

CITIZENS ADVISORY COMMITTEE
Tuesday, July 11, 2017 - 6:00 p.m.
Council Chambers @ Central Point City Hall

I. MEETING CALLED TO ORDER

II. ROLL CALL/INTRODUCTIONS

David Painter (chair) Cameron Noble, Cinda Harmes, Robin Stroh, Carrie Reed, Mike House

III. MINUTES

Review and approval of September 10, 2019 minutes

IV. PUBLIC APPEARANCES

V. BUSINESS

A. Central Point Hazard Mitigation Plan - 2019 Update

B. Consideration of a Zone Map Change application. The zoning is proposed for change from Employment Commercial (TOD) to General Commercial (TOD). The 0.99 acres are located in the western portion of the City's downtown corridor. The Project Site is identified on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. Applicant: City of Central Point. File No. CPA-19008

C. Urban Growth Boundary Amendment Update

VI. DISCUSSION

VII. MISCELLANEOUS

A. Community Development Update

VIII. ADJOURNMENT

**City of Central Point
Citizens Advisory Committee Minutes
September 10, 2019**

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

II. ROLL CALL

Present were: David Painter (chair) Carrie Reed, Cinda Harmes, Robin Stroh, Mike House, Cameron Noble

Also in attendance were: Tom Humphrey, Community Development Director, Stephanie Holtey, Principal Planner, Justin Gindlesperger, Community Planner, Eileen Mitchell, Community Planner and Karin Skelton, Planning Secretary.

III. MINUTES Robin Stroh made a motion to approve the minutes of the May 14, 2019, Citizen's Advisory Committee Minutes. Mike House seconded the motion. All members said "aye". Motion passed.

IV. PUBLIC APPEARANCES

No public appearances

V. BUSINESS

A. Accessory Dwelling Unit (ADU) code Amendments. Introduce and discuss draft code amendments to comply with ORS 197.312 and increase housing supply/affordability per the city's Housing Implementation Plan. File No. ZC-19001

Principal Planner Stephanie Holtey introduced draft changes to the Central Point Municipal Code Section 17.77. She said the changes were necessary to eliminate barriers to ADU construction, promote housing supply and affordability and to comply with ORS 197.312. She added this is consistent with the City's housing policies and the recently approved Housing Implementation Plan. She reviewed the State's minimum requirements.

Ms. Holtey mentioned there would be amendments to the Definitions section of the Municipal Code. She explained the amendments would simplify the existing code

language by eliminating standards addressed in the Building, Fire, and Public Works codes.

There would be an increase in the maximum square footage allowed for ADUs from 35% to 50% of the gross floor area (GFA) of the primary dwelling or 800 square feet whichever is less. The Committee asked if a unit built over an existing garage could exceed the 800 square foot limit in order to cover the entire space. Ms. Holtey replied that would be the only exception. She said the height limit would be 25 feet which would accommodate carriage units over existing garages.

She explained a reduced rear yard setback from 10 feet to 5 feet has been suggested. The reduction would accommodate conversion of existing structures which did not meet the current standard setbacks for ADUs. She reviewed the changes to the parking standards to allow on-street parking where off-street parking is not possible. She said there were specific criteria which would need to be met in order to allow any on-street parking.

The Committee expressed concern that people might build ADUs for short term rental income. They worried this might negatively impact neighborhoods. Mr. Humphrey responded saying there were currently no regulations on short term rentals, however the city's finance director was researching how other cities regulated them. He added the issue tonight was to focus on compliance with the state mandated standards for ADUs. He said he did not envision an excessive increase in construction of ADU's.

The Committee discussed the size limitations for ADU's. They wondered about separate entrance requirements. Ms. Holtey stated an ADU would require a separate entrance.

Mr. Humphrey stated the existing 18 ADUs in the city were not located in one specific area but were scattered throughout. He added they were on various sized lots.

Chair David Painter asked for public comments.

Mike Parsons, Freeman Ave.

