are minimum requirements and are not subject to reductions per subsection (B)(1) of this section;
2. Accessible parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway; and
3. Accessible spaces shall be grouped in pairs where possible.

Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than forty-two inches and no more than seventy-two inches above pavement level. Van spaces shall be specifically identified as such.

TABLE 17.64.03

MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES

ORS 447.233 Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
26 to 50	2	1	1

Compliance Discussion: The project proposes the required two accessible spaces and one of which is van accessible with a 96" wide aisle. Accessible parking is provided in the front parking lot only, as it provides primary access to the building for staff and visitors.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

G. Compact Car Adjustment.

1. Any parking lot or otherwise required public parking area containing ten or more parking spaces shall be eligible for a compact car adjustment, provided all requirements of this chapter are adequately met.
2. Up to, but not exceeding, twenty-five percent of the total number of required parking spaces may be designed and provided for the parking of compact cars.
3. All compact parking spaces must be identified for compact parking only. Compact parking spaces shall be designed in accordance with the minimum standards set forth in Section 17.75.039(B), Parking Stall Minimum Dimensions.

Compliance Discussion: No compact spaces are proposed.

I. Bicycle Parking. Bicycle parking shall be provided in accordance with Table 17.64.04, Bicycle Parking Requirements.

Land Use	Minimum Required	Minimum Covered
Manufacturing	2 spaces, or 0.15 space per 1,000 sq. ft., whichever is greater	100%

Compliance Discussion: 6 bike parking spaces are provided of which all are covered.

**Chapter 17.75
DESIGN AND DEVELOPMENT STANDARDS**

C. Driveway and Property Access Standards. Vehicular access to properties shall be located and constructed in accordance with the standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 320.10.30, Driveway and Property Access.

Compliance Discussion: The property proposes taking access from the abutting retail street to the east and access drive to the south rather than taking access from its frontage on Biddle Road. Driveway will be constructed to meet the City of Central Point Public Works specifications for driveways.

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:

1. Reducing distances between destinations or activity areas such as public sidewalks and building entrances;
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;
3. Integrating signage and lighting system which offers interest and safety for pedestrians;
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.

Compliance Discussion: The parcel is on the west side of the Retail Street. A new ten foot wide concrete sidewalk with tree grates per figure 17.75.02 will be installed, running from Biddle Road to the southern access drive. Direct walkways connect from this sidewalk to the entrances of the building and parking lots.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

17.75.039 Off-street parking design and development standards.

All off-street vehicular parking spaces shall be improved to the following standards:

- A. Connectivity. 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:
 - 1. Topographic constraints;
 - 2. Existing development patterns on abutting property which preclude a logical connection;
 - 3. Traffic safety concerns; or
 - 4. Protection of significant natural resources.

Compliance Discussion: All parking lots are connected by way of the retail street and southern the private access road. Ultimately, the purpose of this criterion is to assure that higher order City Streets are not used for access between adjacent commercial sites and nothing about the proposed layout requires travel on higher order roads to access adjacent lots and the only adjacent lot is the Super 8 Motel and there is not anticipated to be any interaction between that use and the microelectronics use at the subject site.

- B. Parking Stall Minimum Dimensions. Standard parking spaces shall conform to the following standards and the dimensions in Figure 17.75.03 and Table 17.75.02; provided, that compact parking spaces permitted in accordance with Section 17.64.040(G) shall have the following minimum dimensions:
 - 1. Width--Shall be as provided in column B in Table 17.75.02;
 - 2. Length--Shall reduce column C in Table 17.75.02 by no more than three feet.

Compliance Discussion: Proposed spaces meet the minimum dimensions.

- C. Access. There shall be adequate provision for ingress and egress to all parking spaces.

Compliance Discussion: The design includes 24-foot drive aisles in both parking lots. Both lots have direct access to access drives that connect to the local streets. In addition, a one-way drive provides circulation from the rear lot to the front on the west side of the building.

- D. Driveways. Driveway width shall be measured at the driveway's narrowest point, including the curb cut. The design and construction of driveways shall be as set forth in the Standard Specifications and Public Works Department Standards and Specifications.

Compliance Discussion: Appropriate driveway widths are proposed. Proposed driveways can and will meet Central Point's standard specifications.

- E. Improvement of Parking Spaces.

- 1. When a concrete curb is used as a wheel stop, it may be placed within the parking space up to two feet from the front of a space. In such cases, the area between the wheel stop and landscaping need not be paved, provided it is maintained with appropriate ground cover, or walkway. In no event shall the placement of wheel stops reduce the minimum landscape or walkway width requirements.

Compliance Discussion: Wheelstops are proposed and the area between the wheelstop and curb will be paved; this area is not being counted toward the landscaping requirements nor is it reducing the 5-foot sidewalk requirement.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

F. **Limitation on Use of Parking Areas.** Required parking areas shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner. The parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic, will result.

Compliance Discussion: Parking space use will be used only for vehicle parking related to the building's use.

G. **Parking/Loading Facility Landscaping and Screening.** 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:

1. **Perimeter and Street Frontage Landscaping Requirements.** The perimeter and street frontage for all parking facilities shall be landscaped according to the standards set forth in Table 17.75.03.
2. **Terminal and Interior Islands.** 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 side-by-side in an abutting configuration, interior landscaped islands a minimum of eight feet wide must be located within the parking row. For parking lots greater than fifty parking spaces, the location of interior landscape island shall be allowed to be consolidated for planting of large stands of trees to break up the scale of the parking lot.

The number of trees required in the interior landscape area shall be dependent upon the location of the parking lot in relation to the building and public right-of-way:

- 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.

Compliance Discussion: Perimeter landscaping can and will meet standards. Required plantings where the parking lots abut the Retail Street will be provided. The project proposes to use the bioswales on the adjacent parcel for a significant portion of the stormwater detention and management and this has been agreed to between the owners.

H. **Bicycle Parking.** The amount of bicycle parking shall be provided in accordance with Section 17.64.040 and constructed in accordance with the following standards:

1. **Location of Bicycle Parking.** Required bicycle parking facilities shall be located on-site in well lighted, secure locations within fifty feet of well-used entrances and not farther from the entrance than the closest automobile parking space. 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:



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

- 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 surfacing (i.e., asphalt, concrete, pavers or similar material). This surface will be maintained in a smooth, durable and well-drained condition.
 - 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.
 - 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.
 - d. Aisles. A five-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.
 - 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.
3. Exceptions to Bicycle Parking. The community development director may allow exceptions to the bicycle parking standards in connection with temporary uses or uses that do not generate the need for bicyclists parking such as Christmas tree sales and mini-storage units.

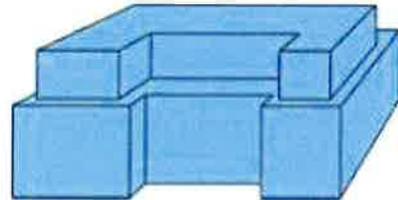
Compliance Discussion: The project proposes 6 bike parking spaces. All spaces will be covered and located immediately adjacent to the building entrance. Adequate aisles are provided and the outdoor lighting will make all bike parking areas adequately lit.

17.75.042 Commercial building design standards.

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.

A. Massing, Articulation, Transparency, and Entrances.

1. Building Massing. 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.
2. Facade Articulation. 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.



For purposes of complying with the requirements in this subsection "facade articulation" shall consist of a combination of two of the following design features:

- 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
- 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
- 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.

Compliance Discussion: The proposed building incorporates a number of elements to provide for façade articulation. The front office portion on the north side of the building has several window bays on each side, which are then divided further through mullion patterns and projecting solar shades. The long southern portion of the building includes several window bays at the ground level and more at the upper level to bring daylight into the 2-story fabrication area. These window



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

bays are also further articulated through mullion patterns and projecting solar shades. The final bay at the south end is more of a vertically articulated bay, distinguishing it from the others

3. Pedestrian Entrances. 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.

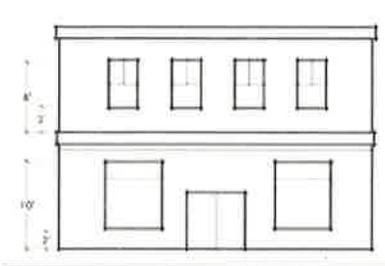
To achieve the objectives of this subsection the design of a primary entrance should incorporate at least three of the following design criteria:

- 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;
- b. Architectural details such as arches, friezes, tile work, murals, or moldings;
- c. Integral planters or wing walls that incorporate landscape or seating;
- d. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights;
- e. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets; and
- f. A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

Compliance Discussion: The main pedestrian entry is located in the northeast corner in a distinct tall building element that is composed mainly of glass. A flat canopy projects out near the top of the element distinguishing it from the other building elements. Secondary building entrances are located on the east and west facades. Each has a steel and glass door, will have a wall sconce adjacent, and is entered from the abutting sidewalk or path.

4. Transparency. 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:

- 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.



- 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.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

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.

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.

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. Masonry (but not flat concrete block);
- ii. Concrete or masonry plinth at wall base;
- iii. Belt courses of a different texture and color;
- iv. Projecting cornice;
- v. Projecting awning/canopy (minimum four-foot overhang);
- vi. Decorative tile work;
- vii. Trellis containing planting;
- viii. Artwork of a scale clearly visible from the associated right-of-way;
- ix. Vertical articulation;
- x. Lighting fixtures;
- xi. Recesses or bays;
- xii. Use of other architectural elements not listed that is demonstrated to meet the intent of this section.

Compliance Discussion: The north-facing Biddle Road front façade complies with the transparency requirements. Its 840 square feet of glazing in a 1440 wall area provides 58.3% transparency on the first floor. At the second floor within the band between 3 feet and 6 feet above the finished floor there is 428 square feet of glazing in a 600 foot wall area, which provides 71.3% transparency. The façade meets and exceeds the standard.

5. Wall Faces. 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:

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.

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. 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
- 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
- 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.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC

Compliance Discussion: The façade wall face is the north elevation facing Biddle Road; this façade is extensively articulated and includes all of the required elements.

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. Varying rooflines with one foot or greater changes of height at least every forty feet;
- ii. Transparent windows that comprise at least forty percent of the visible facade;
- iii. Secondary entrances that include glazing and landscape treatment;
- iv. Balconies;
- v. Awnings/canopies;
- vi. Planted trellises;
- vii. Projecting cornices at least twelve inches in height;
- viii. Variation in building form and materials demonstrated to meet the intent of this section.

c. Other Wall Faces. Other wall faces abutting residential areas shall comply with the requirements for building wall faces. Other wall faces not abutting residential areas are exempt from this section.

Compliance Discussion: The design of these faces provides a variety of architectural treatments that enliven the long sidewalls of the building. Glass comprises 23.5% of the east building wall face and 14.5% of the west building face is transparent. Louvered solar shades project out over each window. Both walls have variation in building form and height along the length of the wall, as well as secondary entrances that include glazing.

6. Screening of Service Areas and Rooftop Equipment. Publicly visible service areas, loading zones, waste disposal, storage areas, and rooftop equipment (mechanical and communications) shall be fully screened from the ground level of nearby streets and residential areas within two hundred feet; the following standards apply:

a. Service Areas.

- i. A six-foot masonry enclosure, decorative metal fence enclosure, a wood enclosure, or other approved materials complementary to adjacent buildings; or
- ii. A six-foot solid hedge or other plant material screening as approved.

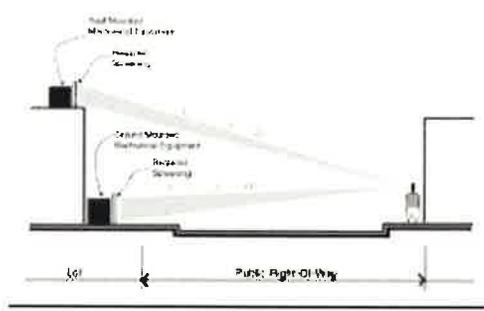
Compliance Discussion: The south wall is actually an open equipment bay that runs the full width to accommodate equipment supporting the fabrication work. It faces the access road and abutting truck freight terminal, and does not face any public road or residential area. A six-foot tall fence with aluminum slats is planned across the entire face to close off access to the equipment from the parking area and screen any outdoor storage. Gates and a roll-up door are located on this face to accommodate loading of equipment. Walls at the east and west ends of the equipment area are full height to shield the view of the equipment from the public road. The proposed waste disposal area is located adjacent to the southwest corner and will be screened with an enclosure pursuant to "i" above.



APPLICANTS' EXHIBIT 3

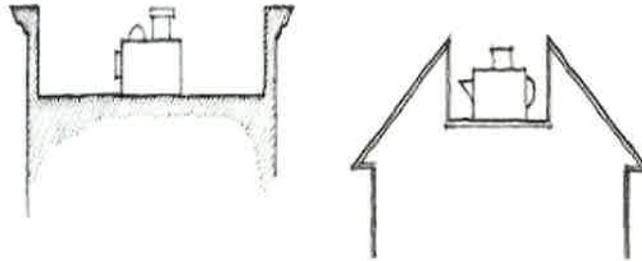
Demonstration of Compliance with Applicable Development Standards

Applicant: Rogue Valley Microdevices, Inc and Tail Lite Properties LLC



b. Rooftop Equipment.

- 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.
- 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.



Compliance Discussion:

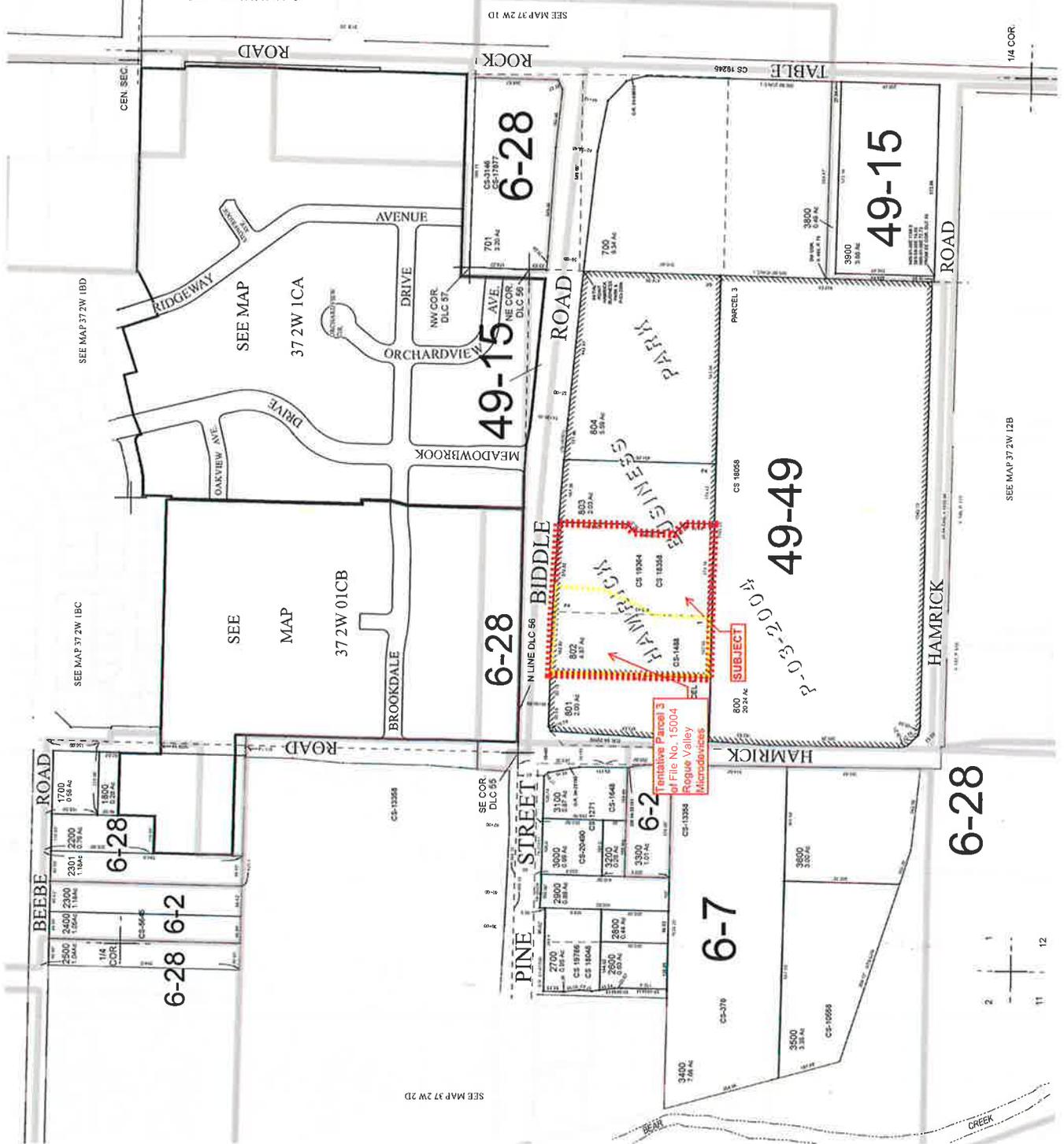
The roof top HVAC equipment is set back from the roof edge to prevent visibility from the ground. A full height mechanical equipment shield is also being provided around the units. The site plan shows the location of the of the mechanical rooftop equipment screen.

EXHIBIT 4

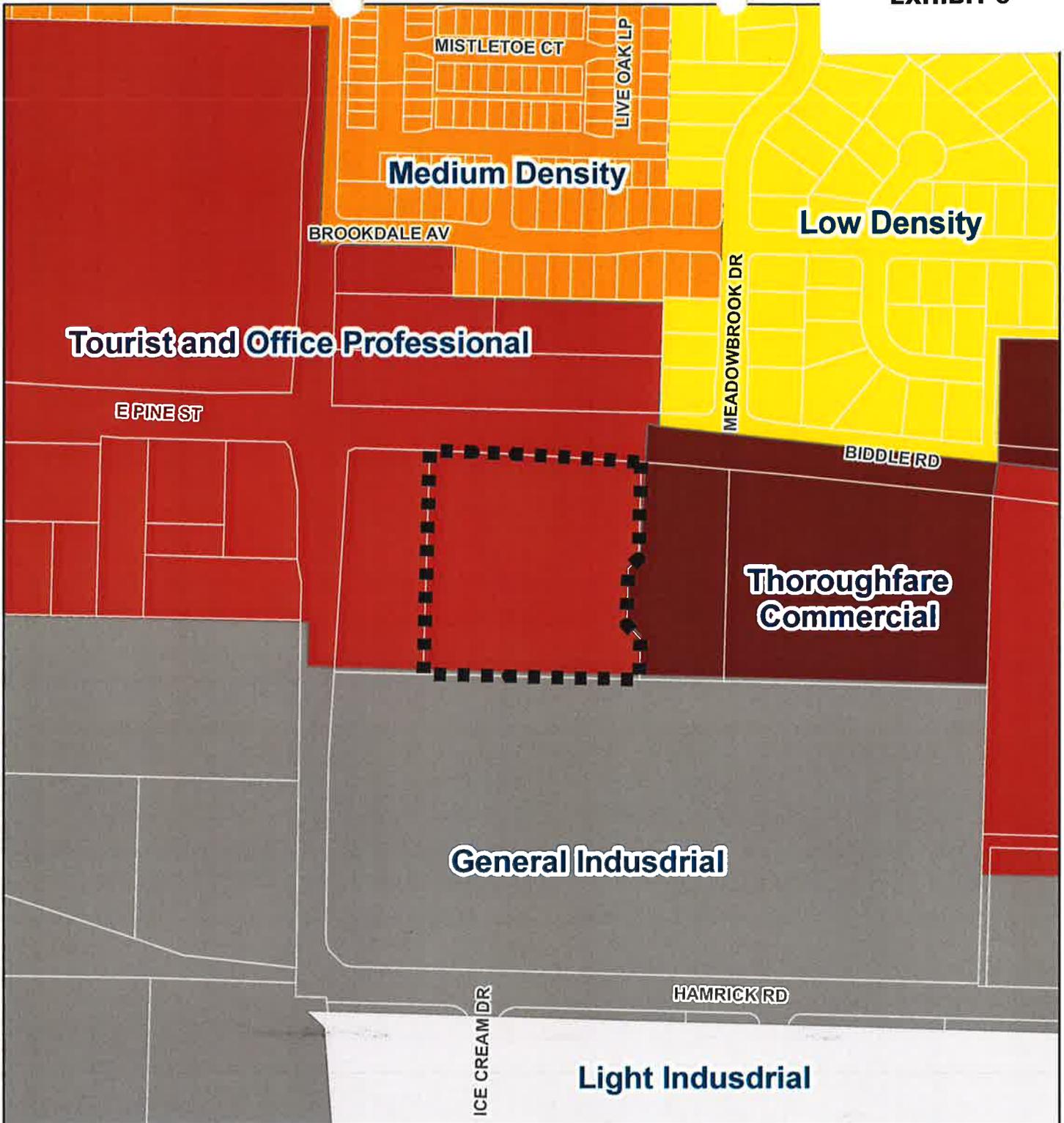
S.W.1/4, SEC.1, T.37S., R.2W., W.M.
JACKSON COUNTY

1" = 200'

FOR ASSESSMENT AND
TRACTION ONLY



CANCELLED TAX
LOT NUMBERS:
100 THRU 601
1900-2100 REMAPPED TO 371W01CB
2302
2600
2700
3100
702
900-1600 REMAPPED TO 371W



Subject_Property

Tax Lots

Central Point Comp Land Use Plan

-  General Industrial
-  Light Industrial
-  Low Density Res.