Mr. Parsons stated he was a City Council member but was acting in his capacity as a private citizen. He asked how the city's requirements for ADUs would affect the rules of homeowners associations. Ms. Holtey explained that the CC&Rs would have precedence over the city's zoning code if they were stricter.

Mr. Painter closed the time for public comment

The Committee discussed their concerns regarding parking and traffic. They thought affordable housing was important; however they were not in favor of allowing on-street parking for ADUs. They expressed a preference for continuing to require one off-street parking space per ADU.

Robin Stroh made a motion to forward a favorable recommendation of the draft code amendments to CPMC Section 17.77 as presented. Roll Call: Robin Stroh, yes; Cinda Harmes, no; Cameron Noble, no; Carrie Reed, yes; Mike House, no. Motion did not pass.

Cinda Harmes made a motion to approve the draft amendments with the exception of removing the off street parking requirement. Mike House seconded the motion. Roll call: Robin Stroh, no; Cinda Harmes, yes; Cameron Noble, yes; Carrie Reed, yes; Mike House, yes. Motion passed.

VI. DISCUSSION

A. Central Point Hazard Mitigation Plan – 2019 Update

Community Planner Justin Gindlesperger reviewed the Hazard Mitigation Plan stating it identifies the city's risks and vulnerabilities and establishes strategies for protecting people and property from hazard events. In addition to protecting the community he explained that the plan was a requirement for the city to be eligible for FEMA emergency funding.

He identified the hazards the city might be subject to. These included earthquake, flood, wildfire, severe weather, drought, volcanic eruptions and landslides. He explained the steps used to assess each hazard.

Mr. Gindlesperger reviewed the mitigation goals: protection of life and property, emergency response, education, partnership with public agencies, protection of natural resources and funding for the plan. He said the next steps would be to incorporate any feedback from the Citizen's Advisory Committee, and present the draft to the Planning Commission and the City Council. Then to FEMA & Oregon OEM. The Committee had no questions.

B. CP-2B Concept Plan Update

Community Development Director Tom Humphrey said the city's Regional Plan Element includes a provision that prior to expansion of the urban growth boundary (UGB) into an urban reserve area (URA) it is necessary to adopt conceptual land use and transportation plans for the affected urban reserve area. The city has received requests to add parts of URA CP-2B to the City's UGB in order to offer additional land for housing. In 2009 the

City participated in a demonstration project integrating land use and transportation concepts in one of the city's future growth area. That project is now referred to as CP-2B.

Mr. Humphrey said when the city adopted the Regional Plan Element into its Comprehensive Plan it agreed to land use percentages in each URA, and an average residential zoning density of 6.9 units per gross acre of land. The Concept Plan will be used in the city's application for UGB Amendment with Jackson County and the Department of Land Conservation and Development (DLCD).

Mr. Humphrey reviewed the process. He said public comment for the Conceptual Plan was received during a demonstration project charrette. City staff modified the plan which was once again considered in a public forum. It was presented to the Metropolitan Planning Organization (MPO) last month and included three land use and circulation alternatives. The Regional Plan requires this collaboration with the MPO. They found that it satisfies the Performance indicators in the Regional Plan.

In order to comply with the Regional Plan the city must assign an urban land use designation to all of the land in the URA and do so using the categories and percentages to which the city and county agreed. City land use designations only become effective at the time of a UGB Amendment and only then when they are initiated at the request of property owners.

The City Council adopted a resolution to ratify the land use and transportation plans for CP-2B prioritizing the alternatives in the following order: #3, #2 and #1.

Mr. Humphrey explained there was no action required tonight, however he thought the information would aid the CAC when the current UGB amendment is submitted.

C. Urban Growth Boundary Update

Principal Planner Stephanie Holtey said the CAC had been instrumental in providing feedback in regard to the planned UGB amendment. They provided feedback regarding identification of alternative boundary locations for a residential UGB expansion. They discussed things such as a concentric growth pattern, master planned parcels and proposed UGB boundaries. They also discussed services in proximity to areas to in which to expand. After feedback from the Planning Commission, City Council and members of the public, two possible scenarios were completed.

She explained that after much evaluation, it was decided to package employment and residential UGB amendments together. She said the proposal was to bring in a total of 478 gross acres for residential, commercial, employment, parks and public facilities. The application has been submitted to the County with a request for a pre-application meeting.

She explained the proposal is required to comply with all the statewide planning goals,

County Comprehensive plan, and the city's Comprehensive Plan and zoning code. Additionally there will be a traffic study to identify how growth will affect existing and planned traffic infrastructure.

She reviewed the process to amend the UGB and said there will be meetings of both the CAC and the Planning Commission that will be an opportunity to receive public input. There will also be a joint meeting with the County and the city Planning Commission.

PLANNING UPDATE

- The railroad crossing at Twin Creeks is now open.
- The Housing Authority is building apartments and townhouses on South Haskell
- Development is beginning at Chicory Village at the south end of Haskell
- There has been some discussion with the owner of the property at the end of South Haskell. The city would like to acquire the right of way to connect Haskell to Beall Lane.
- The chiropractic and urgent care facility on the corner of E. Pine and 6th may be submitting for building permits soon.
- There is a Car Wash and Oil Change facility proposed as a conditional use on the corner of Table Rock and Biddle Road.
- Several business owners and Mr. Humphrey will be traveling to Colorado to attend a destination business boot camp workshop.
- The Creamery has acquired the properties across from Quality Fence on W. Pine St. to expand their facilities.

Stephanie Holtey introduced Eileen Mitchell, Community Planner I to the Citizens' Advisory Committee.

VII. MISCELLANEOUS

VIII. ADJOURNMENT

David Painter declared the meeting adjourned at 7:50 p.m.

The foregoing minutes of the September 10, 2019 Citizens Advisory Committee were approved by the Citizens Advisory Committee at its meeting of January 14, 2020.

Chairman

HAZARD MITIGATION PLAN

STAFF REPORT



Planning Department

Tom Humphrey, AICP,
Community Development Director/
Assistant City Administrator

STAFF REPORT

January 14, 2020

AGENDA ITEM: VI-A

Consideration of City of Central Point Hazard Mitigation Plan **Applicant:** City of Central Point.

STAFF SOURCE:

Justin Gindlesperger, Community Planner II

BACKGROUND:

The City of Central Point has a stand-alone hazard mitigation plan that was adopted in 2011 and needs to be updated to account for community changes since 2011. The Hazard Mitigation Plan evaluates the City's vulnerability to natural hazards and establishes an action plan to reduce risk. In addition to providing a framework for reducing the negative impacts of future disaster events (i.e. floods, earthquakes, severe weather, etc.), maintaining a current plan is necessary to retain eligibility for 1) pre- and post-disaster federal funding; and 2) flood insurance discounts through the Community Rating System.

The risk assessment conducted as part of the update process serves as the foundation to the rest of the planning process by reevaluating the hazards identified in the 2011 Hazard Mitigation Plan, identifying new hazards and determining potential impacts of those hazards to the community. Once the risks to Central Point are identified, defined as the potential for damage, loss or other impacts, the focus can turn to identifying and prioritizing actions to mitigate the impacts.

During this meeting, staff will review the risk assessment process and provide an overview of the natural hazards and the expected impacts to Central Point. Attached is a copy taken from the Hazard Summary and Risk Assessment chapter for the updated plan, which includes an introduction to natural hazard risks, risk assessments and the hazard profile for Wildfires.

ISSUES:

The primary issue in considering the Hazard Mitigation Plan is to identify local policies and actions that can be implemented to reduce risk and future losses from hazards.

ACTION:

Consideration of the City of Central Point Hazard Mitigation Plan and provide comments regarding proposed updates.

ATTACHMENTS:

Attachment "A" –Hazard Identification and Risk Assessment
Attachment "B" - Wildfires

4. Hazard Identification and Risk Assessment

44 CFR §201.6(c)(2)(i), The risk assessment shall include a description of the type, location and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.