-  Medium Density Res.
-  Thoroughfare Commercial
-  Tourist and Office Professional

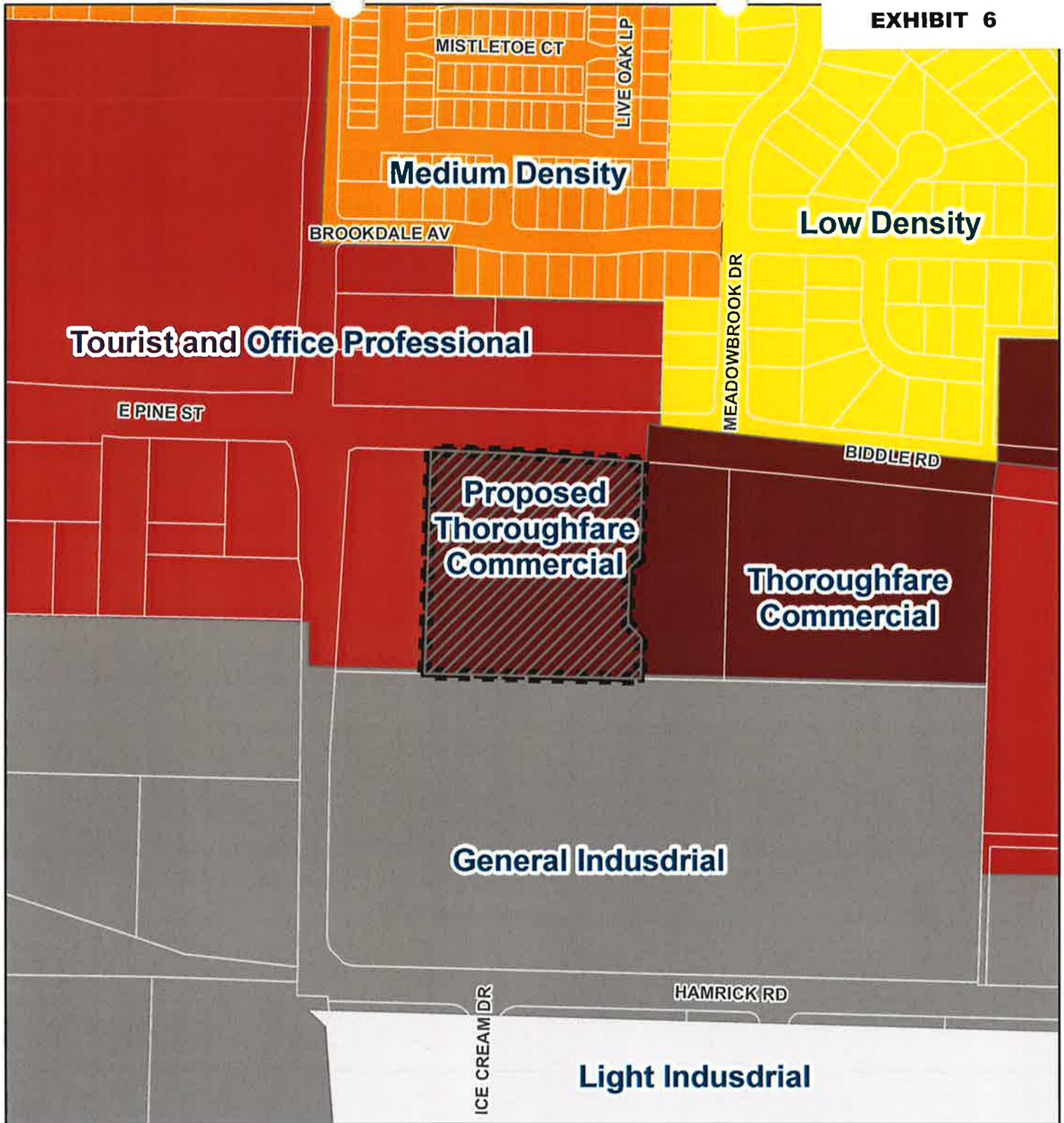
Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Existing Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



300 150 0 300 Feet



Subject_Property

Tax Lots

Central Point Comp Land Use Plan

-  General Industrial
-  Light Industrial
-  Low Density Res.

-  Medium Density Res.
-  Thoroughfare Commercial
-  Tourist and Office Professional

Print Date: 3-15-2016; Source: CSA Planning, Ltd; Jackson County GIS; City of Central Point GIS

Proposed Comprehensive Plan Map

Comprehensive Plan Amendment / Zone Change
 Rogue Valley Microdevices &
 Tail Lite Properties LLC
 37-2W-01C-802



300 150 0 300 Feet





2012 Aerial

-  Subject_Property
-  Tax Lots
-  Zoning Outline



Existing Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS



2012 Aerial

-  Subject_Property
-  Tax Lots
-  Zoning Outline



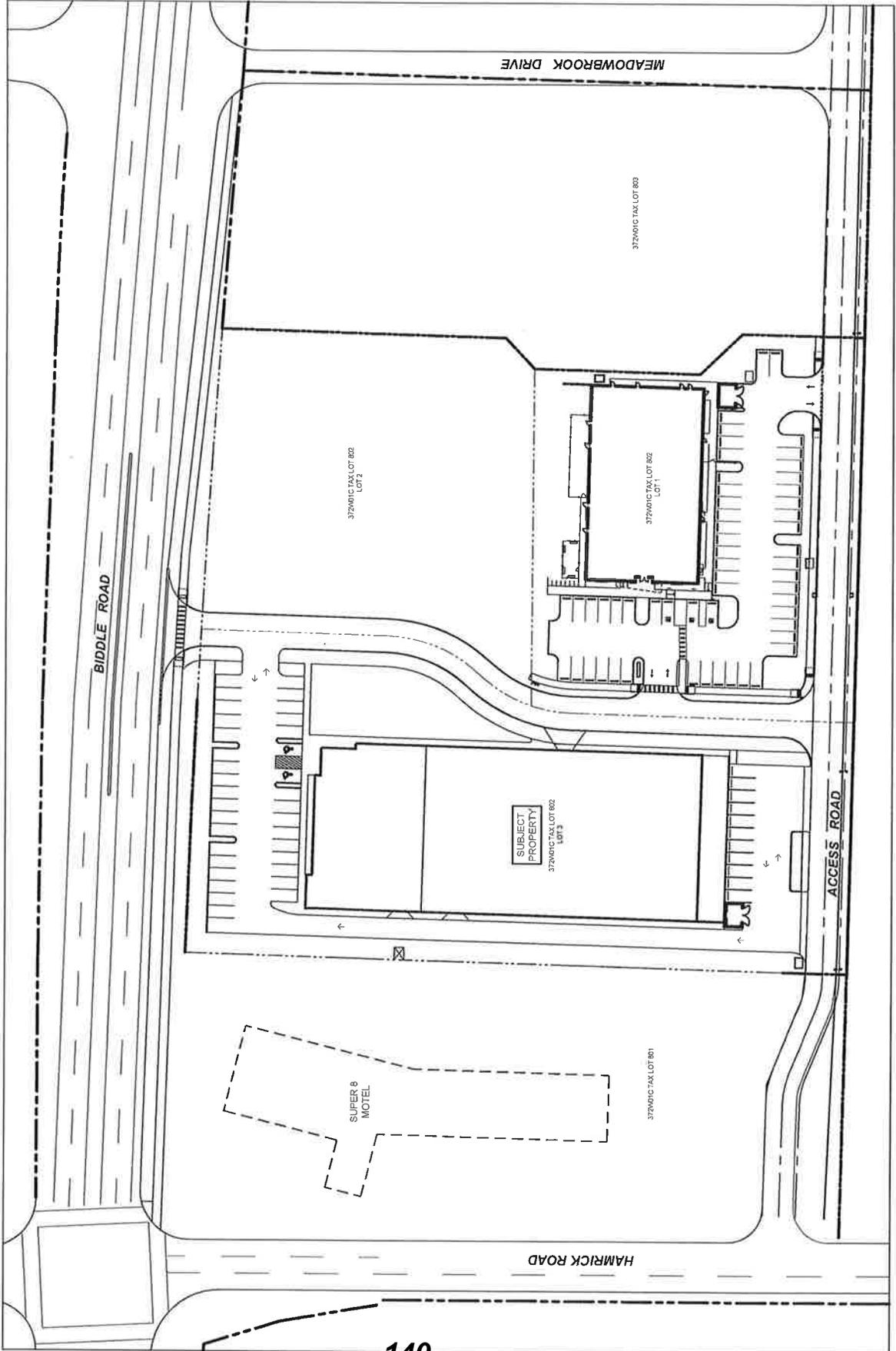
Proposed Zoning Map On Aerial Photo

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS

EXHIBIT 9



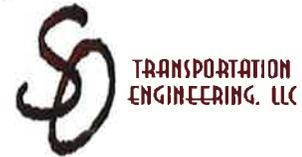
ROGUE VALLEY MICRODEVICES

**AREA
PLAN**

DATE 9/9/2017

SCALE 1:800

1



Memorandum

To: Matt Samitore, Central Point Public Works Director
 Date: 05/16/2016
 Subject: C4 to C5 Zone Change Traffic Findings and Conclusions

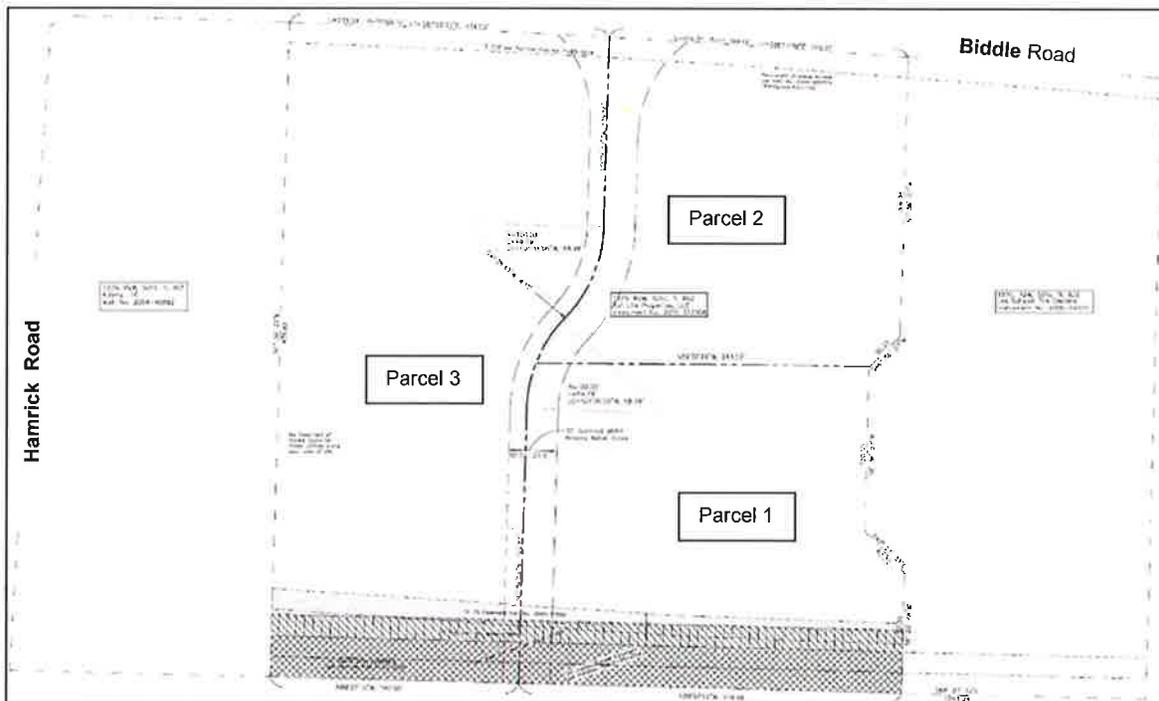
S.O. Transportation Engineering, LLC

112 Monterey Drive
 Medford, OR 97504
 Telephone 541.941.4148
 Fax 541.535.6873
 Kwkp1@Q.com

Southern Oregon Transportation Engineering, LLC evaluated impacts for a proposed zone change from C-4 to C-5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. The parcel is located along the south side of Biddle Road west of Hamrick Road adjacent to Super 8.

Existing Site

Tax lot 802 is currently vacant and has tentative plat approval to be split into three parcels. There's a planned veterinary center on the southeast corner (Parcel 1) that has land use approval and is currently under review for building permits. Access to the site is provided to Biddle Road and through an internal lane to Hamrick Road that is expected to be constructed contemporaneously with the site work for the veterinary building.



Zone Change from C-4 and C-5

The current C-4 zoning district is intended to provide for the development of concentrated tourist commercial and entertainment facilities that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets, while the C-5 zoning district provides for commercial and business uses that are most appropriately located along or near major highways or thoroughfares. Both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The C-5 zoning district allows light fabrication, assembly, packaging, and wholesale sales of consumer goods that are not permitted in the C-4 zoning district. Other differences include art schools, pawnshops, gymnasiums, and nurseries. The C-4 zoning district permits engineering services, legal services, art studios, and counselling

services, which are not permitted in the C-5 zone. As can be seen, non-permitted uses in both zones are the lower traffic generating uses. A full list of permitted uses for each zoning district is attached.

Conclusions

Traffic generations for both C-4 and C-5 zoning districts were compared and determined to have comparable, potential impacts to the transportation system. No change in the potential for additional traffic is estimated to occur as a result of the proposed zone change from C-4 to C-5.

If you have any questions or need additional information, please feel free to contact me.

Respectfully,



Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC

Cc: Michael Wang, PE (ODOT)
Mike Kuntz, PE (Jackson County)

Attachments: C4 and C5 permitted uses



Chapter 17.44
C-4, TOURIST AND OFFICE-PROFESSIONAL DISTRICT

17.44.010 Purpose.

The C-4 district is intended to provide for the development of concentrated tourist commercial and entertainment facilities to serve both local residents and traveling public, and also for the development of compatible professional office facilities. C-4 development should occur at locations that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets and to be convenient to the users of Expo Park, the airport, and downtown. (Ord. 1946 (part), 2011; Ord. 1882 (part), 2006; Ord. 1436 §2(part), 1981).

17.44.020 Permitted uses.

The following uses are permitted in the C-4 district:

A. General professional and financial offices, including, but not limited to:

1. Banks and similar financial institutions;
2. Accounting and bookkeeping offices;
3. Real estate offices;
4. Insurance company offices;
5. Legal services;
6. Architectural and engineering services;
7. Professional photo or art studios;
8. Counseling services;
9. Corporate or government offices;
10. Medical/dental offices;

B. Tourist and entertainment-related facilities, including:

1. Convenience market, meat, poultry, fish and seafood sales; fruit and beverage stands;
2. Drugstores;
3. Automobile service station, automobile and recreational vehicle parts sales and repairs, and truck rentals;
4. Motel and hotel;
5. Walk-in movie theater;
6. Bowling alley;
7. Photo and art galleries;
8. Photo processing pickup station;
9. Travel agencies;
10. Barber and beauty shops;
11. Sit-down restaurants or dinner houses (including alcohol);
12. Cocktail lounges and clubs serving alcoholic beverages;
13. Tavern with beer only;
14. Commercial parking lot;
15. Community shopping centers which may include any of the permitted uses in this section and may also include the following uses:
 - a. Supermarkets;
 - b. Department stores;
 - c. Sporting goods;
 - d. Books and stationery;

- e. Gifts, notions and variety;
 - f. Florists;
 - g. Leather goods and luggage;
 - h. Pet sales and related supplies;
 - i. Photographic supplies;
 - j. Health food;
 - k. Self-service laundry;
 - l. Antique shop;
 - m. Delicatessen;
 - n. Pastry and confectionery;
 - o. General apparel;
 - p. Shoes and boots;
 - q. Specialty apparel;
 - r. Jewelry;
 - s. Clocks and watches, sales and service;
 - t. Bakery, retail only;
 - u. Bicycle shop;
 - v. Audio, video, electronic sales and service;
 - w. Printing, lithography and publishing;
16. Mobile food vendors;
17. State-regulated package liquor stores;

18. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section 17.60.140, Authorization for similar uses;

19. Large retail establishments. (Ord. 1946 (part), 2011; Ord. 1900 §2(part), 2007; Ord. 1882 (part), 2006; Ord. 1835 §1, 2003; Ord. 1823 §4(part), 2001; Ord. 1736 §2, 1996; Ord. 1727 §2, 1995; Ord. 1720 §1, 1995; Ord. 1684 §44, 1993; Ord. 1615 §37, 1989; Ord. 1511 §6, 1984; Ord. 1436 §2(part), 1981).

17.44.030 Conditional uses.

A. The following uses are permitted in the C-4 district when authorized in accordance with Chapter 17.76, Conditional Use Permits:

1. Campgrounds and recreational vehicle overnight facilities;
2. Drive-in movie theater;
3. Golf course/driving range;
4. Ice and roller skating rinks;
5. Dance halls;
6. Billiard/pool halls;
7. Miniature golf courses;
8. Amusement center (pinball, games, etc.);
9. Nonindustrial business/vocational schools;
10. Physical fitness/conditioning center; martial arts schools;
11. Carwash;
12. Taxicab dispatch office;
13. Ambulance/emergency services;
14. Day care center;

15. Drive-in fast food outlets;

16. Other specialty food outlets;

17. Television and radio broadcasting studio;

18. Accessory buildings and uses customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;

19. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type and size.

B. Uses other than those listed above may be permitted in a C-4 district when included as a component of a commercial, tourist, or office-professional planned unit development that consists predominantly of uses permitted in the zone and is planned and developed in accordance with Chapter 17.68, Planned Unit Development (PUD). These uses shall include the following:

1. Department stores;

2. Sporting goods;

3. Books and stationery;

4. Gifts, notions and variety;

5. Florists;

6. Leather goods and luggage;

7. Pet sales and related supplies;

8. Photographic supplies;

9. Health food;

10. Self-service laundry;

11. Antique shop;
12. Delicatessen;
13. Pastry and confectionery;
14. General apparel;
15. Shoes and boots;
16. Specialty apparel;
17. Jewelry;
18. Clocks and watches, sales and service;
19. Bakery, retail only;
20. Bicycle shop;
21. Audio, video, electronic sales and service; and
22. Printing, lithography and publishing. (Ord. 1946 (part), 2011; Ord. 1900 §2(part), 2007; Ord. 1835 §2, 2003; Ord. 1823 §4(part), 2001; Ord. 1511 §7, 1984; Ord. 1436 §2(part), 1981).

17.44.040 Site plan and architectural development standards.

Development within the C-4 district shall be subject to the site and architectural standards set forth in Chapter 17.75, Design and Development Standards. (Ord. 1946 (part), 2011; Ord. 1823 §4(part), 2001; Ord. 1436 §2(part), 1981).

17.44.050 General use requirements.

A. Uses that are normally permitted in the C-4 district but that are referred to the planning commission for further review, per Section 17.44.030(A)(19), Conditional uses, 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.

B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, with the exception of off-street parking and loading areas, outdoor eating areas, service stations, outdoor recreational facilities, recreational vehicle overnight facilities, and other compatible activities, as approved by the planning commission.

C. Open storage of materials related to a permitted use shall be permitted only within an area surrounded or screened by a solid wall or fence having a height of six feet; provided that no materials or equipment shall be stored to a height greater than that of the wall. (Ord. 1946 (part), 2011; Ord. 1436 §2(part), 1981. Formerly 17.44.060).

17.44.060 Signage standards.

Signs in the C-4 district shall be permitted and designed according to provisions of Section 17.75.050, Signage standards, and Chapter 15.24, Sign Code. (Ord. 1946 (part), 2011; Ord. 1615 §16, 1989; Ord. 1436 §2(part), 1981. Formerly 17.44.070).

17.44.070 Off-street parking.

Off-street parking and loading spaces shall be provided as required in Chapter 17.64, Off-Street Parking and Loading, and developed to the standards set forth in Section 17.75.039, Off-street parking design and development standards. (Ord. 1946 (part), 2011; Ord. 1436 §2(part), 1981. Formerly 17.44.080).

Chapter 17.46 C-5, THOROUGHFARE COMMERCIAL DISTRICT

Sections:

- [17.46.010](#) Purpose.
- [17.46.020](#) Permitted uses.
- [17.46.030](#) Conditional uses.
- [17.46.040](#) Height regulations.
- [17.46.050](#) Area, width and yard requirements.
- [17.46.060](#) General requirements.
- [17.46.070](#) Signs and lighting of premises.
- [17.46.080](#) Off-street parking.

17.46.010 Purpose.

The C-5 district is intended to provide for commercial and business uses that are most appropriately located along or near major highways or thoroughfares, and are largely dependent upon highway visibility and easy vehicular access. (Ord. 1883 (part), 2006; Ord. 1436 §2(part), 1981).

17.46.020 Permitted uses.

The following uses are permitted in the C-5 district:

A. Professional and financial, including:

1. Banks and similar financial institutions,
2. Real estate, insurance, and similar offices,
3. Contractor's offices,
4. Medical services, clinics and laboratories;

B. Personal services, including:

1. Self-service laundry and laundry pickup stations,
2. Photo processing pickup stations,
3. Photo processing laboratories,

4. Small appliance service,
5. Printing, lithography and publishing,
6. Locksmith,
7. Taxicab dispatch office,
8. Ambulance/emergency services,
9. Art and music schools,
10. Business/vocational schools,
11. Physical fitness/conditioning center, martial arts schools,
12. Carwash,
13. Automobile and truck service stations and repair shops,
14. Auto and furniture upholstery shops,
15. Veterinary clinics (within enclosed structure),
16. Barber shops,
17. Beauty salons,
18. Manicure salons;

C. Retail outlets, including:

1. Auto and truck sales (new and used),
2. Tire sales and service,
3. Glass and mirror sales and service,
4. Wallcovering, floorcovering, curtains, etc.,
5. Major appliances sales and service,

6. Hardware sales,
7. Monument sales,
8. Supermarket,
9. Convenience market,
10. Drugstore,
11. Feed, seed and fuel (within enclosed structure),
12. Electrical and plumbing supplies,
13. Heating and air-conditioning equipment,
14. Stone, tile and masonry supplies,
15. Nursery and gardening materials and supplies,
16. Antique shop,
17. Art and engineering supplies,
18. Pawnshop,
19. Sit-down restaurants, including service of beer, wine and liquor,
20. Drive-in fast food establishments,
21. Tavern, beer sales only,
22. Public/quasi-public utilities and services,
23. Florist sales,
24. Pet sales,
25. General apparel,
26. Furniture sales, including used furniture,

27. Sporting goods sales, including firearms,

28. State-regulated package liquor stores,

29. Community shopping centers, which may include any of the permitted uses in this section and the C-4 district,

30. Large retail establishment eighty thousand square feet or less as defined in Section 17.08.010,
Retail establishment, large;

D. Tourist/recreational-oriented uses, including:

1. Hotel and motel,

2. Walk-in theater (fully enclosed),

3. Bowling alley,

4. Ice and roller skating rinks,

5. Dancehalls (nonalcoholic),

6. Billiard/pool hall,

7. Miniature golf,

8. Club and organizational meeting facilities;

E. Commercial parking lots:

1. Recreational vehicle storage lots;

F. Light fabrication, including:

1. Light fabrication, assembly, packaging, mail-order sales and wholesale sales of consumer goods, and

2. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheetmetal, signs, stone monuments, upholstery and welding;

G. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and within the intent of the C-5 district. (Ord. 1883 (part), 2006; Ord. 1736 §3, 1996; Ord. 1727 §3, 1995; Ord. 1721 §1, 1995; Ord. 1701 §1, 1994; Ord. 1698 §1, 1994; Ord. 1697 §1, 1994; Ord. 1695 §1, 1993; Ord. 1687 §1, 1993; Ord. 1684 §45, 1993; Ord. 1511 §8, 1984; Ord. 1452 §1, 1982; Ord. 1436 §2(part), 1981).