44 CFR §201.6(c)(2)(ii), The risk assessment shall include a description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community. All plans approved after October 1, 2008 must also address NFIP insured structures that have been repetitively damaged by floods. The plan should describe the vulnerability in terms of:

44 CFR §201.6(c)(2)(ii)(A), The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard area.

44 CFR §201.6(c)(2)(ii)(B), An estimate of the potential dollar losses to vulnerable structures identified in this section and a description of the methodology used to prepare the estimate.

44 CFR §201.6(c)(2)(ii)(C), Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.

Introduction

Central Point is subject to a wide array of natural hazards. The purpose of this chapter is to identify the potential hazards and determine the potential impacts to the people, economy, existing and future development, and the natural environment of the City. Some hazard events, such as earthquakes or severe weather, may affect the entire city. Other hazards will only directly impact a portion of the city. The risk assessment is the first step in the mitigation planning process and provides a framework for the City to focus attention and resources on the greatest risks by mitigating or preparing for potential hazards.

Understanding Risk

Risk is an uncontrolled, or unexpected, loss of something of value. FEMA defines risk as "the potential for damage, loss, or other impacts created by the interaction of natural hazards with community assets" (2013)¹. As shown in Figure 4-1, the risks from a natural hazard event result because of the exposure of community assets to the destructive forces of the hazard.

¹ Federal Emergency Management Agency. Local Mitigation Planning Handbook, 2013. 5-1.

Figure 4-1 Understanding Risk



Source: *Local Mitigation Planning Handbook* (FEMA, March 2013)

Another way to describe risk is the exposure of assets to a natural hazard. In this case, exposure is the quantity, value and vulnerability of a community’s assets subject to one or more hazards. The more exposed assets are, the higher the risk. Risk results only when there is an overlap between assets and a hazard.

What is a Risk Assessment?

The risk assessment process identifies and profiles relevant hazards and assesses the exposure of lives, property and infrastructure to these hazards. The process allows for a better understanding of Central Point’s potential risk to natural hazards and provides a framework for developing and prioritizing mitigation actions to reduce risk from hazard events.

A risk assessment consists of the three steps shown in Figure 4.2. Each step builds on the information and data gathered in the previous step in order to appropriately determine risks to the community.

Figure 4-2: Risk Assessment Process



As shown in the figure above, the first step in the process is Hazard Identification. This step not only identifies the individual hazards, but also includes a description of where the hazard will occur within City, the extent, or strength, of the expected hazard, a history of when the hazard has occurred in the past, and the probability of any expected future occurrences.

The second step in this process is the Vulnerability Assessment. This step examines the overlap between the natural hazards and the community assets. It examines how the City – the people, property, built environment and natural environment – will be affected by each particular hazard.

The final piece to a risk assessment is the Risk Analysis. This step examines the information from the previous steps and determines potential impacts. It identifies the potential for damages, losses and casualties arising from hazards.

Hazard Identification

Central Point identifies eight natural hazards that could have an impact on the city. Table 4.1 lists the hazards identified by the advisory committee. The list of hazards was developed by comparing the hazards in the previous plan to hazards identified in the Oregon NHMP for the Southwest Oregon (Region 4), and researching past events in the area. The 2011 Hazard Mitigation Plan briefly addressed several *other hazards* which, as the plan states, "...pose minor or negligible threats to Central Point." (2011)² The steering committee considered each of the hazards individually and while some still pose minor threats to the City, the risk from at least one hazard changed significantly due to changes in local conditions and recent hazard occurrences since the previous plan was completed.