17.46.030 Conditional uses.

The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:

1. Automobile and truck paint shops;
2. Recreational vehicle overnight facilities;
3. Drive-in movie theater;
4. Heavy equipment sales and service;
5. Mobile home and recreational vehicle sales;
6. Boats and marine equipment sales and service;
7. Motorcycle and snowmobile sales and service;
8. Dinner houses and restaurants serving alcoholic beverages;
9. Cocktail lounges and clubs;
10. Other specialty food outlets, mobile food vendors;
11. Meat, fish, poultry and seafood, light processing and sales;
12. Dairy products sales;
13. Paint and related equipment and supplies;
14. Cleaning and janitorial supplies;
15. Secondhand store or thrift shop;

16. Mortuary;
17. Amusement center (pinball, games, etc.);
18. Manufacturing for on-premises sales;
19. Taxidermist;
20. Auction house (excluding livestock);
21. Wholesaling of permitted use products;
22. Adult businesses, as defined in Chapter 5.24;
23. Small engine sales and service;
24. Vocational, technical and trade schools, including facilities related to industrial trades;
25. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;
26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;
27. Large retail establishments greater than eighty thousand square feet as defined in Section 17.08.010,
Retail establishment, large;
28. Regional shopping centers. (Ord. 1883 (part), 2006; Ord. 1701 §2, 1994; Ord. 1695 §2, 1993; Ord. 1511 §9, 1984; Ord. 1450 §1, 1982; Ord. 1436 §2(part), 1981).

17.46.040 Height regulations.

No building or structure shall exceed thirty-five feet in height in the C-5 district. (Ord. 1436 §2(part), 1981).

17.46.050 Area, width and yard requirements.

A. Lot Area. No requirements except as necessary to comply with applicable yard and parking and loading requirements.

B. Lot Width. The minimum lot width shall be fifty feet.

C. Lot Depth. The minimum lot depth shall be one hundred feet.

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.

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.

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.

G. Lot Coverage. No requirements except as necessary to comply with applicable yard, parking and loading requirements. (Ord. 1436 §2(part), 1981).

17.46.060 General requirements.

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.

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.

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.

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. (Ord. 1684 §46, 1993; Ord. 1615 §44, 1989; Ord. 1436 §2(part), 1981).

17.46.070 Signs and lighting of premises.

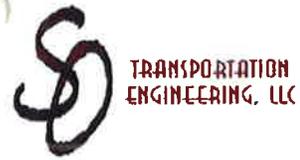
A. No illuminated sign or lighting standard used for the illumination of premises shall be so designed and installed that its direct rays are toward or parallel to a public street or highway or directed toward any property that lies within a residential (R) district.

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.

C. Signs in the C-5 district shall be permitted and designed in accordance with Chapter 15.24 and with Section 17.60.110. (Ord. 1615 §17, 1989; Ord. 1436 §2(part), 1981).

17.46.080 Off-street parking.

Off-street parking and loading space shall be provided as required in Chapter 17.64. (Ord. 1436 §2(part), 1981).



Memorandum

To: Matt Samitore, Central Point Public Works Director
Date: 10/04/2016
Subject: C4 to C5 Zone Change Additional Traffic Findings

S.O. Transportation Engineering, LLC

112 Monterey Drive
Medford, OR 97504
Telephone 541.941.4148
Fax 541.535.6873
Kwkp1@Q.com

Additional information was requested by the City of Central Point regarding a proposed zone change from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 in Central Point, Oregon. A previous memorandum was prepared in May of 2016 that concluded the two zoning districts (C4 and C5) had comparable, potential impacts to the transportation system. This memorandum explains this in more detail and serves as an addendum to the first memorandum.

C4 and C5 Zoning Districts

The C4 and C5 zoning districts both allow development of concentrated commercial uses, but differ in how they are located. Where C4 typically provides for maximized ease of access and visibility from the Interstate 5 freeway and major arterial streets, C5 provides for uses most appropriately located along or near major highways or thoroughfares. As stated in the previous memorandum, both zoning districts allow banks, offices, convenience markets, drugstores, restaurants, supermarkets, sporting goods stores, retail stores, liquor stores, veterinary clinics, and shopping centers to name some of the higher traffic generating uses. The highest permitted traffic generator in either zone is a convenience market, which is shown in the ITE *Trip Generation* to generate 52.41 trips per 1000 square feet during the p.m. peak hour. There are other uses that are outright permitted in one zone but a conditional use in the other. However, both zones are built out with these types of uses in a manner that balances out potential trip generations. Overall, the highest and best uses in C5 are not shown to generate any more traffic than C4.

Traffic Impact Analysis Applicability

The City of Central Point Public Works Standards and Specifications require a traffic impact analysis for a land use application that involves one or more of the following actions in 320.10.03 (3)(a-g). These include:

a) A change in zoning or plan amendment designation that generates 300 average daily trips (ADT) more than the current zoning;

The proposed zone change from C4 to C5 is shown to generate no additional traffic to the transportation system.

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 facilities;

There are no known operational or safety concerns as a result of the proposed zone change.

c) An increase in site traffic volume generation by 250 average daily trips (ADT) or more, or 25 peak hour trips;

Not applicable at the time of zone change, but is being addressed with the proposed development application.

d) An increase in peak hour volume of a particular movement to and from the State highway by 20 percent or more;

An access analysis is not applicable at the time of zone change, but is being addressed with the proposed development application. However, the site does not take access from a State highway and

the projected trip volumes for any movements at the I-5 interchange would be less than 20% of the total volume of any of those movements.

e) An increase in use of adjacent streets by vehicles exceeding twenty thousand pounds gross vehicle weight by 10 vehicles or more per day;

Not applicable at the time of zone change, but is being addressed with the proposed development application.

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 at the discretion of the community development director; or

Not applicable at the time of zone change, but is being addressed with the proposed development application. No new direct access to the public street system is requested or required to serve the development on the land subject to the zone change.

g) A change in internal traffic patterns that, at the discretion of the Public Works Director, may cause safety problems, such as back-up onto a street or greater potential for traffic accidents.

Not applicable at the time of zone change, but is being addressed with the proposed development application. Nothing pertaining to the zone change application would be expected to allow development that would cause changes to internal traffic patterns that would create or worsen any safety problems on the public street system.

Transportation Planning Rule

The State Transportation Planning Rule (TPR) requires changes to land use plans and land use regulations (i.e. Comprehensive Plan Map Amendments and Zoning Map Amendments) to be consistent with the function and capacity of existing and planned transportation facilities. Oregon Administrative Rule (OAR) 660-012-0060 subsection 1 states:

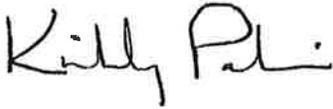
- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Conclusions

The proposed zone change and comprehensive plan map amendment from C4 to C5 on Township 37S Range 2W Section 02, tax lot 802 is concluded to generate no increase in traffic to the transportation system. The proposed plan amendment and zone change will, therefore, not significantly affect any existing or planned transportation facility nor will it result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the City's Transportation System Plan (TSP) or Comprehensive Plan. Additionally, the plan/zoning amendment does not meet the Public Works Traffic Impact Analysis (TIA) Applicability requirements as set forth in section 320.10.03 (3)(a-g) of their Standards and Specifications, and does not warrant any further traffic analysis.

In conclusion, the application for plan and zoning amendment are found to be in compliance with the City of Central Point Comprehensive Plan pursuant to the Central Point Land Development Code, and are shown to be consistent with the Transportation Planning Rule (TPR). No further analysis is shown to be required.

Respectfully,



Kimberly Parducci, PE PTOE
Firm Principal
Southern Oregon Transportation Engineering, LLC



Attachments: C4 and C5 permitted use comparisons
OAR 660-012-0060

Permitted Use	C4	C5	Highest and Best Uses - ITE
Banks	Yes	Yes	24.3 PM / 1000 SF
Accounting Offices	Yes	No	
Real Estate Offices	Yes	Yes	
Insurance Offices	Yes	Yes	
Legal Services	Yes	No	
Engineering Services	Yes	No	
Photo and Art Studio	Yes	No	
Counselling services	Yes	No	
Govt Offices	Yes	No	
Medical/Dental Offices	Yes	No	
Convenience Market	Yes	Yes	52.41 PM / 1000 SF
Drugstore	Yes	Yes	13.87 PM / Fuel Sta.
Auto/Truck Service Station	Yes	Yes	
Auto/Tire sales and repairs	Yes	Yes	
Motel/Hotel	Yes	Yes	
Walk-in Movie Theater	Yes	Yes	
Bowling alley	Yes	Yes	
Photo/Art Gallery	Yes	No	
Photo Processing Station	Yes	Yes	
Travel Agency	Yes	No	
Barber/beauty shop	Yes	Yes	
Sit-down restaurant	Yes	Yes	9.85 PM / 1000 SF
Cocktail Lounge	Yes	CU	11.34 PM / 1000 SF
Tavern	Yes	No	11.34 PM / 1000 SF
Commercial parking lot	Yes	Yes	
Community Shopping Center	Yes	Yes	
Supermarket	Yes	Yes	9.48 PM / 1000 SF
Department store	Yes	Yes	
Sporting goods	Yes	Yes	
Bookstore	Yes	Yes	
Florist	Yes	Yes	
Leather Goods	Yes	No	
Pet Sales	Yes	Yes	
Photo supplies	Yes	Yes	
Health food	Yes	Yes	
Self-service Laundry	Yes	Yes	
Antique shop	Yes	Yes	
Delicatessen	Yes	Yes	
Pastry	Yes	Yes	
General Apparel	Yes	Yes	
Shoes and Boots	Yes	Yes	
Jewelry	Yes	Yes	
Clock sales	Yes	Yes	
Bakery	Yes	Yes	

Permitted Use	C4	C5	Highest and Best Uses - ITE
Bicycle shop	Yes	Yes	Potentially high - varies
Audio/Video sales	Yes	Yes	
Printing and publishing	Yes	Yes	
Mobile food vendors	Yes	CU	
Liquor store	Yes	Yes	
Ice/Skating Rink	CU	Yes	
Dance Hall	CU	Yes	
Billiard/pool Hall	CU	Yes	
Miniature Golf	CU	Yes	
Business Schools	CU	Yes	
Physical Fitness Center	CU	Yes	
Carwash	CU	Yes	
Taxicab Office	CU	Yes	
Ambulance Services	CU	Yes	
Drive-in Fast Food	CU	Yes	
Contractors Office	No	Yes	
Medical Clinic & Lab	No	Yes	
Appliance Service	No	Yes	
Locksmith	No	Yes	
Art/Music/Business School	No	Yes	
Upholstery Shop	No	Yes	
Veterinary Clinic	Yes	Yes	
Tire Sales	No	Yes	
Glass/Mirror Sales	No	Yes	
Large Retail Establishments	No	Yes	
RV Storage	No	Yes	
Light Fabrication	No	Yes	
Hardware Sales	No	Yes	
Monument Sales	No	Yes	
Feed, seed, fuel	No	Yes	
Electrical/Plumbing Supplies	No	Yes	
Heating & Air Equipment	No	Yes	
Stone/Tile Supplies	No	Yes	
Nursery	No	Yes	
Antique shop	No	Yes	
Pawnshop	No	Yes	
Public Utilities	No	Yes	
Furniture Sales	No	Yes	

32.65 PM / 1000 SF

(b) Affected cities and counties that do not have acknowledged plans and land use regulations as provided in subsection (a) of this section, shall apply relevant sections of this rule to land use decisions and limited land use decisions until land use regulations complying with this amended rule have been adopted.

(5) Cities and counties shall update their TSPs and implementing measures as necessary to comply with this division at each periodic review subsequent to initial compliance with this division. Local governments within metropolitan areas shall amend local transportation system plans to be consistent with an adopted regional transportation system plan within one year of the adoption of an updated regional transportation system plan or by a date specified in the adopted regional transportation system plan.

(6) The director may grant a whole or partial exemption from the requirements of this division to cities under 10,000 population and counties under 25,000 population, and for areas within a county within an urban growth boundary that contains a population less than 10,000. Eligible jurisdictions may request that the director approve an exemption from all or part of the requirements in this division. Exemptions shall be for a period determined by the director or until the jurisdiction's next periodic review, whichever is shorter.

(a) The director's decision to approve an exemption shall be based upon the following factors:

(A) Whether the existing and committed transportation system is generally adequate to meet likely transportation needs;

(B) Whether the new development or population growth is anticipated in the planning area over the next five years;

(C) Whether major new transportation facilities are proposed which would affect the planning areas;

(D) Whether deferral of planning requirements would conflict with accommodating state or regional transportation needs; and

(E) Consultation with the Oregon Department of Transportation on the need for transportation planning in the area, including measures needed to protect existing transportation facilities.

(b) The director's decision to grant an exemption under this section is appealable to the commission as provided in OAR 660-002-0020 (Delegation of Authority Rule)

(7) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter 660, division 18, Post Acknowledgment Procedures.

Stat. Auth.: ORS 183, 197.040 & 197.245

Stats. Implemented: ORS 195.025, 197.040, 197.230, 197.245, 197.610 - 197.625, 197.628 - 197.646, 197.712 & 197.717

Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 1-1993, f. & cert. ef. 6-15-93; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDD 6-1998, f. & cert. ef. 10-30-98; LCDD 2-2000, f. & cert. ef. 2-4-00; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

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

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

Topographic Survey

Located at:
 17375, R2W, S01c, Tax Lot 802
 4901 Biddle Road
 City of Medford, OR

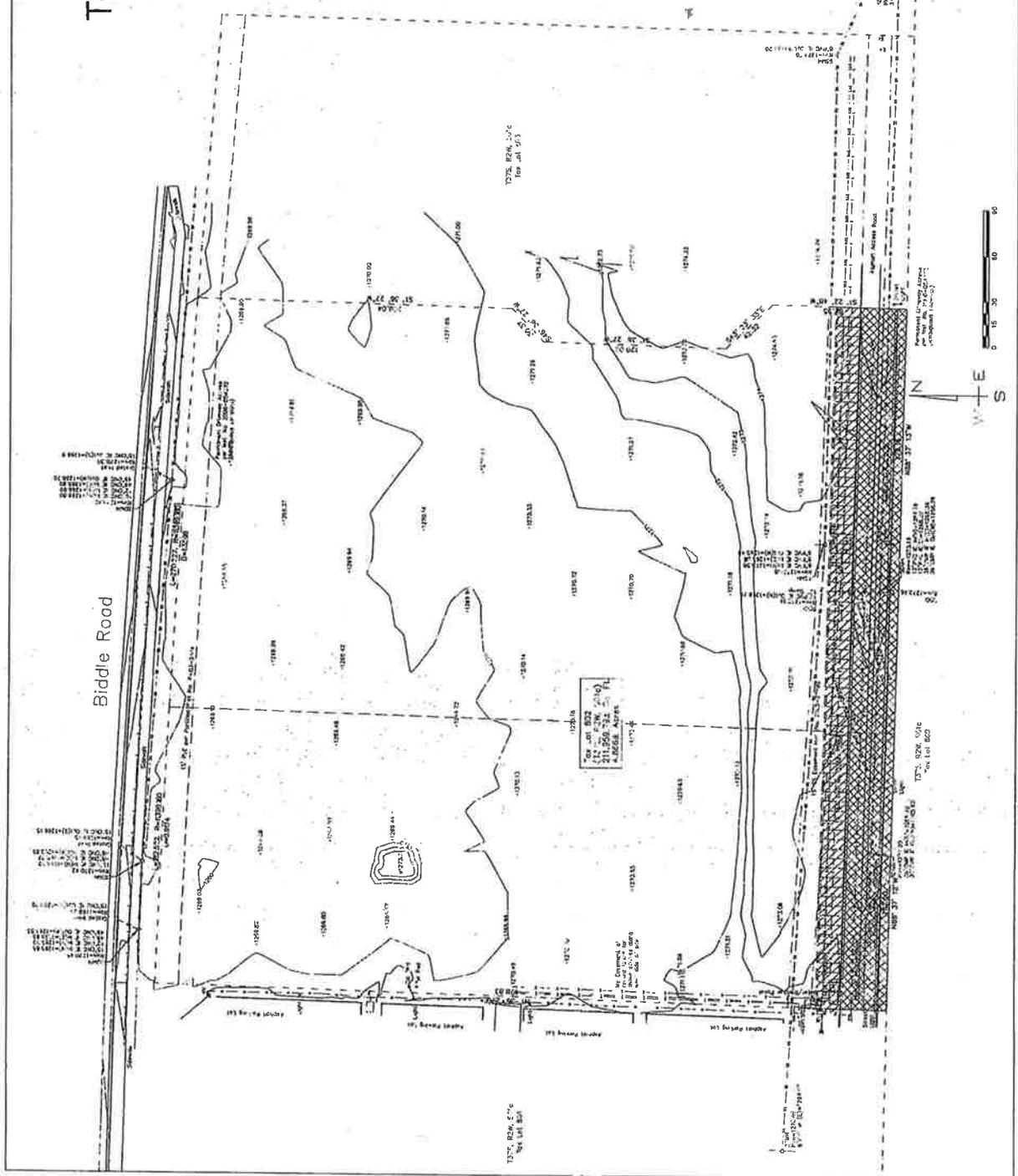
Narrative:
 The purpose of this survey is to prepare a three dimensional
 base map for a proposed commercial project.
 The survey was conducted on February 9, 2015.
 To convert to City of Medford elevation datum add 3.92'.
 One City Utility Ticket Number 15000298 & 15002859
 contain information in 1 foot increments and are the result of a boundary survey.
 Field work was completed on February 9, 2015.

Survey Firm:
 Dr. O. Vlachy, Specialty Center
 1225 E. Main Street, 2nd
 97504 Medford, OR 97504

Legend:
 Unimproved Two-Down Utility Locals Marks
 Unimproved Utility Locals Marks
 Unimproved Water Utility Locals Marks
 Unimproved Electric Utility Locals Marks
 Unimproved Gas Utility Locals Marks
 Property Line
 Major Contour
 Spot Elevation

Produced by, Dr. Vlachy, Specialty Facility
Pariani Land Surveying
 P.O. Box 551
 Shady Cove, OR 97539
 541-850-1131
 Major Highway 30, 2001
 P.O. Box 201
 Medford, OR 97504

EXHIBIT 11





Tentative Parcel 3 of File No. 15004

 Subject Property 2012 Aerial
 Tax Lots
 Photo Location & Direction

300 150 0 300 Feet



Photo Key Map

Comprehensive Plan Amendment / Zone Change
Rogue Valley Microdevices & Tail Lite Prop LLC
37-2W-01C-802



Print Date: 03-15-2016; Source: CSA Planning, Ltd;
Jackson County GIS; City of Central Point GIS



1 Looking South along Biddle Rd. across subject property



2 Looking Northeast along Biddle Rd. at area across Biddle Rd.



3 Looking Southwest along Biddle Rd. across adjoining lot and subject property



4 Looking Northeast along southern property line across subject property

Legend



**Photo ID
Number**

Site Photos

Comprehensive Plan Amendment /
Zone Change
Rogue Valley Microdevices &
Tail Lite Properties LLC
37-2W-01C-802



CSA Planning, Ltd.



5 Looking Northwest across adjoining lot and subject property



6 Looking Southwest across adjoining lot and subject property



7 Looking Southeast along Biddle Rd. across adjoining property and subject property



8 Looking Southwest along Biddle Rd. across adjoining property and subject property

Legend

2 Photo ID Number

Site Photos

Comprehensive Plan Amendment /
 Zone Change
 Rogue Valley Microdevices &
 Tail Lite Properties LLC
 37-2W-01C-802



CSA Planning, Ltd

EXHIBIT 13



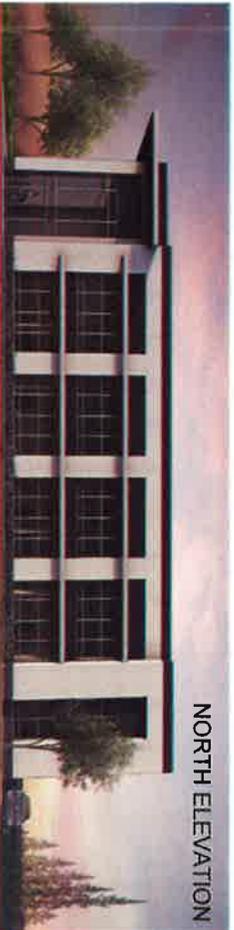
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

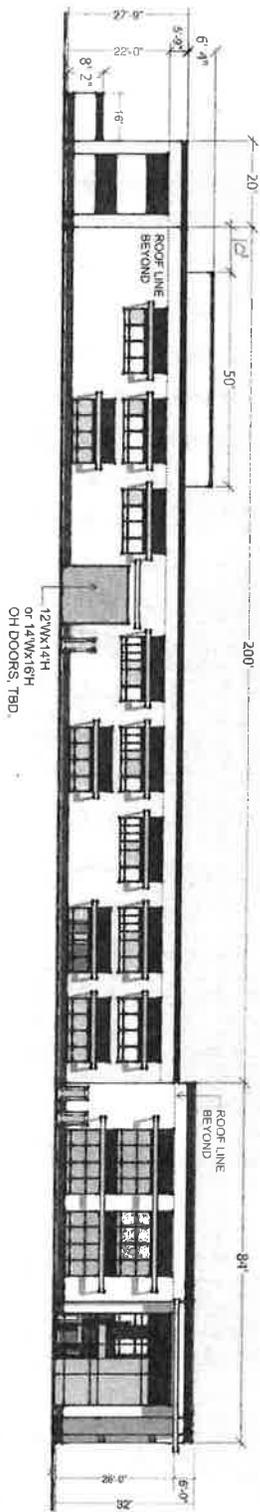


NORTH ELEVATION

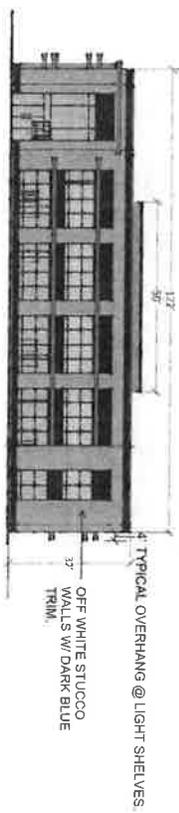


NORTHEAST PERSPECTIVE

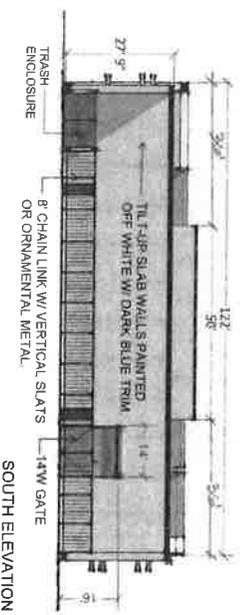
ROGUE VALLEY MICRODEVICES
CENTRAL POINT, OREGON
EXTERIOR ELEVATIONS
STRAUS & SEIBERT ARCHITECTS



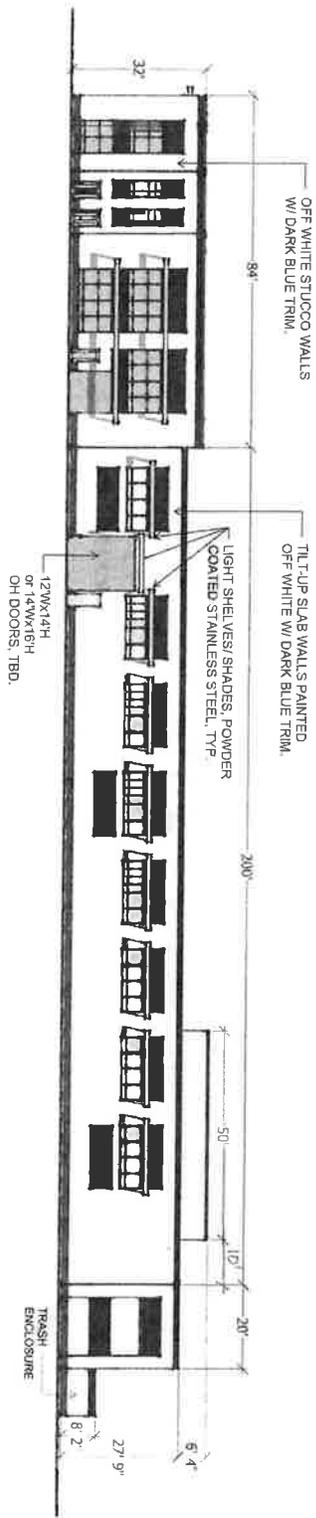
EAST ELEVATION



NORTH ELEVATION

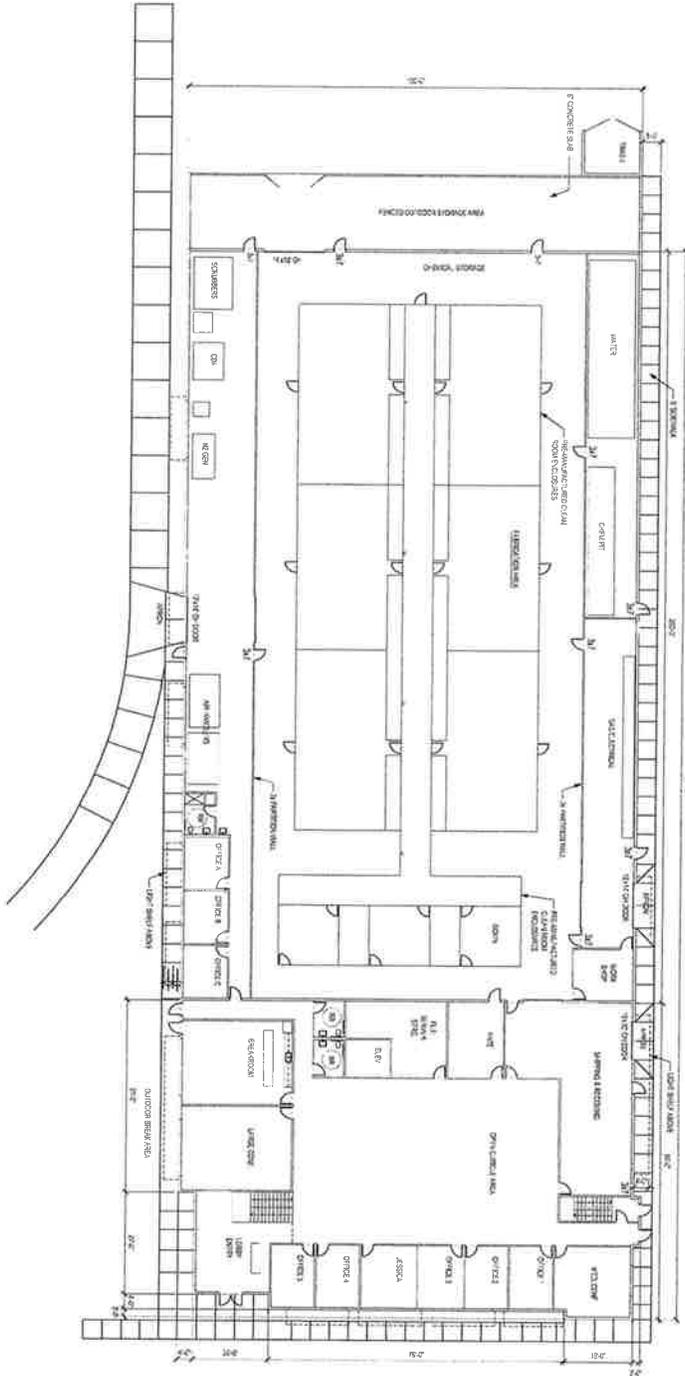


SOUTH ELEVATION



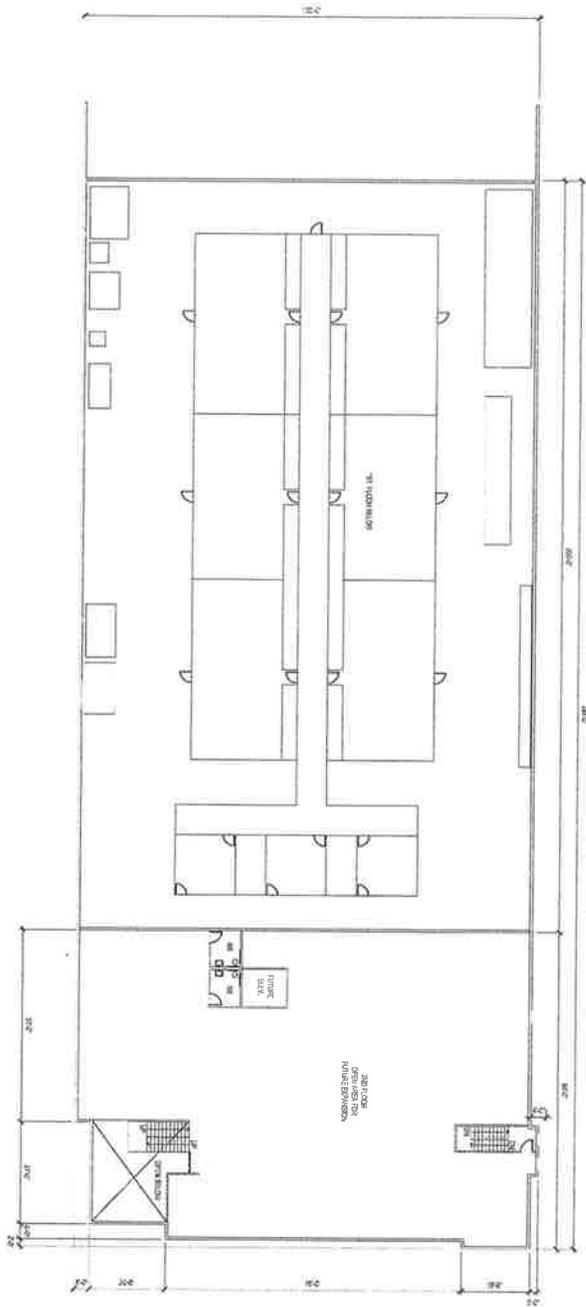
WEST ELEVATION

ROGUE VALLEY MICRODEVICES
CENTRAL POINT, OREGON
EXTERIOR ELEVATIONS
 STRAUS & SEIBERT ARCHITECTS



1st FLOOR PLAN
SCALE: 1/8" = 1'-0"

<p>NOT FOR CONSTRUCTION</p>	<p>177</p>	<p>ROGUE VALLEY MICRODEVICES 4601 BIDDLE-TAX LOT 802 CENTRAL POINT, OREGON</p>	<p>STRAUS & SEIBERT</p> <p>ARCHITECTS LLP 1000 N. 10TH ST., SUITE 100 ASTORIA, OREGON 97103 PHONE: 503.325.1111 FAX: 503.325.1112</p>
	<p>DATE: 12/20/08</p> <p>BY: [Signature]</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>PROJECT: [Signature]</p> <p>DATE: 12/20/08</p>	<p>177</p>



2nd FLOOR PLAN
Scale: 1/8" = 1'-0"

<p>NOT FOR CONSTRUCTION</p>	<p>PROJECT: ROGUE VALLEY MICRODEVICES</p> <p>ADDRESS: 4601 BIDDLE-TAX LOT 802, CENTRAL POINT, OREGON</p>	<p>STRAUS & SEIBERT ARCHITECTS LLP</p> <p>REGISTERED ARCHITECTS</p> <p>1000 N. 10TH ST., SUITE 100, ASTORIA, OREGON 97103</p>
	<p>DATE: 04/12</p>	

City of Central Point, Oregon

140 So. Third St., Central Point, Or 97502
541.664.3321 Fax 541.664.6384
www.ci.central-point.or.us



Planning Department

Tom Humphrey, AICP,
Community Development Director/
Assistant City Administrator

April 14, 2016

Jay Harland
CSA Planning, Ltd.
4497 Brownridge Ste. 101
Medford, OR 97504

RE: Tail Lite Properties Site Plan & Architectural Review (File No. 16004)

Dear Mr. Harland:

This correspondence serves as a **Notice of Decision** that on April 14, 2016 the Central Point Community Development Director approved:

The Site Plan and Architectural Review application for construction of an 11,605 s.f. veterinary clinic and site improvements subject to conditions of approval set forth in the staff report dated April 11, 2016.

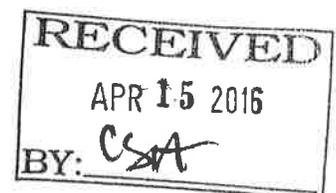
A complete copy of the of the Community Development Director's decision can be obtained at the City of Central Point Planning Department located at 140 South Third Street, Central Point, OR 97502.

The final date for filing an appeal is ten (10) days from the date this letter was mailed. All appeals must be in written form consistent with the procedures set forth in Section 17.05.300(G) of the Central Point Municipal Code.

Sincerely,


Tom Humphrey, AICP
Community Development Director

Enclosure





STAFF REPORT
April 11, 2016

AGENDA ITEM (File No. 16004)

Consideration of a Site Plan and Architectural Review application for the construction of a 11,605 square foot veterinary clinic, including 55 parking spaces and site landscape improvements. The 1.42 acre site is Lot 1 of a proposed Tentative Partition application (File No. 16005) within the Tourist and Office Commercial (C-4) zoning district. The project site is located on property identified on the Jackson County Assessor's Map as 37S 2W 01C, Tax Lot 802. **Applicant:** Tail Lite Properties, LLC; **Agent:** Jay Harland, CSA Planning, Ltd.

SOURCE

Stephanie Holtey, Community Planner II

BACKGROUND

The applicant proposes to construct an 11,605 s.f. veterinary clinic on Biddle Road, just east of the Super 8 Motel (Attachment "A-1"). It is a single-story structure and includes a dog run (Attachment "A-2"). The proposed structure is to be the new location for Southern Oregon Specialty Veterinary Center, an advanced care and emergency services clinic serving southern Oregon and northern California.

The project is located at the southeast corner of 4901 Biddle Road. The applicant is requesting approval of a three (3) lot partition, including construction of a new private retail street, (File No. 16005) concurrent with this application. The proposed veterinary clinic will occupy proposed Lot 1 pending final plat approval, which will take access from Hamrick Road via an existing private street and Biddle Road by way of the proposed retail street.

The primary façade frontage and main pedestrian entry (West Elevation) is along the proposed retail street (Attachment "A-5"). The dog run is on the North Elevation, and parking is on the West and South Elevations. Architecturally the building consists of painted stucco, ground level and stepped wall metal panels with canopy overhangs. The colors will be red, off-white, bronze and metallic silver.

ISSUES

Four (4) issues were identified relative to this application as follows:

1. **Parking Adjustment.** The proposed parking plan provides for 55 parking spaces, which exceeds the maximum 46 spaces allowed per CPMC 17.64.040. The applicant is requesting an increase to the parking allowance per Section 17.64.040(B)(2).

Comment: The applicant's findings (Attachment "B") provide qualitative justification for the proposed parking adjustment based on lack of nearby on-street parking availability and the nature of the use (i.e. 24/7 emergency and specialized care services). The applicant's findings

are further supported by the ITE Parking Generation 3rd Edition, which includes a study with an observed parking demand ratio of 1.6 spaces per 1,000 s.f. of Gross Floor Area (GFA) and 1.4 spaces per employee. Based on the proposed building size and the typical number of employees on any given shift, (i.e. 25-32 employees) the parking demand is expected to range between 48-58 parking spaces. Since the proposed parking plan is within the range for expected parking, staff recommends that the parking adjustment is justified.

2. Landscaping. The proposed landscape plan has been evaluated against the minimum landscape requirements of Section 17.75.039(G). Identified discrepancies are noted below:

- a. **Perimeter.** The perimeter planting area adjacent to the north property line is 3-ft in width, which does not meet the minimum 10-ft planting area required for commercial land uses.

Resolution: As conditioned, the proposal shall either demonstrate compliance with the minimum planting area standard, or the applicant may record a cross access easement to provide future vehicular and pedestrian access with the adjoining lot to the north. Although the applicant's findings state that cross access is not deemed necessary, providing for a connection at this location would be consistent with vehicular and pedestrian connectivity requirement per CPMC 17.75.039(A), and provide for a temporary non-conformity until such time development occurs north of the project site.

Interior. The parking plan proposes a parking row with eleven (11) contiguous spaces, inconsistent with CPMC 17.75.039(G)(2). This section requires an interior landscaped island within a parking row when ten (10) or more vehicles would be placed in an abutting configuration.

Resolution: As conditioned, the parking layout shall be revised to comply with the interior landscaping requirements. This can be achieved by relocating the interior island west of the proposed location.

- 3. Outdoor Dog Run.** The site plan illustrates an outdoor dog run and play area ("Dog Run") north of the proposed structure (Attachment "A-2"). The code provides for limited outdoor activities in the C-4 zoning district, and does not specifically include dog runs. The applicant requested a code interpretation to determine the proposed Dog Run as a compatible use in the C-4 zone. As proposed, the Dog Run is for limited use (i.e. one dog at a time, tethered and supervised) to provide for the safety of personnel and animals.

Comment: The Community Development Director considered the code interpretation request and determined that the "Dog Run" is a compatible activity as proposed. The favorable interpretation was presented to the Planning Commission at the April 5, 2016 Planning Commission meeting and no issues were raised. Due to the location of the proposed outdoor activities in relation to other commercial properties, staff recommends visual screening of the dog run and play area with a continuous evergreen hedge or other similar plantings.

4. **Block Standard.** The existing private street and block configuration permitted as Partition P-03-2004 is legally non-conforming.

Comment: To meet the current block standards per CPMC 17.75.031(B), the existing private street must be developed as a retail street per CPMC 17.75.031(B)(3) and 17.75.031(F). The tentative plat approval (File No. 16005), per Condition No. 1, requires that the private street be improved to retail street standards at the time of development for Lots 1 and 3. The proposed site plan complies with the block standard and tentative plat as conditioned.

FINDINGS

The proposed veterinary clinic has been reviewed for compliance with the applicable standards and criteria in Chapter 17.64, 17.72, and 17.75 and found to comply per the applicant's findings (Attachment "B").

CONDITIONS OF APPROVAL

1. Prior to building permit issuance, the applicant shall:
 - a. Demonstrate compliance with the parking lot perimeter landscape standards set forth in CPMC 17.75.039(G)(1) by either:
 - i. Providing a copy of a recorded cross access easement with Lot 2; or,
 - ii. Submitting a revised site plan and landscape plan illustrating a minimum 10-foot planter width planted with at least 3 trees and 15 shrubs per 100-feet.
 - b. Submit a revised site plan and landscape plan demonstrating compliance with:
 - i. The interior parking lot landscaping standard set forth in CPMC 17.75.039(G)(2);
 - ii. Tentative Partition (File No. 16005) Condition No. 1 requiring that the existing private street be developed as a retail street per CPMC 17.75.031(F).
 - c. Submit a revised landscape plan to provide a landscape screen around the proposed dog run and dog play area. The landscape screen shall be a continuous evergreen hedge or other similar landscape materials.
 - d. Coordinate with the Rogue Valley International-Medford Airport for compliance with the requested noise easement (Attachment "G").
2. Prior to certificate of occupancy, the applicant shall receive final plat approval for File No. 16005 and provide a copy of the recorded final plat to the Community Development Department.
3. Signage shall be subject to a separate review.
4. The applicant shall comply with conditions as listed in the Public Works Department Staff Report dated March 29, 2016 (Attachment "C").

5. The applicant shall comply with condition as listed in the Jackson County Staff Report dated April 5, 2016 (Attachment "D").
6. The applicant shall comply with conditions as listed in the Rogue Valley Sewer Services Staff Report dated March 29, 2016 (Attachment "E").
7. The applicant shall comply with conditions as listed in the Building Department Comments dated April 5, 2016 (Attachment "F").

ATTACHMENTS

Attachment "A-1" – Overall Site Plan
Attachment "A-2" – Site Plan
Attachment "A-3" – Proposed Floor Plan
Attachment "A-4" – Roof Plan
Attachment "A-5" – Exterior Building Elevations
Attachment "A-6" – Site Grading and Utility Plan
Attachment "A-7" – Landscape Plan
Attachment "B" – Applicant's Findings
Attachment "C" – Public Works Staff Report
Attachment "D" – Jackson County Roads Staff Report
Attachment "E" – Rogue Valley Sewer Services Staff Report
Attachment "F" – Building Department Comments
Attachment "G" – Rogue Valley International-Medford Airport Comments

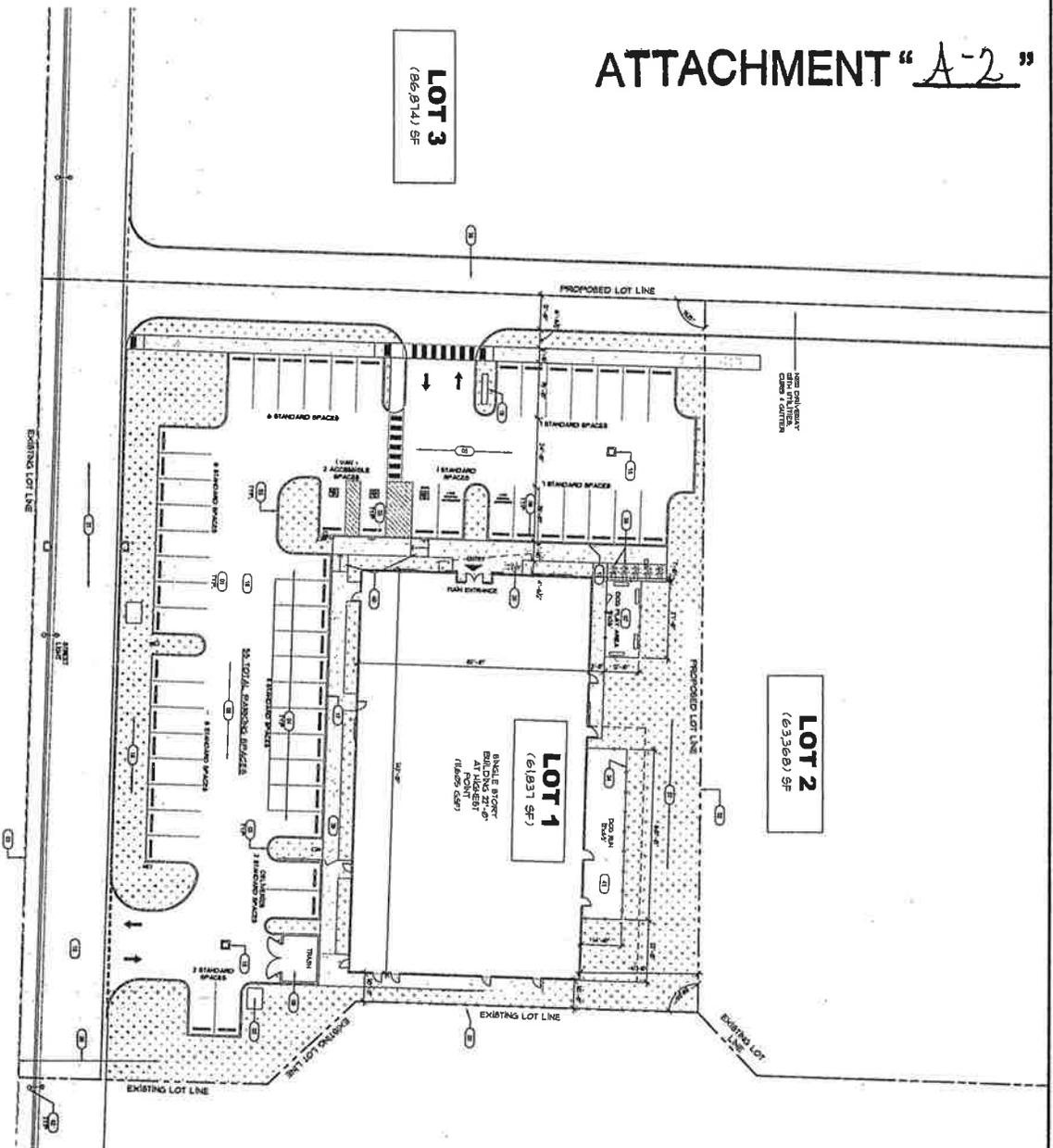
ACTION

Consider the proposed Site Plan & Architectural Review application and 1) approve; 2) approve with revisions; or 3) deny the application.