Table 4-1: Central Point Hazard identification

Hazard	History	Vulnerability	Maximum Threat	Probability	Total Threat Score	Risk Level (H-M-L)
Earthquake (Cascadia)	2	50	100	70	222	High
Floods	20	25	50	70	165	High
Wildfire	10	25	50	70	155	High
Winter Storm	20	5	10	70	105	Medium
Windstorm	20	5	10	70	105	Medium
Drought	20	5	10	70	105	Medium
Earthquake (Crustal)	2	25	50	7	84	Low
Volcano	2	5	50	7	64	Low
Landslide	2	5	10	7	24	Low

Hazard Summaries

The following sections provide a description and overview of each hazard type. Each hazard summary includes information on hazard history and past occurrences, the extent or location of the hazard within or near the City, probability of the hazard occurring in the future, and the vulnerability of the City to damages from the hazard.

² City of Central Point, Central Point Natural Hazard Mitigation Plan, 2011. 9-1.

Wildfires

Significant Changes since Previous NHMP:

A significant wildfire event within City limits occurred since the previous NHMP.

Jackson County and Josephine County completed a joint Community Wildfire Protection Plan that updated the limits of the Wildland-Urban Interface in both counties.

Wildfires, also referred to as wildland fires or forest fires, are uncontrolled fires where vegetation, including grasses, brush and trees, are the primary fuels of the fire. These fires become a risk when development encroaches into wildland area. The increase of development into the interface, or the Wildland-Urban Interface (WUI), results in greater wildfire risks through limited services like water supplies and suppression capabilities, as well as other factors like the absence of fire-safe construction practices and limited access to/from high-risk areas.

Fires may be started by natural causes, such as lightning, or human causes, either intentionally or unintentionally. Once started, there are three (3) main factors that contribute to fire behavior, including vegetation/fuel loads, weather and topography.

- Fuel is the material that feeds a fire and is classified by volume and type. Certain types of plants are more susceptible to burning or will burn with greater intensity. Fire intensity can increase with the abundance of dense or overgrown vegetation, a higher ratio of dead plant matter compared to living vegetation, and the amount of moisture content found in the vegetation.
- Topography influences the movement of air and directs a fire's course. Steeper slopes can increase the spread as warm air currents travel uphill.
- Weather is the most variable factor. Temperature, humidity, wind and lightning can affect chances for ignition and spread of fire. Extreme weather, such as high temperatures and low humidity, can lead to extreme wildfire activity.