RECOMMENDATION

Approve the Site Plan & Architectural Review application for the Southern Oregon Specialty Veterinary Center per the Staff Report dated April 11, 2016.

ATTACHMENT "A-2"



NOTE: IF THIS SHEET IS LESS THAN 30" X 42" IT HAS BEEN REDUCED AND IS NOT TO SCALE.

NORTH

AI SITE PLAN
SCALE: 1/8" = 1'-0"

LES SCHWAB

SHEET NOTES

1. SEE ALSO PER A. HANCOCK'S COMMENTS FOR ADDITIONAL INFORMATION.

PARKING

COMPLY WITH SECTION 17.08.000, OREGON ZONING CODE. PROVIDE 17.08.000 TABLE 17.08.000.01 (1) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.02 (2) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.03 (3) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES.

SHEET NOTES

1. SEE SECTION 17.08.000, OREGON ZONING CODE. PROVIDE 17.08.000 TABLE 17.08.000.01 (1) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.02 (2) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.03 (3) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES.

PARKING COUNT

TYPE	COUNT
STANDARD	47
ACCESSIBLE	2
TOTAL	49

SYMBOL LEGEND

SYMBOL	DESCRIPTION
(1)	EXISTING LOT LINE
(2)	PROPOSED LOT LINE
(3)	EXISTING LOT LINE
(4)	PROPOSED LOT LINE
(5)	EXISTING LOT LINE
(6)	PROPOSED LOT LINE
(7)	EXISTING LOT LINE
(8)	PROPOSED LOT LINE
(9)	EXISTING LOT LINE
(10)	PROPOSED LOT LINE
(11)	EXISTING LOT LINE
(12)	PROPOSED LOT LINE
(13)	EXISTING LOT LINE
(14)	PROPOSED LOT LINE
(15)	EXISTING LOT LINE
(16)	PROPOSED LOT LINE
(17)	EXISTING LOT LINE
(18)	PROPOSED LOT LINE
(19)	EXISTING LOT LINE
(20)	PROPOSED LOT LINE
(21)	EXISTING LOT LINE
(22)	PROPOSED LOT LINE
(23)	EXISTING LOT LINE
(24)	PROPOSED LOT LINE
(25)	EXISTING LOT LINE
(26)	PROPOSED LOT LINE
(27)	EXISTING LOT LINE
(28)	PROPOSED LOT LINE
(29)	EXISTING LOT LINE
(30)	PROPOSED LOT LINE
(31)	EXISTING LOT LINE
(32)	PROPOSED LOT LINE
(33)	EXISTING LOT LINE
(34)	PROPOSED LOT LINE
(35)	EXISTING LOT LINE
(36)	PROPOSED LOT LINE
(37)	EXISTING LOT LINE
(38)	PROPOSED LOT LINE
(39)	EXISTING LOT LINE
(40)	PROPOSED LOT LINE
(41)	EXISTING LOT LINE
(42)	PROPOSED LOT LINE
(43)	EXISTING LOT LINE
(44)	PROPOSED LOT LINE
(45)	EXISTING LOT LINE
(46)	PROPOSED LOT LINE
(47)	EXISTING LOT LINE
(48)	PROPOSED LOT LINE
(49)	EXISTING LOT LINE
(50)	PROPOSED LOT LINE
(51)	EXISTING LOT LINE
(52)	PROPOSED LOT LINE
(53)	EXISTING LOT LINE
(54)	PROPOSED LOT LINE
(55)	EXISTING LOT LINE
(56)	PROPOSED LOT LINE
(57)	EXISTING LOT LINE
(58)	PROPOSED LOT LINE
(59)	EXISTING LOT LINE
(60)	PROPOSED LOT LINE
(61)	EXISTING LOT LINE
(62)	PROPOSED LOT LINE
(63)	EXISTING LOT LINE
(64)	PROPOSED LOT LINE
(65)	EXISTING LOT LINE
(66)	PROPOSED LOT LINE
(67)	EXISTING LOT LINE
(68)	PROPOSED LOT LINE
(69)	EXISTING LOT LINE
(70)	PROPOSED LOT LINE
(71)	EXISTING LOT LINE
(72)	PROPOSED LOT LINE
(73)	EXISTING LOT LINE
(74)	PROPOSED LOT LINE
(75)	EXISTING LOT LINE
(76)	PROPOSED LOT LINE
(77)	EXISTING LOT LINE
(78)	PROPOSED LOT LINE
(79)	EXISTING LOT LINE
(80)	PROPOSED LOT LINE
(81)	EXISTING LOT LINE
(82)	PROPOSED LOT LINE
(83)	EXISTING LOT LINE
(84)	PROPOSED LOT LINE
(85)	EXISTING LOT LINE
(86)	PROPOSED LOT LINE
(87)	EXISTING LOT LINE
(88)	PROPOSED LOT LINE
(89)	EXISTING LOT LINE
(90)	PROPOSED LOT LINE
(91)	EXISTING LOT LINE
(92)	PROPOSED LOT LINE
(93)	EXISTING LOT LINE
(94)	PROPOSED LOT LINE
(95)	EXISTING LOT LINE
(96)	PROPOSED LOT LINE
(97)	EXISTING LOT LINE
(98)	PROPOSED LOT LINE
(99)	EXISTING LOT LINE
(100)	PROPOSED LOT LINE

SHEET NOTES

1. SEE SECTION 17.08.000, OREGON ZONING CODE. PROVIDE 17.08.000 TABLE 17.08.000.01 (1) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.02 (2) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES. PROVIDE 17.08.000 TABLE 17.08.000.03 (3) PER 1,764 SF (GROSS BUILDING AREA) / 200 = 47 SPACES.

SHEET KEYNOTE LEGEND

KEYNOTE	DESCRIPTION
1	EXISTING LOT LINE
2	PROPOSED LOT LINE
3	EXISTING LOT LINE
4	PROPOSED LOT LINE
5	EXISTING LOT LINE
6	PROPOSED LOT LINE
7	EXISTING LOT LINE
8	PROPOSED LOT LINE
9	EXISTING LOT LINE
10	PROPOSED LOT LINE
11	EXISTING LOT LINE
12	PROPOSED LOT LINE
13	EXISTING LOT LINE
14	PROPOSED LOT LINE
15	EXISTING LOT LINE
16	PROPOSED LOT LINE
17	EXISTING LOT LINE
18	PROPOSED LOT LINE
19	EXISTING LOT LINE
20	PROPOSED LOT LINE
21	EXISTING LOT LINE
22	PROPOSED LOT LINE
23	EXISTING LOT LINE
24	PROPOSED LOT LINE
25	EXISTING LOT LINE
26	PROPOSED LOT LINE
27	EXISTING LOT LINE
28	PROPOSED LOT LINE
29	EXISTING LOT LINE
30	PROPOSED LOT LINE
31	EXISTING LOT LINE
32	PROPOSED LOT LINE
33	EXISTING LOT LINE
34	PROPOSED LOT LINE
35	EXISTING LOT LINE
36	PROPOSED LOT LINE
37	EXISTING LOT LINE
38	PROPOSED LOT LINE
39	EXISTING LOT LINE
40	PROPOSED LOT LINE
41	EXISTING LOT LINE
42	PROPOSED LOT LINE
43	EXISTING LOT LINE
44	PROPOSED LOT LINE
45	EXISTING LOT LINE
46	PROPOSED LOT LINE
47	EXISTING LOT LINE
48	PROPOSED LOT LINE
49	EXISTING LOT LINE
50	PROPOSED LOT LINE
51	EXISTING LOT LINE
52	PROPOSED LOT LINE
53	EXISTING LOT LINE
54	PROPOSED LOT LINE
55	EXISTING LOT LINE
56	PROPOSED LOT LINE
57	EXISTING LOT LINE
58	PROPOSED LOT LINE
59	EXISTING LOT LINE
60	PROPOSED LOT LINE
61	EXISTING LOT LINE
62	PROPOSED LOT LINE
63	EXISTING LOT LINE
64	PROPOSED LOT LINE
65	EXISTING LOT LINE
66	PROPOSED LOT LINE
67	EXISTING LOT LINE
68	PROPOSED LOT LINE
69	EXISTING LOT LINE
70	PROPOSED LOT LINE
71	EXISTING LOT LINE
72	PROPOSED LOT LINE
73	EXISTING LOT LINE
74	PROPOSED LOT LINE
75	EXISTING LOT LINE
76	PROPOSED LOT LINE
77	EXISTING LOT LINE
78	PROPOSED LOT LINE
79	EXISTING LOT LINE
80	PROPOSED LOT LINE
81	EXISTING LOT LINE
82	PROPOSED LOT LINE
83	EXISTING LOT LINE
84	PROPOSED LOT LINE
85	EXISTING LOT LINE
86	PROPOSED LOT LINE
87	EXISTING LOT LINE
88	PROPOSED LOT LINE
89	EXISTING LOT LINE
90	PROPOSED LOT LINE
91	EXISTING LOT LINE
92	PROPOSED LOT LINE
93	EXISTING LOT LINE
94	PROPOSED LOT LINE
95	EXISTING LOT LINE
96	PROPOSED LOT LINE
97	EXISTING LOT LINE
98	PROPOSED LOT LINE
99	EXISTING LOT LINE
100	PROPOSED LOT LINE

SITE PLAN & ARCHITECTURAL REVIEW 181

PROJECT TITLE

NEW VETERINARY CLINIC

SHEET TITLE

SITE PLAN

SHEET NO.

A-101

JAMES CONSULTING MANAGEMENT

1000 N. W. 10th St., Suite 1000
Fort Lauderdale, FL 33304
Phone: 954.575.1111
Fax: 954.575.1112
www.jamesconsulting.com

PROJECT ADDRESS:

1000 N. W. 10th St., Suite 1000
Fort Lauderdale, FL 33304
Phone: 954.575.1111
Fax: 954.575.1112
www.jamesconsulting.com

OWNER:

NEW VETERINARY CLINIC
1000 N. W. 10th St., Suite 1000
Fort Lauderdale, FL 33304
Phone: 954.575.1111
Fax: 954.575.1112
www.jamesconsulting.com

DESIGNER:

NEW VETERINARY CLINIC
1000 N. W. 10th St., Suite 1000
Fort Lauderdale, FL 33304
Phone: 954.575.1111
Fax: 954.575.1112
www.jamesconsulting.com

DATE:

10/10/2023

SCALE:

AS SHOWN

PROJECT NO.:

181

DATE:

10/10/2023

PROJECT TITLE:

NEW VETERINARY CLINIC

SHEET TITLE:

SITE PLAN

SHEET NO.:

A-101

Rogue Valley Microdevices Site Development

Traffic Impact Analysis

September 9, 2016

Prepared By:



*TRANSPORTATION
ENGINEERING, LLC*

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Chapter 17.64 OFF-STREET PARKING AND LOADING¹

Sections:

17.64.010 Purpose.

17.64.020 Applicability.

17.64.030 Off-street loading.

17.64.040 Off-street parking requirements.

17.64.010 Purpose. SHARE

It is the purpose of this chapter, through the management of off-street parking, loading and bicycle spaces, to manage auto dependence and encourage the use of alternative transportation modes in accordance with the policies and strategies of the city's transportation system plan.

The following regulations are established, in accordance with the transportation system plan, to provide for the number of off-street parking, loading and bicycle spaces for new uses and enlargement of existing uses in connection with the use of land permitted by this zoning ordinance. The requirements and standards set forth in this chapter are intended to ensure the usefulness of parking, loading and bicycle facilities, protect the public safety, and to mitigate potential adverse impacts on adjacent land uses. (Ord. 1946 (part), 2011; Ord. 1436 §2(part), 1981).

17.64.020 Applicability. SHARE

In all districts, in connection with any use whatsoever, there shall be provided at the time any building or structure is erected, enlarged or increased in capacity, or the use is changed or increased in intensity, off-street parking spaces for automobiles, off-street loading, and bicycle parking facilities for the enlarged or increased portion in the case of an addition or for the building, structure or use in other cases, in accordance with the requirements herein. All parking shall be developed and maintained to the standards set forth in Section 17.75.039, Off-street parking design and development standards. (Ord. 1946 (part), 2011).

17.64.030 Off-street loading. SHARE

A. In all districts for each use for which a building is to be erected or structurally altered to the extent of increasing the floor area to equal the minimum floor area required to provide loading space and which will require the receipt or distribution of materials or merchandise

by truck or similar vehicle, there shall be provided off-street loading space in accordance with the standards set forth in Table 17.64.01, Off-Street Loading Requirements.

TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
<u>INDUSTRIAL, WAREHOUSING AND WHOLESALING</u>	
Sq. Ft. of Floor Area	No. of Loading Berths Required
Less than 12,500	1
12,501--25,000	2
25,001--37,500	3
37,501--50,000	4
Over 50,000	5 plus 1 for each additional 50,000 sq. ft.
<u>RETAIL, RESTAURANTS, HOSPITALS, AND OTHER GOODS HANDLING</u>	
Sq. Ft. of Floor Area	No. of Loading Berths Required
Less than 12,500	0
12,501--60,000	1
60,001--100,000	2
Over 100,000	3 plus 1 for each additional 80,000 sq. ft.

TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS (Continued)

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
<u>OFFICES, HOTELS AND OTHER NONGOODS HANDLING USES</u>	
Sq. Ft. of Floor Area	No. of Loading Berths Required
0--50,000	0

TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS (Continued)

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
50,001--200,000	1
Over 200,000	2 plus 1 for each 100,000 sq. ft.

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

C. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately meet the needs of the use.

D. Off-street parking areas used to fulfill the requirements of this title shall not be counted as required loading spaces and shall not be used for loading and unloading operations, except during periods of the day when not required to meet parking needs.

E. In no case shall any portion of a street or alley be counted as a part of the required parking or loading space, and such spaces shall be designed and located as to avoid undue interference with the public use of streets or alleys. (Ord. 1946 (part), 2011; Ord. 1436 §2(part), 1981. Formerly 17.64.020).

17.64.040 Off-street parking requirements.  SHARE

All uses shall comply with the number of off-street parking requirements identified in Table 17.64.02A, Residential Off-Street Parking Requirements, and Table 17.64.02B, Non-Residential Off-Street Parking Requirements. For residential uses the off-street parking requirements are stated in terms of the minimum off-street parking required. For non-residential uses the off-street parking requirements are presented in terms of both minimum and maximum off-street parking required. The number of off-street parking spaces in Table 17.64.02B, Non-Residential Off-Street Parking, may be reduced in accordance with subsection B of this section, Adjustments to Off-Street Vehicle Parking.

The requirement for any use not specifically listed shall be determined by the community development director on the basis of requirements for similar uses, and on the basis of evidence of actual demand created by similar uses in the city and elsewhere, and such

other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement.

TABLE 17.64.02A

RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Use Categories	Minimum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
RESIDENTIAL	
Single-Family Residential	2 spaces per dwelling unit, both of which must be covered.
Accessory Dwelling Unit	1 space per accessory dwelling unit.
Two-Family	2 spaces per dwelling unit, both of which must be covered.
Multiple-Family	1 space per studio or 1-bedroom unit;
	1.5 spaces per 2-bedroom unit; and
	2 spaces per 3+-bedroom unit.
	plus 1 guest parking space for each 4 dwelling units or fraction thereof.
Mobile Home Parks	2 spaces per dwelling unit on the same lot or pad as the mobile home (may be tandem); plus 1 guest space for each 4 mobile homes.
Residential Home	2 spaces per dwelling unit, both of which must be covered.
Residential Facility	.75 spaces per bedroom.
Congregate (Senior) Housing	.5 spaces per dwelling unit.
Boarding Houses, Bed and Breakfast	1 space per guest unit; plus 1 space per each 2 employees.

TABLE 17.64.02B

NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
----------------	--

TABLE 17.64.02B

NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
COMMERCIAL LODGING	
Hotel or Motel	1 space per guest unit; plus 1 space per each 2 employees. Units having kitchen facilities shall provide 2 spaces per unit with kitchen.
INSTITUTIONS	
Welfare or Correctional Institutions	1 space per 5 beds for patients or inmates.
Group Living such as Convalescent Hospitals, Nursing Home	1 space per each 2 beds for patients or residents bedrooms.
Hospital	3 spaces per each 2 beds, determined by the maximum design capacity of the facility.
PLACES OF PUBLIC ASSEMBLY	
Churches, Chapels, Mortuaries	1 space per 75 sq. ft. of main assembly area; or per Chapter 17.72, Site Plan and Architectural Review
Libraries, Museum, Art Gallery	1 space per 400 sq. ft. of net floor area; plus 1 space per each 2 employees
SCHOOLS	
Day Care Center, Preschool	1 space per employee; plus 1 space per 5 children the facility is designed or intended to accommodate. No requirements for facilities caring for 5 or fewer children simultaneously.
Elementary and Junior High Schools (public and private/parochial)	3 spaces per classroom, or 1 space per 4 seats in the main auditorium, gymnasium, or other place available for public assembly, whichever is greater.
High Schools, Colleges, and Trade Schools (public and private/parochial)	1 space per each 5 students, based on the design capacity of the facility, or 1 space per 4 seats in the main auditorium, gymnasium, or other place available for public assembly, whichever is greater.
COMMERCIAL AMUSEMENT and ENTERTAINMENT	
Theaters, Amphitheaters, Stadiums	1 space per each 4 fixed seats or 8 feet of bench length.

TABLE 17.64.02B

NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
Bowling Alley	5 spaces per lane; plus 1 space per each 2 employees. Other uses in the building shall be calculated separately per Section 17.64.040(F), Mixed Uses.
Dancehall, Skating Rink	1 space per each 100 square feet of net floor (or ice) area or fraction thereof; plus 1 space per each 2 employees.
Swimming Pool	1 space per each 100 square feet of pool surface area.
GENERAL COMMERCIAL	
Retail Stores, Personal Services	1 space per each 200 square feet of net floor area (excluding storage and other non-sales or non-display areas).
Furniture, Appliances	1 space per each 500 square feet of gross floor area.
Automobile, Boat, Manufactured Home and Recreational Vehicle Sales, Service, and Rental	1 space for each employee on the major shift; plus 2 spaces for each service bay; plus 1 space per each 300 square feet of showroom area; plus 1 space per each 2,000 square feet of used or new vehicle sales area, or other outdoor sales area.
Nurseries, Gardening and Building Materials	1 space for each employee on the major shift; plus 2 spaces for each service bay; plus 1 space per each 300 square feet of showroom area; plus 1 space per each 2,000 square feet of used or new vehicle sales area, or other outdoor sales area.
Service and Repair Shops	1 space per each 300 square feet of gross floor area.
Eating and Drinking Establishments	10 spaces per 1,000 sq. ft. of gross floor area.
Restaurants, Fast Food	1 space per 100 feet of gross floor area, plus 3 stacking spaces for drive-through window.
OFFICE - PROFESSIONAL	
Banks and other Financial Institutions	1 space per 300 square feet of gross floor area. In no case shall there be fewer than 3 spaces provided.
General and Professional Offices	1 space per 250 square feet of gross floor area.
Medical/Dental Offices	1 space per 250 square feet of gross floor area.

TABLE 17.64.02B

NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
INDUSTRIAL and MANUFACTURING	
Assembly and Manufacturing	2 spaces per each 3 employees on the 2 largest shifts*, or 1 space per each 500 square feet of gross floor area, whichever is greatest. (*1 space per employee if the business has only one shift).
Warehousing and Storage	2 spaces per each 3 employees on the 2 largest adjacent shifts*, or 1 space per each 1,000 square feet of gross floor area, whichever is greater. (*1 space per employee if the business has only one shift).
Industrial Vehicles	1 space for each vehicle kept or operated in connection with the use.

A. Calculation of Required Off-Street Parking. Off-street parking facility requirements set forth in Table 17.64.02A, Residential Off-Street Parking Requirements, and Table 17.64.020B, Non-Residential Off-Street Parking Requirements, shall be applied as follows:

1. Where the application of the schedule results in a fractional requirement it shall be rounded down to the lowest whole number.
2. For purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading, or bicycle facilities.
3. Where uses or activities subject to differing requirements are located in the same structure or on the same site, or are intended to be served by a common facility, the total parking requirement shall be the sum of the requirements for each use or activity computed separately, except as adjusted through the site plan and architectural review process under the provisions of subsection (B) of this section. The community development director, when issuing a permit(s) for multiple uses on a site, may restrict the hours of operation or place other conditions on the multiple uses so that parking needs do not overlap and may then modify the total parking requirement to be based on the most intense combination of uses at any one time.

4. Where requirements are established on the basis of seats or person capacity, the building regulations provisions applicable at the time of determination shall be used to define capacity.

5. Where residential use is conducted together with or accessory to other permitted uses, applicable residential requirements shall apply in addition to other nonresidential requirements.

6. The parking requirements outlined in Table 17.64.02A, Residential Off-Street Parking Standards, and Table 17.64.020B, Non-Residential Off-Street Parking Requirements, include parking for handicapped persons shall be provided pursuant to the requirements of subsection C of this section, Accessible Parking Requirements.

B. Adjustments to Non-Residential Off-Street Vehicle Parking. The off-street parking requirements in Table 17.64.02B, Non-Residential Off-Street Parking Requirements, may be reduced, or increased in any commercial (C) or industrial (M) district as follows:

1. Reductions. The maximum off-street parking requirements may be reduced by no more than twenty percent.

2. Increases. The off-street parking requirements may be increased based on a parking demand analysis prepared by the applicant as part of the site plan and architectural review process. The parking demand analysis shall demonstrate and documents justification for the proposed increase.

C. Accessible Parking Requirements. Where parking is provided accessory to a building, accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233, and Section 1106 of the latest Oregon Structural Specialty Code as set forth in this section.

1. The minimum number of accessible parking spaces shall be provided for all uses in accordance with the standards in Oregon Structural Specialty Code, Minimum Number of Accessible Parking Spaces. Accessible parking spaces shall be counted toward meeting off-street parking requirements in Tables 17.64.02A and 17.64.02B, Residential and Non-Residential Off-Street Parking Requirements. The accessible parking requirements are minimum requirements and are not subject to reductions per subsection (B)(1) of this section.

D. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land in any commercial (C) or industrial (M) district may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses); and provided, that prior to the issuance of any building permit for the property that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The city may approve owner requests for shared parking through the site plan and architectural review process.

E. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within three hundred feet of the use it serves and the city has approved the off-site parking through the site plan and architectural review process. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument in the same manner as set forth in subsection (A)(3) of this section.

F. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (see subsection D of this section, Shared Parking).

G. Compact Car Adjustment.

1. Any parking lot or otherwise required public parking area containing ten or more parking spaces shall be eligible for a compact car adjustment, provided all requirements of this chapter are adequately met.
2. Up to, but not exceeding, twenty-five percent of the total number of required parking spaces may be designed and provided for the parking of compact cars.
3. All compact parking spaces must be identified for compact parking only. Compact parking spaces shall be designed in accordance with the minimum standards set forth in Section 17.75.039(B), Parking Stall Minimum Dimensions.

H. Change of Use. Prior to the change of use of a building or structure the applicant shall demonstrate that adequate parking spaces are available to accommodate the new use(s) as required in this chapter.

I. Bicycle Parking. Bicycle parking shall be provided in accordance with Table 17.64.04, Bicycle Parking Requirements.

TABLE 17.64.04 BICYCLE PARKING REQUIREMENTS

Land Use	Minimum Required	Minimum Covered
Residential		
Single-Family Residential	NA	NA
Multi-Family Residential, General	1 space per unit	100%
Multi-Family Residential, Congregate Housing, or with Physical Disabilities	1 space per 5 units	100%
Institutional		
Schools, Elementary	4 spaces per classroom	100%
Schools, Junior High/Middle School	4 spaces per classroom	100%
Schools, Senior High	8 spaces per classroom	100%
College/Trade School	1 space per 4 students (plus 1 space per student housing room/unit)	100%
Transit Centers/Park and Ride Lots	5% of automobile parking spaces	100%
Religious Institutions	1 space per 40 seat capacity	25%
Hospitals	1 space per 5 beds	75%
Medical/Dental Offices	2 spaces, or 1 space per 1,000 sq. ft., whichever is greater	25%
Libraries/Museums, etc.	2 spaces, or 1 space per 1,000 sq. ft., whichever is greater	25%
Commercial		

TABLE 17.64.04 BICYCLE PARKING REQUIREMENTS

Land Use	Minimum Required	Minimum Covered
Retail Sales	0.33 spaces per 1,000 sq. ft.	50%
Auto-Oriented Sales	2 spaces, or 0.33 spaces per 1,000 sq. ft., whichever is greater	10%
Groceries/Supermarkets	0.33 spaces per 1,000 sq. ft.	10%
Office	2 spaces, or 1 space per 1,000 sq. ft., whichever is greater	10%
Restaurant	1 space per 1,000 sq. ft.	25%
Drive-In Restaurant	1 space per 1,000 sq. ft.	25%
Shopping Center	0.33 spaces per 1,000 sq. ft.	50%
Financial Institutions	2 spaces, or 0.33 spaces per 1,000 sq. ft., whichever is greater	10%
Theaters/Auditoriums, etc.	1 space per 30 seats	10%
Industrial		
Industrial Park	2 spaces, or 0.1 space per 1,000 sq. ft., whichever is greater	100%
Warehouse	2 spaces, or 0.1 space per 1,000 sq. ft., whichever is greater	100%
Manufacturing, etc.	2 spaces, or 0.15 space per 1,000 sq. ft., whichever is greater	100%

(Ord. 2028 §3, 2016; Ord. 2002 §2 (Exh. A) (part), 2015; Ord. 1946 (part), 2011).

Home | < | >

The Central Point Municipal Code is current through Ordinance 2028, passed July 28, 2016.

Disclaimer: The City Recorder's Office has the official version of the Central Point Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

Pursuant to the charter and Ordinance 1969, all references throughout the code to "city administrator" have been changed to "city manager."

City Website: <http://www.centralpointoregon.gov/>

City Telephone: (541) 664-3321

Hi Kim,

Here is an overview of the information you requested:

Employees: 20 at main location

Shifts:	5:00 a.m. – 2:00 p.m.	2 Employees
	6:00 a.m. – 3:00 p.m.	1 Employee
	7:00 a.m. – 4:00 p.m.	6 Employees
	8:00 a.m. – 5:00 p.m.	4 Employees
	9:30 a.m. – 6:30 p.m.	3 Employees
	11:00 a.m. – 8:00 p.m.	2 Employee
	3:00 p.m. – Midnight	2 Employees

Of the 20 employees, 13 of them spend most of their day in the fabrication/manufacturing area, but also have desk space in the office. The remaining 7 work in the office area.

On average, half of the employees may leave the office on a daily basis for approximately 1 hour for lunch, errands, etc. The time is dependent on the shift.

The daily deliveries are:

	10:00 – 11:00 a.m.	3 Deliveries: FedEx, UPS, FedEx
Ground	2:30 p.m.	2 Pick-ups: FedEx and UPS
	4:00 p.m.	1 Pick-up: FedEx Ground

Weekly deliveries are:

Average of 2 semi-truck deliveries per week

Our public/customer interaction, in person, is very minimal. We have meetings at our facility on average twice per month.

Let me know if you have any questions. I'm happy to elaborate further as needed.

Best regards,
JoAnn Martin
Rogue Valley Microdevices, Inc.

Hi Kim,

Laid out the probable increases by shift for Rogue V Micro, as follows:

<u>Shifts:</u>	<u>Employees</u>
5 am – 2 pm	3
6 am – 3 pm	1
7 am – 4 pm	9
8 am – 5 pm	6
9:30 am – 6:30 pm	5
11 am – 8 pm	3
3 pm – Midnight	<u>3</u>

TOTAL 30 Maximum number of people there at any one time is: 27

Square footage:

Fabrication:	23,595 net sq ft
1 st Floor Office:	9,535 net sq ft
2 nd Floor Office:	<u>8,975 net sq ft</u>
Total:	42,104 net sq ft

CSA Planning, LTD,

Beverly Thruston, AIA
Associate Planner

4497 Brownridge Terrace #101
Medford, OR 97504
Phone: 541/779-0569 Fax/l 541/779-0114

Land Use: 140 Manufacturing

Description

Manufacturing facilities are areas where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses.

Database Description

- Average parking supply ratios: 1.3 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (three study sites) and 1.3 spaces per employee (three study sites).
- Average site employment density: 1.0 employee per 1,000 sq. ft. GFA (three study sites).

Parking demand counts were only submitted between 10:00 and 11:00 a.m. and between 2:00 and 3:00 p.m.

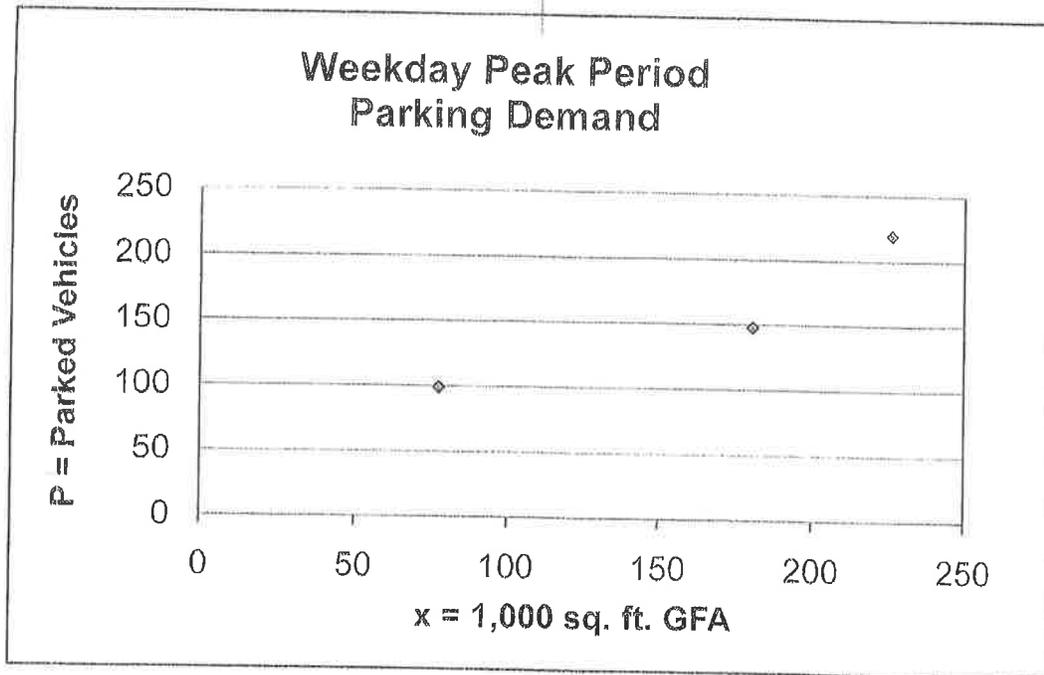
Study Sites/Years

Bellevue, WA (1991); Kent, WA (1991)

Land Use: 140 Manufacturing

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA On a: Weekday

Statistic	Peak Period Demand
Peak Period	2:00–3:00 p.m.
Number of Study Sites	3
Average Size of Study Sites	165,000 sq. ft. GFA
Average Peak Period Parking Demand	1.02 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.23
Coefficient of Variation	23%
Range	0.82–1.27 vehicles per 1,000 sq. ft. GFA
85th Percentile	1.18 vehicles per 1,000 sq. ft. GFA
33rd Percentile	0.92 vehicles per 1,000 sq. ft. GFA

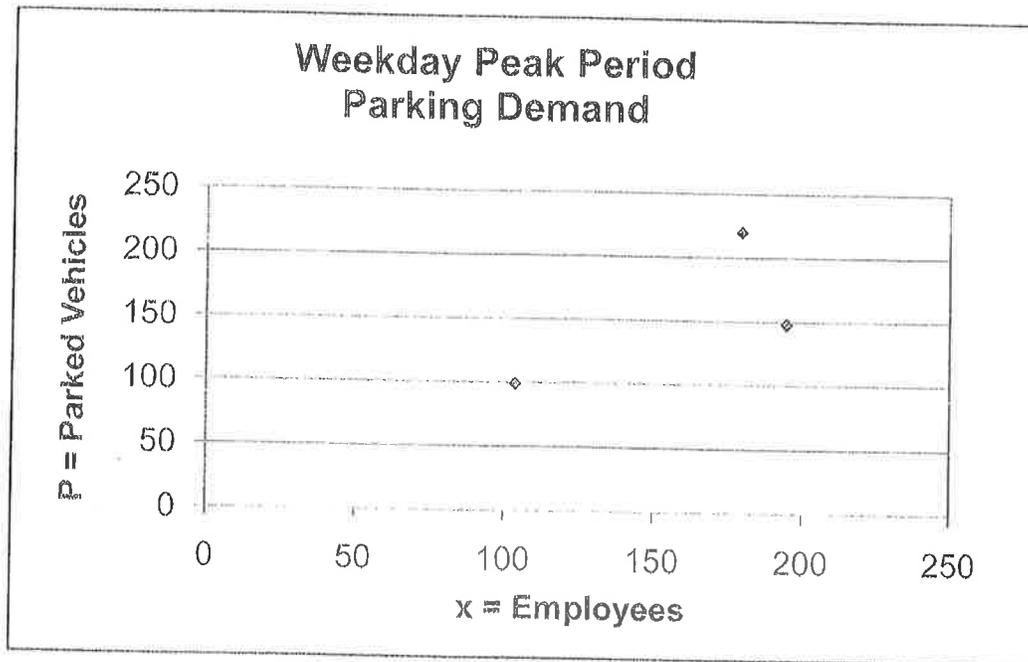


♦ Actual Data Points

Land Use: 140 Manufacturing

Average Peak Period Parking Demand vs. Employees On a Weekday

Statistic	Peak Period Demand
Peak Period	2:00–3:00 p.m.
Number of Study Sites	3
Average Size of Study Sites	160 employees
Average Peak Period Parking Demand	0.97 vehicles per employee
Standard Deviation	0.24
Coefficient of Variation	24%
Range	0.75–1.22 vehicles per employee
85th Percentile	1.14 vehicles per employee
33rd Percentile	0.88 vehicles per employee



◆ Actual Data Points

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

319 Eastwood Drive - Medford, Or. 97504 – Phone (541) 608-9923 – Email: Kwkp1@Q.com

November 22, 2016

Jessica Gomez, Rogue Valley Microdevices, Inc.
943 Automation Way, Suite F
Medford, Oregon 97504

RE: Parking Demand for Rogue Valley Microdevices Headquarters

Dear Jessica,

Upon your request, Southern Oregon Transportation Engineering, LLC evaluated the parking demand for the proposed Microdevices building located within the Hamrick Business Park southeast of Hamrick Road and Biddle Road in Central Point, Oregon. Information from the City of Central Point, Microdevices, and the Institute of Transportation Engineers (ITE) *Parking Generation*, 4th edition handbook was compared to determine the minimum number of parking spaces to meet the demand of Microdevice's manufacturing use. The land use considered in the City of Central Point and ITE requirements were 140 – Manufacturing.

Parking Requirements

City of Central Point need calculation methods:

Minimum number of required parking spaces for manufacturing land use in Table 17.64.02B:

Manufacturing - 1 space per 500 square feet = $1 \times (43,000/500) = 86$ spaces

Or 2 space per 3 employees (largest shift) = $2 \times (27/3) = 18$ spaces

Total range of spaces based on size and number of employees = 18-84 spaces

Microdevices parking assessment:

Largest shift – 27 employees potentially overlapping between 5:00 am – Midnight

Deliveries estimated at 3 potentially overlapping during the day from Fed Ex and UPS

Normal trips from outside public is zero, but bi-monthly meetings are estimated to bring parking demand up to 35 spaces with regular employees plus visitors.

Total estimated potential occupancy at one time = 35 spaces

ITE parking demand:

Weekday Peak Period

Average Demand = Observed peak period demand expressed as a rate

85th % Demand = The point at which 85 percent of the values fall at or below

Land Use	Unit	Size	Average Peak Period Demand	85 th % Demand	Average Peak Period Demand (spaces)	85 th % Demand (spaces)
					Total	Total
140 - Manufacturing	1,000 SF	43	1.02	1.18	44	51
140 - Manufacturing	Employees	30	0.97	1.14	29	34
Total Range (spaces)					29 - 51	

Note: SF=Square Feet

Parking Assessment

The information published by the ITE provides a guide to planners and designers regarding parking demand. Average rates, 85th percentile demands, and other measures are provided to help determine the most reliable parking demand when local data is not available. In this case, local data is provided and supports a parking demand within the range provided by the ITE. Rogue Valley Microdevice’s local data shows a potential need of 35 spaces when their facility is maximized.

The goal with parking is to strike a balance between an oversupply of parking and an undersupply of parking. Providing enough parking for a maximized situation ensures that drivers will seldom be unsuccessful in finding a parking space, but it also creates waste when a facility isn’t operating at maximum. As more parking is provided, more cars take advantage of it and fewer people use public transportation. As the number of cars increase, so does road congestion. In response, local governments then pay for increased wear and tear on the roads.

Failing to address the oversupply of parking creates many of the same problems that minimum parking requirements were supposed to solve (e.g. sprawl, poor economic environment, loss of investment). A balance is struck when there are enough parking spaces to accommodate recurrent peak-parking demand, but additional spaces do not undercut current transit ridership, nor a city’s financial ability to meet other public needs and obligations.

Conclusion

The average parking demand in the ITE shows the need for 44 spaces for proposed development. The 85th percentile parking demand shows 51 spaces. Local data for Rogue Valley Microdevices shows a potential need of 35 spaces when their facility is maximized. All of these parking demands are similar. In contrast, the City's parking requirement of 86 spaces would likely serve more than the maximum need of the proposed facility which would result in an excess of parking spaces the majority of time. The proposed site plan for Rogue Valley Microdevices proposes 46 spaces, which provides 31% more than what local data shows is necessary when maximized. It is our conclusion that the proposed number of spaces (46) is adequate to meet the demand of the proposed development without creating an excess number of under-utilized spaces.

Sincerely,



Kimberly Parducci PE, PTOE

Southern Oregon Transportation Engineering, LLC



Attachments: City of Central Point Municipal Code
Microdevices Local Data
ITE Parking Generation data sheets


CSA Planning, Ltd

 4497 Brownridge, Suite 101
 Medford, OR 97504

 Telephone 541.779.0569
 Fax 541.779.0114

Bev@CSAplanning.net

Memorandum

To: Stephanie Holtey/ Molly Bradley
 City of Central Point
 Community Development Department

Date: November 29, 2016

Subject: Request for Clarification
 Rogue Valley Microdevices
 File Nos. 16022-16024

This memo is in response to your request for clarification on several items in our submittal for Rogue Valley Microdevices.

1. **Square Footage:** Two different square footage numbers were unintentionally included in our initial submittal due to a last minute change which did not get reflected all the way through. The correct total is 43,000 square feet. This total is divided as follows:

- Fabrication/Production area: 24,000 sf (includes the clean room)
 - Related office space: 19,000 sf
- 43,000 sf total

The first and second floor plans are attached as requested.

2. **Parking Analysis:** The parking analysis and Exhibit 3 have been updated to show the revised square footage. See attached.
3. **Loading Requirements:** Per the calculations sent to CSA on this matter, the City applies loading based on the number of square feet in the Fabrication area.

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
INDUSTRIAL, WAREHOUSING AND WHOLESALING	
Sq. Ft. of Floor Area	No. of Loading Berths Required
12,501-25,000	2

Based on this, with a 24,000 square foot Fabrication area only 2 loading berths are required. Two berths are located on the loading access drive and serve the Shipping/Receiving area and the Fabrication area. All loading activities are coordinated by the Shipping staff. Both meet the 10 foot by 35 foot dimension standards.

4. **Architectural Elevations:** Attached are revised elevations with additional notes and dimensions as requested. As none of the light shelves over the loading doors project out into the loading berth areas, therefore clearance is not issue.
5. **Building Materials:** Building materials are noted on the updated elevations. To further expand the description of materials:
 - The Office portion of the building is of standard construction with a stucco finish, painted off-white.
 - The Fabrication portion of the building will have tilt-up concrete walls with a skim coat painted off-white to match the Office portion.



- The accent trim color where shown on the drawings will be a very dark blue. This includes the parapet coping and the inset panels where shown above and below the windows.
 - The base around the building is comprised of a concrete curb with a charcoal gray band above it.
 - Window and door frames are to be clear anodized aluminum.
 - Exterior light shelves/shades are to be metal, powder-coated to look like matte stainless steel.
6. **Parking Lot revisions:** The parking lot layouts have been revised to match the standard requirements for parking islands. The parking lot to the south had 11 spaces, but due to the island requirements has been reduced by one space so that no more than 10 spaces are contiguous. This removal reduces the total spaces to 45. The Applicant feels that the original layout for each lot is preferable to that which is being submitted now to meet this code section.

Please let us know if you have any further questions on the project. Thank you for your review.

Regards,

CSA Planning, Ltd.

A handwritten signature in blue ink that reads 'Beverly Thruston'. The signature is written in a cursive, flowing style and is positioned above a horizontal line.

Beverly Thruston, AIA
Associate

CSA/bt M-Clarifications-112216.docx

cc. File



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

November 16, 2016

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

Re: File 16021-SPR, Rogue Valley Microdevices – Tax Lot 802, Map 372W01C (REF: 16023-CUP)

Sewer service to the proposed development can be had by making a service connection to the existing 8 inch sewer main which crosses the southerly portion of the subject property. The permit for this connection will be issued by RVSS upon payment of related development fees.

The project is within the Phase 2 stormwater quality area and must comply with stormwater quality requirements outlined in the Regional Stormwater Design Manual.

The proposed development appears to disturb more than 1 acre of land so will require an NPDES 1200-CN permit prior to the start of any ground disturbing activities.

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

Prior to the start of construction:

1. Applicant must obtain a sewer permit from RVSS for the new connections. Sewer permits will be issued upon payment of related development fees.
2. Applicant must obtain an NPDES 1200-CN erosion and sediment control permit from RVSS.
3. Applicant must have all erosion and sediment control measures in place prior to any ground-disturbing activities.
4. Applicant must submit a stormwater management plan demonstrating compliance with the regional Stormwater Design Manual for review and approval by RVSS.

During Construction

1. Applicant must sequence construction so that the permanent stormwater quality features are installed first and will be operational when stormwater enters them.
2. Applicant must fence off and protect stormwater quality features from equipment traffic.
3. Applicant must comply with conditions of 1200-CN and sewer connection permits.

K:\DATA\AGENCIES\CENTPT\PLANNG\SITEPLANREVIEW\2016\16021_ROGUE
MICRODEVICES.DOC

Prior to final acceptance of project:

1. Applicant must have new sewer laterals inspected and approved by RVSS.
2. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.
3. Applicant must record an operations and maintenance agreement for all new stormwater quality features.

At the conclusion of construction RVSS will issue a final acceptance letter indicating that all sanitary sewer and stormwater requirements have been met.

Feel free to call me if you have any questions.

Carl Tappert

Carl Tappert, PE
Manager



JACKSON COUNTY

Roads

Roads Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
christike@jacksoncounty.org

www.jacksoncounty.org

November 16, 2016

Attention: Stephanie Holtey
City of Central Point Planning
140 south Third Street
Central Point, OR 97502

RE: Site Plan and Architectural Review on Biddle Road – a county-maintained road.
Planning File: 16021; 37-2W-01C Tax Lot 802.

Dear Stephanie:

Thank you for the opportunity to comment on this Site Plan and Architectural Review on a 4.87 acres site in the C-4 – Tourist and Office Professional zoning district for a proposed 33,490 square foot light manufacturing facility. The property is located at 4601 Biddle Road. Jackson County Roads offers the following comments:

1. Jackson County will allow a new private road with right-in/right-out access to Biddle Road as shown in the applicant's submittal. Jackson County will require the right-in/right-out access be controlled by installation of a median island in Biddle Road.
2. Utility Permits are required from Roads for any utility work within the county road right-of-way.
3. Biddle Road is a County Minor Arterial and is maintained by the County. The Average Daily Traffic count was 7,528 for eastbound lanes 450 east of Hamrick Road on August 20, 2012 and 7,430 on August 25, 2014 450 feet east of Hamrick Road. As a comparison of capacity for Biddle Road, the capacity of a two lane suburban road with ten foot lanes and no shoulders is 8,832 ADT.
4. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Kevin Christiansen at Jackson County Roads.
5. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
6. We would like to be notified of future development proposals, as county permits may be required.
7. We concur with any right-of-way dedicated.
8. Roads recommend the removal of any existing driveways not being used on Biddle Road and replacing them with new curb, gutter and sidewalk.
9. Jackson County Roads requests a TIS that addresses impacts at the site access. If mitigations are recommended they shall be required.
10. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Biddle Road. Jackson County Roads recommends that the city request road jurisdiction.

Sincerely,

Kevin Christiansen
Construction Manager

PLANNING COMMISSION RESOLUTION NO. 839

A RESOLUTION APPROVING A SITE PLAN AND ARCHITECTURAL REVIEW
APPLICATION FOR ROGUE VALLEY MICRODEVICES, INC.

(FILE NO. 16021)

WHEREAS, the applicant has submitted a site plan and architectural review application to develop an 2.24 acre site within the C-5, Commercial Thoroughfare zone with a 43,000 square foot Rogue Valley Microdevices corporate headquarters and light fabrication facility; and

WHEREAS, on December 6, 2016, 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 Planning Commission's consideration of the application is based on the standards and criteria applicable to Site Plan and Architectural Review in accordance with Section 17.72, Design and Development Standards in accordance with Section 17.75, and Off-Street Parking and Loading in accordance with Section 17.64 of the Central Point Municipal Code; and

WHEREAS, after duly considering the proposed use, it is the Planning Commission's determination that, subject to compliance with conditions as set forth in the Revised Staff Report (Exhibit "A") dated December 6, 2016, the application does comply with applicable standards and criteria for approval of the site plan and architecture; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 839, does hereby approve the Site Plan and Architectural Review application for Rogue Valley Microdevices, Inc.. This approval is based on the findings and conditions of approval as set forth on Exhibit "A", the Planning Department Staff Report dated December 6, 2016 and the Applicant's Findings of Fact and Conclusions of Law as set forth in Exhibit "B," including attachments incorporated herein by reference.

PASSED by the Planning Commission and signed by me in authentication of its passage this 6th day of December, 2016.

Planning Commission Chair

ATTEST:

City Representative

CONSIDERATION OF AMENDMENTS TO CPMC 17.05 - APPLICATIONS AND DEVELOPMENT REVIEW PROCEDURES TO CLARIFY TYPE II AND TYPE III APPEAL PROCEDURES



STAFF REPORT

December 6, 2016

AGENDA ITEM: File No. 16025

Consideration of Resolution No. 840 forwarding a favorable recommendation to the City Council to approve amendments to Chapter 17.05 Applications and Development Permit Review Procedures, adding 17.05.550 Appeal Procedure. Type II and Type III Decisions; **Applicant:** City of Central Point.

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

In the wake of a recent appeal of a City decision to LUBA, the City Attorney noticed some unclear processes in Chapter 17.05 and recommended the City make changes to the appeal procedure for Type II and Type III land use decisions. Type II decisions are those made by the Community Development Director and appealable to the Planning Commission. Type III decisions are those made by the Commission and appealable to the City Council. Among other things the revisions offered in Attachment A; 1) provide clarity for public noticing; 2) define processing deadlines and 3) delineate the basis for which appeals may be made.

ISSUES:

Confusion that may be caused by a lack of specificity or clarity results in public frustration, unnecessary processing delays and costly legal fees. The proposed amendments are intended to reduce if not eliminate the issues cited above.

EXHIBITS/ATTACHMENTS:

Attachment "A – Resolution No. 840 with Proposed Amendments"

ACTION:

Consider resolution forwarding a recommendation to the City Council to approve the amendments as proposed.

RECOMMENDATION:

Approve Resolution No. 840.

PLANNING COMMISSION RESOLUTION NO. 840

A RESOLUTION APPROVING A MINOR AMENDMENT TO TITLE 17 ZONING

FILE NO. 16025

Applicant: City of Central Point

WHEREAS, on December 6, 2016 the Planning Commission, at a duly scheduled public hearing, considered minor amendments to Chapter 17 Zoning of the Central Point Municipal Code ("CPMC") as follows, and as specifically identified in Attachment "A – Staff Report dated December 6, 2016):

1. Section 17.05 Applications and Development Permit Review Procedures,
2. Section 17.05.550 Appeal Procedure – Type II and Type III Decisions; and

WHEREAS, it is the finding of the Planning Commission that the above referenced code amendments only serve to clarify administration of Chapter 17 and as such are considered minor amendments and as such do not alter current land use policy or modify standards.

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 840, does hereby forward a favorable recommendation to the City Council to approve the amendments as set forth in the Staff Report dated December 6, 2016 attached hereto by reference as Exhibit "A" and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 6th day of December 2016.

Planning Commission Chair

ATTEST:

City Representative
Approved by me this 6th day of December 2016.

Chapter 17.05
APPLICATIONS AND DEVELOPMENT PERMIT REVIEW PROCEDURES

Sections:

17.05.100 Purpose and applicability of review procedures.

17.05.200 Type I procedure.

17.05.300 Type II procedure.

17.05.400 Type III procedure.

17.05.500 Type IV procedure.

17.05.550 Appeal Procedure.

17.05.600 General procedural provisions.

17.05.700 Expedited land divisions.

17.05.800 Reserved.

17.05.900 Traffic impact analysis.

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 scope of the hearing is limited as provided in subsection (B)(3) of this section, and is considered the city's final decision.~~ 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.

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	City Council	No
Legislative	Type IV	Chapter 1.20	City Council	No
Comprehensive Plan & UGB Amendments				
Major	Type IV	Chapter 17.96	City Council	No
Minor	Type III	Chapter 17.96	City Council	No
Conditional Use Permit	Type III	Chapter 17.76	Planning Commission	Yes
Conversion Plan	Type II	Chapter 16.32	Director	Yes
Extensions				
Type I Procedures	Type I	Section 17.05.200(G)	Director	Yes
Type II Procedures	Type II	Section 17.05.300(H)	Director	Yes
Home Occupation	Type I	Section 17.60.190	Director	Yes
Land Division				
Tentative Plan, Partition	Type II	Chapter 16.36	Director	Yes
Tentative Plan, Subdivision	Type III	Chapter 16.10	Planning Commission	Yes
Final Plat	Type I	Chapter 16.12	Director	No
Property Line Adjustment/Consolidation	Type I	Chapter 16.10	Director	Yes
Modification of Approval				
Major	Type III	Section 17.09.300	Planning Commission	Yes
Minor	Type II	Section 17.09.400	Director	Yes
Nonconforming Use Designation	Type III	Section 17.56.040	Planning Commission	No

TABLE 17.05.1				
LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Planned Unit Development	Type III	Chapter 17.68	Planning Commission	Yes
Right-of-Way Vacation	Type III ^V	Chapter 12.28	City Council	No
Site Plan and Architectural Review				
Minor	Type I	Chapter 17.72	Director	Yes
Major	Type II	Chapter 17.72	Director	Yes
TOD District/Corridor Master Plan	Type III	Chapter 17.66	Planning Commission	Yes
Tree Removal	Type II	Chapter 12.36	Director	Yes
Variance				
Class A	Type II	Section 17.13.300	Director	Yes
Class B	Type III	Section 17.13.400	Planning Commission	Yes
Class C	Type III	Section 17.13.500	Planning Commission	Yes
Zoning Map and Zoning and Land Division Code Text Amendments				
Minor	Type III	Chapter 17.10	City Council	Yes
Major	Type IV	Chapter 17.10	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.

(Ord. 1989 §1(part), 2014; Ord. 1941 §§1, 2, 3, 2010; Ord. 1874 §1(part), 2006).

17.05.300 Type II procedure.

A. Pre-Application Conference. A pre-application conference is optional for a Type II permit application. The requirements and procedures for a pre-application conference are described in Section 17.05.600(C).

B. Application Requirements.

1. Application Forms. Type II applications shall be made on forms provided by the planning department for the land development permit requested.

2. Submittal Requirements. A Type II permit application shall include:

a. The information requested on the application form;

b. Findings addressing the applicable regulations per Table 17.05.1. Note: At the discretion of the community development director, additional information may be required during the application process;

c. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application; and

d. The required fee.

3. Notice of Acceptance. Within fourteen days of submittal, the community development director or designee shall notify the applicant in writing of:

a. The procedural type used for the application. In some circumstances, a Type II application may be referred to a Type III procedure. When such a referral is made, it shall be made at the time of notice of acceptance, after which the application shall be processed as a Type III application. When a Type II application is referred to a Type III application, no new application is required; and

b. Acceptance of the application; or

c. Non acceptance of the application with an itemization of the deficiencies and deadline for correction of the deficiencies.

C. Notice of Application for Type II Decision.

~~1. Before making a Type II decision, the community development director or designee shall mail notice to:~~

~~a. All owners of record of real property within a minimum of one hundred feet of the exterior boundaries of the subject site;~~

~~b. All city-recognized neighborhood groups or associations whose boundaries include the site;~~

~~c. Any person who submits a written request to receive a notice; and~~

~~d. 1. No less than 20 days before the community development director makes a decision, written notice of the application shall be mailed to all of the following:~~

~~a. Applicant;~~

~~b. Owners of record of the subject property;~~

~~c. Owners of record within a minimum of one hundred feet of the exterior boundaries of the site;~~

~~d. All city-recognized neighborhood groups or associations whose boundaries include the site;~~

~~e. Any person who submits a written request to receive a notice; and~~

f. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county or ODOT, and the rail authority, when there is a proposed development abutting or within one hundred feet of an affected transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application.

~~2. The notice of a pending Type II administrative decision~~ application shall include:

~~a. Provide a fourteen-day period for submitting written comments before a decision is made on the permit;~~

a. The street address or other easily understood reference to the site;

b. List The relevant approval criteria by name and number of code sections;

c. State The place, date and time the comments are due, and the person to whom the comments should be addressed;

~~d. Include the name and telephone number of a contact person regarding the administrative decision;~~

d. A description of the proposal and identify the specific permits or approvals requested;

e. A statement of the issues that may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the decision maker to respond to the issue;

f. The name and phone number of a city contact person;

g. A brief summary of the local decision making process for the decision being made;

~~g. State that, if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the land use board of appeals or circuit court on that issue and that only comments on relevant approval criteria are considered relevant evidence;~~

h. State A statement that all evidence relied upon by the community development director or designee to make this decision is in the public record, available for public review. Copies of this evidence may be obtained at a reasonable cost from the city;

i. State A statement that, after the comment period closes, the community development director or designee shall issue a Type II administrative decision, and that the decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice; and

j. Contain the following notice:

Notice to mortgagee, lien holder, vendor, or seller: The City of Central Point Land Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

3. The notice shall allow a 14-day period for the submission of written comments, starting from the date of mailing. All comments must be received by the city by 5:00p.m. on that 14th-day.

D. Administrative Decision Requirements. The community development director or designee shall make a Type II written decision addressing all of the relevant approval criteria and standards. Based upon the criteria and standards, and the facts contained within the record, the community development director or designee shall approve, approve with conditions, or deny the requested permit or action.

E. Notice of Decision.

1. Within five days after the community development director or designee signs the decision, a notice of decision shall be sent by mail to:
 - a. The applicant and all owners or contract purchasers of record of the site that is the subject of the application;
 - b. Any person who submitted a written request to receive notice, or provides comments during the application review period;
 - c. Any city-recognized neighborhood group or association whose boundaries include the site;
~~and~~
 - d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city, and other agencies that were notified or provided comments during the application review period-; **and**
 - e. **Property owners located within 100 feet of the exterior boundaries of the subject property.**
2. The community development director or designee shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and shall demonstrate that the notice was mailed to the parties above and was mailed within the time required by law.
3. The Type II notice of decision shall contain:
 - a. A description of the applicant's proposal and the city's decision on the proposal (i.e., may be a summary);
 - b. The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area, where applicable;
 - c. A statement of where a copy of the city's decision, and the complete planning file may be reviewed and the name and contact number of the city staff to contact about reviewing the file;
 - d. The date the decision shall become final, unless appealed;
 - e. A statement that ~~all persons entitled to notice~~ only **the applicant and persons who submitted comments prior to the comment deadline** may appeal the decision; and
 - f. A statement briefly explaining how to file an appeal, the deadline for filing an appeal, and where to obtain further information concerning the appeal process.

F. Effective Date. A Type II decision is final for purposes of appeal when the notice of decision per subsection E of this section is mailed by the city and becomes effective ten days from the date of mailing of the notice of decision. If an appeal is filed within the ten-day period, the decision does not become effective until the appeal is decided. Appeal process is governed by Section 17.05.550.

G. Appeal. A Type II decision may be appealed to the planning commission as follows:

1. Who May Appeal. The following people have legal standing to appeal a Type II decision:

- a. The applicant or owner of the subject property;
- b. Any person who was entitled to written notice of the Type II decision;
- c. Any other person who participated in the proceeding by submitting written comments.

2. Appeal Filing Procedure.

a. Notice of Appeal. Any person with standing to appeal, as provided in subsection (G)(1) of this section, may appeal a Type II decision by filing a notice of appeal according to the following procedures;

b. Time for Filing. A notice of appeal shall be filed with the community development director or designee within ten days from the date the notice of decision was mailed;

c. Content of Notice of Appeal. The notice of appeal shall contain:

- i. An identification of the decision being appealed, including the date of the decision;
- ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;
- iii. A statement explaining the specific issues being raised on appeal;
- iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and
- v. The applicable filing fee.

3. Scope of Appeal. The appeal of a Type II decision by a person with standing shall be a hearing before the planning commission. The appeal shall be limited to the application

~~materials, evidence and other documentation, and specific issues raised in the Type II review.~~

~~4. Appeal Procedures. Type III notice, hearing procedures, and decision process shall be used for all Type II appeals, as provided in Sections 17.05.400(C) through (E).~~

~~5. Final Decision. The decision of the planning commission regarding an appeal of a Type II decision is the final decision of the city.~~

HG. Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period, provided:

1. The land development permit authorizes extensions;
2. No changes are made to the original application as approved by the city;
3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:
 - a. Denied; or
 - b. At the discretion of the community development director, the request for extension may be re-reviewed as a modification per Section 17.09.300;
4. The extension request is filed on or before the expiration of the original or latest extension approval per subsection F of this section;
5. If the time limit expired and no extension request has been filed, the application shall be void. (Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

17.05.400 Type III procedure.

A. Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section 17.05.600(C).

B. Application Requirements.

1. Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested.

2. Submittal Requirements. When a Type III application is required, it shall include:

- a. A completed application form with required attachments;
- b. One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: Additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;
- c. The required fee; and
- d. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in subsection C of this section shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

C. Notification Requirements.

1. Mailed Notice. The city shall mail the notice of the Type III hearing. Notice of a Type III hearing shall be given by the community development director or designee in the following manner:

a. At least twenty days before the hearing date, or if two or more hearings are allowed, ten days before the first hearing, notice shall be mailed to:

i. The applicant and all owners or contract purchasers of record of the property on the most recent property tax assessment roll that is the subject of the application;

ii. All property owners of record on the most recent property tax assessment roll within one hundred feet of the site, including tenants of a mobile home or manufactured dwelling park;

iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county road authority, or ODOT, and rail authority for applications that are abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application;

iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;

v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;

vi. Any person who submits a written request to receive notice;

vii. ~~For appeals, the appellant and all persons who provided testimony in the original decision;~~
and

viii. At the applicant's discretion, notice may also be provided to the Department of Land Conservation and Development.

b. The community development director or designee shall prepare an affidavit of notice and the affidavit shall be made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who were sent notice.

2. Content of Notice. Notice of a Type III hearing shall be mailed per subsection C of this section and shall contain the following information:

a. An explanation of the nature of the application and the proposed land use or uses that could be authorized for the property;

b. The applicable criteria and standards from the zoning and subdivision code and comprehensive plan that apply to the application;

c. The street address or other easily understood geographical reference to the subject property;

d. The date, time, and location of the public hearing;

e. A statement that the failure to raise an issue in person, or in writing at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue prior to the close of the final hearing means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals;

f. The name of a city representative to contact and the telephone number and email address where additional information on the application may be obtained;

g. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at the city of Central Point City Hall at no cost and that copies shall be provided at a reasonable cost;

h. A statement that a copy of the city's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;

i. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and

j. The following notice:

Notice to mortgagee, lien holder, vendor, or seller: The City of Central Point Land Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

D. Conduct of the Public Hearing.

1. At the commencement of the hearing, the hearings body shall state to those in attendance:

a. The applicable approval criteria and standards that apply to the application or appeal;

b. A statement that testimony and evidence shall be directed at the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;

c. A statement that failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue means that no appeal may be made to the State Land Use Board of Appeals on that issue;

d. Before the conclusion of the first evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a "continuance") per subsection (D)(2) of this section, or by leaving the record open for additional written evidence or testimony per subsection (D)(3) of this section.

2. If the hearings body grants a continuance, the hearing shall be continued to a date, time, and place at least seven days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the second hearing, any person may request, before the conclusion of the second hearing, that the record be left open for at least seven additional days, so that they can submit additional written evidence or testimony in response to the new written evidence.

3. If the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days after the hearing. Any participant may ask the

city in writing for an opportunity to respond to new evidence submitted during the period that the record was left open. If such a request is filed, the hearings body shall reopen the record to allow rebuttal evidence.

a. If the hearings body reopens the record to admit new evidence or testimony, any person may raise new issues that relate to that new evidence or testimony;

b. An extension of the hearing or record for a ~~limited land use granted~~ Type III Application pursuant to this subsection D is subject to the limitations of ORS 227.178 (“one-hundred-twenty-day rule”), unless the continuance or extension is requested or agreed to by the applicant;

c. If requested by the applicant, the hearings body shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application, unless the applicant expressly waives this right. The applicant’s final submittal shall be part of the record but shall not include any new evidence. For limited land use decisions, the seven-day period shall not be subject to the limitations of ORS 227.178 and 227.179;

d. The record shall contain all testimony and evidence that is submitted to the city and that the hearings body has not rejected;

e. In making its decision, the hearings body may take official notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous city decisions; case law; ~~staff reports~~). The review authority must announce its intention to take notice of such facts in its deliberations, and allow persons who previously participated in the hearing to request the hearing record be reopened, if necessary, to present evidence concerning the noticed facts;

f. The city shall retain custody of the record until the city issues a final decision and all appeal deadlines have passed.

4. Participants in a ~~Type III~~ quasi-judicial hearing are entitled to an impartial review authority as free from potential conflicts of interest and prehearing ex parte contacts (see subsection (D)(5) of this section) as reasonably possible. However, the public has a countervailing right of free access to public officials. Therefore:

a. At the beginning of the public hearing, hearings body members shall disclose the substance of any prehearing ex parte contacts (as defined in subsection (D)(5) of this section) concerning the application or appeal. He or she shall also state whether the contact has impaired their impartiality or their ability to vote on the matter and shall participate or abstain accordingly. Hearing participants shall be entitled to question hearing body members as to ex parte contacts and to object to their participation as provided in subsection (D)(5)(b) of this section;

b. A member of the hearings body shall not participate in any proceeding in which they, or any of the following, has a direct or substantial financial interest: their spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which they are then serving or have served within the previous two years, or any business with which they are negotiating for or have an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the hearing where the action is being taken;

c. Disqualification of a member of the hearings body due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote on the motion to disqualify;

d. If all members of the hearings body abstain or are disqualified, the city council shall be the hearing body. If all members of the city council abstain or are disqualified, a quorum of those members present who declare their reasons for abstention or disqualification shall be requalified to make a decision;

e. Any member of the public may raise conflict of interest issues prior to or during the hearing, to which the member of the hearings body shall reply in accordance with this section.

5. Ex Parte Communications.

a. Members of the hearings body shall not:

i. Communicate directly or indirectly with any applicant, appellant, other party to the proceedings, or representative of a party about any issue involved in a hearing without giving notice per subsection (C) of this section;

ii. Take official notice of any communication, report, or other materials outside the record prepared by the proponents or opponents in connection with the particular case, unless all participants are given the opportunity to respond to the noticed materials.

b. No decision or action of the hearings body shall be invalid due to ex parte contacts or bias resulting from ex parte contacts, if the person receiving contact:

i. Places in the record the substance of any written or oral ex parte communications concerning the decision or action; and

ii. Makes a public announcement of the content of the communication and of all participants' right to dispute the substance of the communication made. This announcement shall be made at the first hearing following the communication during which action shall be considered or taken on the subject of the communication.

c. A communication between city staff and the hearings body is not considered an ex parte contact.

6. Presenting and Receiving Evidence.

a. The hearings body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence;

b. No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing only as provided in subsection (D)(3) of this section;

c. Members of the hearings body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence under subsection (D)(5)(b) of this section.

E. The Decision Process.

1. Basis for Decision. Approval or denial of a Type III application shall be based on standards and criteria in the development code. The standards and criteria shall relate approval or denial of a discretionary development permit application to the development regulations and, when appropriate, to the comprehensive plan for the area in which the development would occur and to the development regulations and comprehensive plan for the city as a whole;

2. Findings and Conclusions. Approval or denial shall be based upon the criteria and standards considered relevant to the decision. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts;

3. Form of Decision. The hearings body shall issue a ~~final written order~~ decision containing the findings and conclusions stated in subsection (E)(2) of this section, which either approves, denies, or approves with specific conditions. The hearings body may also issue appropriate intermediate rulings when more than one permit or decision is required;

4. Decision-Making Time Limits. ~~A final written order~~ The written decision for any Type III action (including an appeal from a Type II decision) shall be filed with the community development director or designee within ten days after the close of the deliberation;

5. Notice of Decision. Written notice of a Type III decision shall be mailed to the applicant and to all participants of record within ten days after the hearings body decision. Failure of any

person to receive mailed notice shall not invalidate the decision; provided, that a good faith attempt was made to mail the notice.

6. Final Decision and Effective Date. The decision of the hearings body on any Type III application is final for purposes of appeal on the date it is mailed by the city. The decision is effective on the day after the local appeal period expires. If an appeal of a Type III decision is filed, the decision becomes effective on the day after the local appeal is decided by the city council hearings body. Appeal process is governed by Section 17.05.550. An appeal of a land use decision to the State Land Use Board of Appeals must be filed within twenty-one days after the city council's written decision is mailed by the city.

~~F. Appeal. A Type III decision made by the planning commission may be appealed to the city council as follows:~~

~~1. Who May Appeal. The following people have legal standing to appeal a Type III decision:~~

- ~~a. The applicant or owner of the subject property;~~
- ~~b. Any person who was entitled to written notice of the Type III decision;~~
- ~~e. Any other person who participated in the proceeding by submitting written comments.~~

~~2. Appeal Filing Procedure.~~

- ~~a. Notice of Appeal. Any person with standing to appeal, as provided in subsection (F)(1) of this section, may appeal a Type III decision by filing a notice of appeal according to the following procedures;~~
- ~~b. Time for Filing. A notice of appeal shall be filed with the community development director or designee within ten days of the date the notice of decision was mailed;~~
- ~~e. Content of Notice of Appeal. The notice of appeal shall contain:
 - ~~i. An identification of the decision being appealed, including the date of the decision;~~
 - ~~ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;~~
 - ~~iii. A statement explaining the specific issues being raised on appeal;~~~~

~~iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and~~

~~v. The applicable filing fee.~~

~~3. Scope of Appeal. The appeal of a Type III decision is limited to the issues and evidence in the record before the hearing body.~~

~~4. Appeal Procedures. Type III notice, hearing procedure and decision process shall also be used for all Type III appeals, as provided in subsections C through E of this section;~~

~~5. Final Decision. The decision of the city council regarding an appeal of a Type III decision is the final decision of the city.~~

G.F Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period, provided:

1. The land development permit authorizes extensions;

2. No changes are made to the original application as approved by the city;

3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:

a. Denied; or

b. At the discretion of the community development director, the request for extension may be re-reviewed as a modification per Section [17.09.400](#);

4. The extension request is filed on or before the expiration of the original or latest extension approval per subsection (E)(6) of this section;

5. If the time limit expired and no extension request has been filed, the application shall be void. (Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

17.05.550 Appeal procedure – Type II and Type III decisions.

A. Appeal. Type II decisions may be appealed to the planning commission. Type III decisions may be appealed to the City Council. All such appeals are subject to the following:

1. Who May Appeal. The following people have legal standing to appeal a Type II and/or Type III decision:

- a. The applicant or owner of the subject property;
- b. Any person who participated in the proceeding by submitting timely written and/or oral comments on the record prior to the decision.

2. Appeal Filing Procedure.

a. Notice of Appeal. Any person with standing to appeal, as provided in 17.05.550(A)(1), may appeal a decision by filing a notice of appeal according to the procedures in subsections 2(b) and 2(c) below:

b. Time for Filing. A notice of appeal shall be filed with the community development director or designee within ten (10) days from the date the notice of decision was mailed;

c. Content of Notice of Appeal. The notice of appeal shall contain:

- i. An identification of the decision being appealed, including the date of the decision;
- ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;
- iii. A statement explaining the specific issues being raised on appeal. If the appellant contends that the findings of fact made by the approving authority are incorrect or incomplete, the notice shall specify the factual matters omitted or disputed. If the appellant contends that the decision is contrary to ordinance, statute or other law, such errors shall be specifically identified in the notice along with the specific grounds relied upon for review;
- iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised in the record; and
- v. The applicable filing fee.

B. Scope of Appeal. Type II and Type III appeals shall be on the record, which means the appeal is limited to the application materials, evidence, documentation, and specific issues raised in the initial proceeding. The decision maker shall not re-examine issues of fact and shall limit its review to determining whether there is substantial evidence in the record to support the findings of the initial decision maker who heard the matter, or to determining whether errors of law were committed by such decision maker. Review shall in any event be limited to those issues set forth in the notice of appeal. The appellant is precluded from raising an issue on appeal if he or she could have raised the issue before the initial decision maker but failed to do so. Only the

appellant and other parties who appeared in the initial proceedings may participate in the appeal hearing. Appellant shall make the initial presentation and shall be allowed rebuttal. Each participant in the appeal hearing shall present to the planning commission or city council, respectively, those portions of the record which the participant deems relevant to the appeal. If a party wishes the planning commission or city council, respectively, to review recorded testimony, the party shall present a written summary or transcript of such testimony to be reviewed.

C. Notice of Hearing and Staff Report

1. Upon timely receipt of the notice of appeal and filing fee, the community development director or his designee shall set the appeal for hearing before the planning commission for Type II appeals and city council for Type III appeals. The community development director or his designee shall notify the appellant and all parties who appeared in the initial proceedings of the time and place of the hearing by first class mail, enclosing a copy of the notice of appeal at least 20-calendar days before the date of the appeal hearing.

2. Not less than seven (7) calendar days before the date of the appeal hearing, the director or his designee shall prepare and make available to the public, for review and inspection, a copy of the staff report and shall provide a copy of the staff report to the planning commission or city council and to the appellant. The director shall provide a copy of the staff report to all other parties and members of the public at reasonable cost upon request.

C. Final Decision. The reviewing body shall make a written decision which either affirms, reverses, or modifies in whole or in part the decision or any conditions of such decision, that is under review. When the hearings body modifies or renders a decision that reverses a decision of the approving authority, said hearings body shall, in its written decision, set forth its findings and state its reasons for taking the action encompassed by such decision. The decision of the planning commission regarding an appeal of a Type II decision is the final decision of the city. The decision of the city council regarding an appeal of a Type III decision is the final decision of the city.

D. Withdrawal of an Appeal.

1. Before the close of an appeal hearing in front of any appellate decision making authority, any appellant may withdraw his appeal.

2. Withdrawal of an appeal is subject to the following:

a. The party may withdraw the appeal on its own motion, which may be submitted to the appellate decision making authority orally or in writing.

b. No part of the appeal fee will be refunded.

c. No one may re-file a withdrawn appeal.

d. Where multiple people or parties sign and file a single appeal document, all must consent to the withdrawal of the appeal.

3. In addition to all the requirements of this section, if all appeals in a matter are withdrawn, the appellate decision making authority loses jurisdiction over the action. The underlying decision is automatically re-instated under its original date of final decision.

17.05.500 Type IV procedure.

A. Pre-Application Conference. A pre-application conference is required for all Type IV applications initiated by a party other than the city of Central Point. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

B. Timing of Requests. Acceptance timing varies for Type IV applications (see Table 17.05.1 for applicable section reference).

C. Application Requirements.

1. Application Forms. Type IV applications shall be made on forms provided by the community development director or designee.

2. Submittal Information. The application shall contain:

a. The information requested on the application form;

b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);

c. The required fee; and

d. One copy of a letter or narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant approval criteria and standards applicable to the specific Type IV application.

D. Notice of Hearing.

1. Required Hearings. A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications.

2. Notification Requirements. Notice of public hearings shall be given by the community development director or designee in the following manner:

a. At least ten days, but not more than forty days, before the date of the first hearing, a notice shall be mailed to:

i. Any affected governmental agency;

ii. Any person who requests notice in writing;

b. At least ten days before the first public hearing date, and fourteen days before the city council hearing date, public notice shall be published in a newspaper of general circulation in the city.

c. The community development director or designee shall:

i. For each mailing of notice, file an affidavit of mailing in the record as provided by subsection (D)(2)(a) of this section; and

ii. For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection (D)(2)(b) of this section.

d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments within the time period prescribed by DLCD. The notice to DLCD shall include a DLCD certificate of mailing.

3. Content of Notices. The mailed and published notices shall include the following information:

a. The number and title of the file containing the application, and the address and telephone number of the community development director or designee's office where additional information about the application can be obtained;

b. The proposed site location, if applicable;

c. A description of the proposal in enough detail for people to determine what change is proposed, and the place where all relevant materials and information may be obtained or reviewed;

d. The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the council and available at City Hall (see subsection E of this section).

E. Hearing Process and Procedure--Conduct of Public Hearing.

1. Unless otherwise provided in the rules of procedure adopted by the city council:

a. The presiding officer of the planning commission and of the city council shall have the authority to:

i. Regulate the course, sequence, and decorum of the hearing;

ii. Direct procedural requirements or similar matters;

iii. Impose reasonable time limits for oral presentations; and

iv. Waive the provisions of this chapter so long as they do not prejudice the substantial rights of any party.

b. No person shall address the commission or the council without:

i. Receiving recognition from the presiding officer; and

ii. Stating his or her full name and address.

c. Disruptive conduct such as applause, cheering, or display of signs shall be cause for expulsion of a person or persons from the hearing, termination or continuation of the hearing, or other appropriate action determined by the presiding officer.

2. Unless otherwise provided in the rules of procedures adopted by the council, the presiding officer of the commission and of the council shall conduct the hearing as follows:

a. The presiding officer shall begin the hearing with a statement of the nature of the matter before the body, a general summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a preliminary decision, such as a recommendation to the city council, or the final decision of the city;

b. The community development director or designee's report and other applicable staff reports shall be presented;

c. The public shall be invited to testify;

d. The public hearing may be continued to allow additional testimony or it may be closed; and

e. The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.

F. Continuation of the Public Hearing. The planning commission or the city council may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.

G. Decision-Making Criteria Decision Process. The recommendations by the citizens advisory committee, the planning commission and the decision by the city council shall be based on the applicable criteria as referenced in Table 17.05.1.

H. Approval Process and Authority.

1. The citizens advisory committee and planning commission shall:

a. The citizens advisory committee: after notice and discussion at a public meeting, vote on and prepare a recommendation to the city council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. The planning commission: after notice and a public hearing, vote on and prepare a recommendation to the city council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

c. Within ten days of adopting a recommendation, the presiding officer shall sign the written recommendation, and it shall be filed with the community development director or designee.

2. Any member of the citizens advisory committee or planning commission who votes in opposition to the majority recommendation may file a written statement of opposition with the community development director or designee before the council public hearing on the proposal. The community development director or designee shall send a copy to each council member and place a copy in the record;

3. If the citizens advisory committee or planning commission does not adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within sixty days of its first public hearing on the proposed change, the community development director or designee shall:

a. Prepare a report to the city council on the proposal, including noting the citizens advisory committee's or planning commission's actions on the matter, if any; and

b. Provide notice and put the matter on the city council's agenda for the city council to hold a public hearing and make a decision. No further action shall be taken by the citizens advisory committee or planning commission.

4. The city council shall:

a. Consider the recommendation of the citizens advisory committee and planning commission; however, the city council is not bound by the committee's or the commission's recommendation;

b. Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the planning commission for rehearing and reconsideration on all or part of the application; and

c. If the application is approved, the council shall act by ordinance, which shall be signed by the mayor after the council's adoption of the ordinance.

I. Vote Required for a Legislative Change.

1. A vote by a majority of the qualified voting members of the citizens advisory committee present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.

2. A vote by a majority of the qualified voting members of the planning commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.

3. A vote by a majority of the qualified members of the city council present is required to decide any motion made on the proposal.

J. Notice of Decision. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five days after the city council decision is filed with the community development director or designee.

K. Final Decision and Effective Date. A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon the date of mailing of the notice of decision to the applicant.

L. Record of the Public Hearing.

1. A verbatim record of the proceeding shall be made by stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;
2. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;
3. The official record shall include:
 - a. All materials considered and not rejected by the hearings body;
 - b. All materials submitted by the community development director or designee to the hearings body regarding the application;
 - c. The verbatim record made by the stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;
 - d. The final decision;
 - e. All correspondence; and
 - f. A copy of the notices that were given as required by this chapter. (Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

17.05.600 General procedural provisions.

- A. **One-Hundred-Twenty-Day Rule.** In accordance with ORS 227.178, the city shall take final action on all land use decisions as identified in Table 17.05.1, including resolution of all appeals, within one hundred twenty days from the date the application is deemed as complete, unless the applicant requests an extension in writing. The total of all extensions may not exceed two hundred forty-five days. Any exceptions to this rule shall conform to the provisions of ORS 227.178.
- B. **Time Computation.** In computing any period of time prescribed or allowed by this chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday or legal holiday, including Sunday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday.
- C. **Pre-Application Conferences.**

1. Participants. When a pre-application conference is required, the applicant shall meet with the community development director or his/her designee(s) and such other parties as the community development director deems appropriate;

2. Information Provided. At such conference, the community development director or designee shall:

a. Cite the comprehensive plan policies and map designations that appear to be applicable to the proposal;

b. Cite the ordinance provisions, including substantive and procedural requirements that appear to be applicable to the proposal;

c. Provide available technical data and assistance that will aid the applicant;

d. Identify other governmental policies and regulations that relate to the application; and

e. Reasonably identify other opportunities or constraints concerning the application.

3. Disclaimer. Failure of the community development director or designee to provide any of the information required in this subsection C shall not constitute a waiver of any of the standards, criteria or requirements for the application;

4. Changes in the Law. Due to possible changes in federal, state, regional, and local law, the applicant is responsible for ensuring that the application complies with all applicable laws.

D. Acceptance and Review of Applications.

1. Initiation of Applications.

a. Applications for approval under this chapter may be initiated by:

i. Order of city council;

ii. Resolution of the planning commission;

iii. The community development director or designee;

iv. A record owner of property (person(s) whose name is on the most recently recorded deed), or contract purchaser with written permission from the record owner.

b. Any person authorized to submit an application for approval may be represented by an agent authorized in writing to make the application on their behalf.

2. Consolidation of Proceedings. When an applicant applies for more than one type of land use or development permit (e.g., Type II and III) for the same one or more parcels of land, the proceedings may, at the option of the applicant, be consolidated for review and decision.

a. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the respective approval authority having jurisdiction over each type procedure.

b. When proceedings are consolidated:

i. The notice shall identify each application to be consolidated;

ii. The decision on a plan map amendment shall precede the decision on a proposed land use district change and other decisions on a proposed development. Similarly, the decision on a zone map amendment shall precede the decision on a proposed development and other actions; and

iii. Separate findings shall be made for each consolidated application.

3. Check for Acceptance and Completeness. In reviewing an application for completeness, the following procedure shall be used:

a. Acceptance. When an application is received by the city, the community development director or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant:

i. The required form;

ii. The required fee;

iii. The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.

b. Completeness.

i. Review and Notification. After the application is accepted, the community development director or designee shall review the application for completeness. If the application is incomplete, the community development director or designee shall notify the applicant in writing

of exactly what information is missing within thirty days of receipt of the application and allow the applicant one hundred eighty days to submit the missing information.

ii. **Application Deemed Complete for Review.** In accordance with the application submittal requirements of this chapter, the application shall be deemed complete upon the receipt by the community development director or designee of all required information. The applicant shall have the option of withdrawing the application, or refusing to submit further information and requesting that the application be processed notwithstanding any identified incompleteness. For the refusal to be valid, the refusal shall be made in writing and received by the community development director or designee.

iii. If the applicant does not submit all of the missing information or provide written notice that no further information will be provided (whether some of the additional information has been provided or not) within one hundred eighty days of the date the initial submittal was accepted per subsection (D)(3)(a) of this section, the application is void.

iv. **Standards and Criteria That Apply to the Application.** Approval or denial of the application shall be based upon the standards and criteria that were applicable at the time it was first accepted, unless the application is for a change to the comprehensive plan or land use regulations.

v. **Coordinated Review.** The city shall also submit the application for review and comment to the city engineer, road authority, and other applicable county, state, and federal review agencies.

4. Changes or Additions to the Application. Once an application is deemed complete per subsection (D)(3)(b) of this section:

a. All documents and other evidence relied upon by the applicant shall be submitted to the community development director or designee at least seven days before the notice of action or hearing is mailed. Documents or other evidence submitted after that date shall be received by the community development director or designee, and transmitted to the hearings body, but may be too late to include with the staff report and evaluation;

b. When documents or other evidence are submitted by the applicant during the review period but after the notice of action or hearing is mailed, the assigned review person or body shall determine whether or not the new documents or other evidence submitted by the applicant significantly change the application;

c. If the assigned reviewer determines that the new documents or other evidence significantly change the application, the reviewer shall include a written determination to the approving authority that a significant change in the application has occurred as part of the decision. In the

~~alternate~~ **alternative**, the reviewer may inform the applicant either in writing, or orally at a public hearing, that such changes may constitute a significant change, and allow the applicant to withdraw the new materials submitted, in order to avoid a determination of significant change;

d. If the applicant's new materials are determined to constitute a significant change in an application that was previously deemed complete, the city shall take one of the following actions, at the choice of the applicant:

i. Suspend the existing application and allow the applicant to submit a revised application with the proposed significant changes. Before the existing application can be suspended, the applicant must consent in writing to waive the one-hundred-twenty-day rule (subsection A of this section) on the existing application for a minimum of thirty (30) days from the date of the ~~amendment~~ **significant change** to allow the City to reprocess the revised application. If the applicant does not consent, the ~~city~~ **applicant may** ~~shall not~~ select this option

ii. Declare the application, based on the significant change, a new application and reprocess **as having been refiled as a new application as of the date the significant change was submitted accordingly; or**

iii. Decide the application on the basis of the applicant's materials without the significant change.

e. If a new application is submitted by the applicant, that applicant shall pay the applicable application fee and shall be subject to a separate check for acceptance and completeness and will be subject to the standards and criteria in effect at the time the new application is accepted.

E. Community Development Director's Duties. The community development director or designee shall:

1. Prepare application forms based on the criteria and standards in applicable state law, the city's comprehensive plan, and implementing ordinance provisions;

2. Accept all development applications that comply with this section;

3. Prepare a staff report that summarizes the application(s) and applicable decision criteria, and provides findings of conformance and/or nonconformance with the criteria. The staff report may also provide a recommended decision of approval; denial; or approval with specific conditions that ensure conformance with the approval criteria;

4. Prepare a notice of the ~~proposal~~ **proposed** decision:

a. In the case of an application subject to a Type I or II review process, the community development director or designee shall make the staff report and all case file materials available at the time that the notice of the decision is issued;

b. In the case of an application subject to a public hearing (Type III or IV process or a Type II review on appeal), the community development director or designee shall make the staff report available to the public at least seven days prior to the scheduled hearing date, and make the case file materials available when notice of the hearing is mailed, as provided by Sections 17.05.300(C) (Type II), 17.05.400(C) (Type III), or 17.05.500(D) (Type IV);

5. Administer the application and hearings process;

6. File notice of the final decision in the city's records and mail a copy of the notice of the final decision to the applicant, all persons who provided comments or testimony, persons who requested copies of the notice, and any other persons entitled to notice by law;

7. Maintain and preserve the file for each application for the time period required by law. The file shall include, as applicable, a list of persons required to be given notice and a copy of the notice given; the affidavits of notice, the application and all supporting information, the staff report, the final decision (including the findings, conclusions and conditions, if any), all correspondence, minutes of any meeting at which the application was considered, and any other exhibit, information or documentation which was ~~considered by the decision-maker(s) on the application~~ made part of the record; and

8. Administer the appeals and review process.

F. Amended Decision Process.

1. The purpose of an amended decision process is to allow the community development director or designee to correct typographical errors, rectify inadvertent omissions and/or make other minor changes that do not materially alter the decision.

2. The community development director or designee may issue an amended decision after the notice of final decision has been issued but before the appeal period has expired. If such a decision is amended, the decision shall be issued within fourteen business days after the original decision would have become final, but in no event beyond the one-hundred-twenty-day period required by state law. A new ten-day appeal period shall begin on the day the amended decision is issued.

3. Notice of an amended decision shall be given using the same mailing and distribution list as for the original decision notice.

4. Modifications to approved plans or conditions of approval requested by the applicant shall follow the procedures in Chapter 17.09. All other changes to decisions that are not modifications under Chapter 17.09 shall follow the appeal process.

G. Resubmittal of Application Following Denial. An application or proposal that has been denied, or that was denied and on appeal or review has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission or the courts, may not be resubmitted as the same or a substantially similar proposal for the same land for a period of at least twelve months from the date the final city action is made denying the same, unless there is substantial change in the facts or a change in city policy that would change the outcome, as determined by the community development director or designee.

H. City Council Review. The city council shall have the authority to call up any Type II or Type III application for review. The decision to call up an application may occur at any time after the application is filed until the decision is otherwise final. When the city council calls up an application, the council shall, in its order of call-up, determine the procedure to be followed, including the extent of preliminary processing and the rights of the parties. At a minimum, the council shall follow the procedures in Section 17.05.550 ~~17.05.400(F)~~, regarding appeals from Type III decisions. (Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).