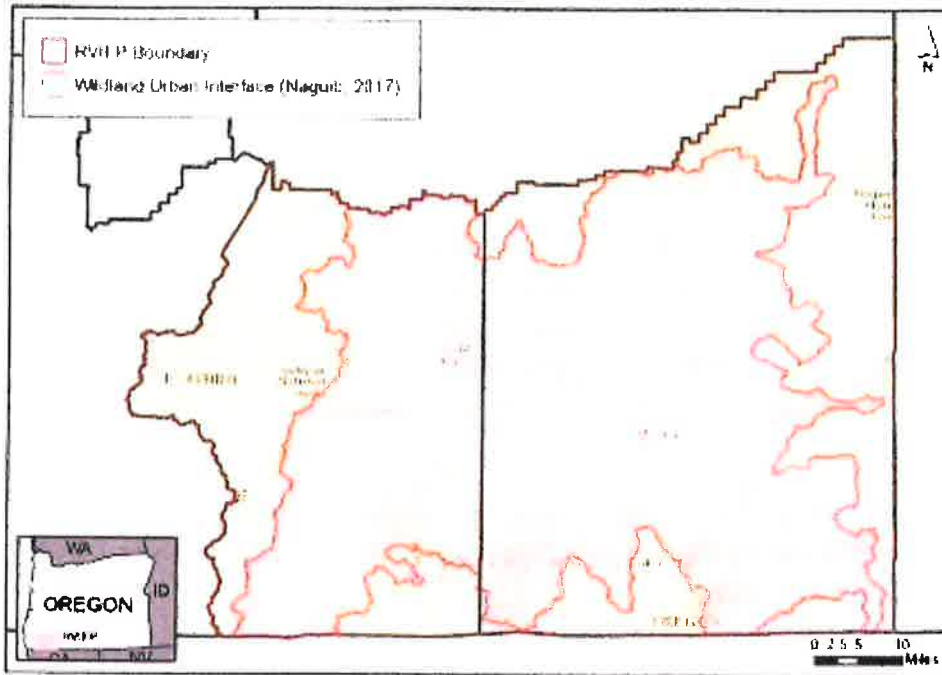
Location and Extent

Areas with the greatest risk to experience loss from a wildfire are the areas where development and structures encroach into wildlands that are prone to wildfires. These areas are referred to as the Wildland Urban Interface (WUI). Central Point was originally thought to be outside of a WUI, as reflected in the low level of risk identified in the 2011 Hazard Mitigation Plan.

In 2017, Jackson and Josephine Counties completed a joint Community Wildfire Protection Plan (CWPP) that updated the WUI for both counties (RVIFP, 2017)¹. The CWPP process is designed to identify and prioritize areas for wildfire prevention and response efforts. The CWPP also updated the WUI, as shown in Figure 4-3.

¹ Rogue Valley Integrated Community Wildfire Protection Plan, (2017).

Figure 4-3: RVIFP Wildland Urban Interface



Source: Rogue Valley Integrated Community Wildfire Protection Plan, 2017

The updated WUI includes many urban and densely populated areas within Jackson and Josephine Counties. As noted in the 2017 RVIFP:

Though many non-vegetated expanses do exist within metropolitan areas (shopping malls, roads, parking lots, downtown sections, municipal and urban buildings, etc.) the vast majority of Rogue Valley metropolitan areas and urban structures are located within $\frac{1}{4}$ mile or less of wildland areas. Wildfires create airborne burning embers that can travel $\frac{1}{2}$ mile or more from the fire. Structures, particularly those closely-spaced, as found in urban settings, are extremely vulnerable to ignitions from burning embers, and the spot fires created by burning embers.

Through the CWPP process, the Counties and the WUI work group could define a WUI based on zoning and focus fuel treatments where people live, or are likely to live. The mix of public and privately-owned wildlands can make meaningful mitigation difficult. As the 2017 RVIFP notes: "To provide sufficient fire protection for the population center, it is essential for wildfire planning efforts to include metropolitan areas within the WUI boundaries, to ensure adequate suppression resources are available."²(2017)²

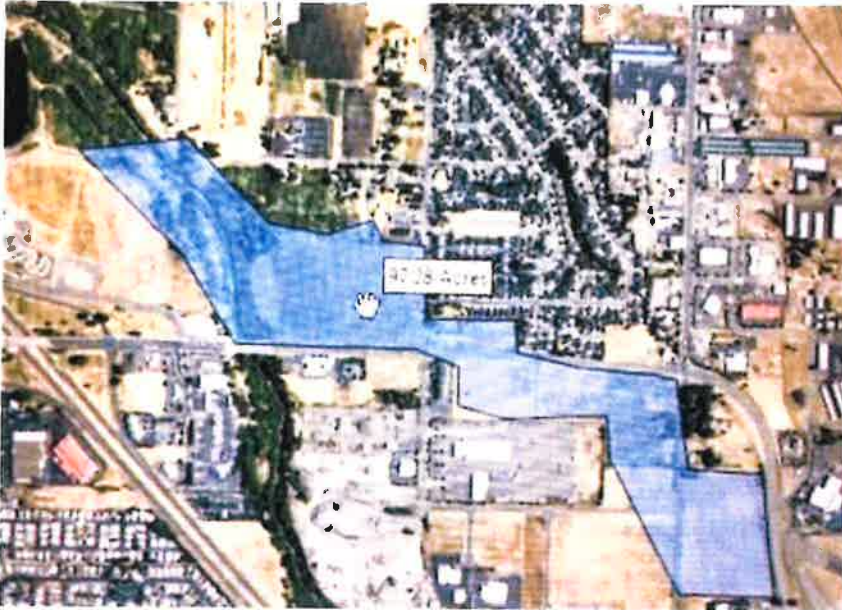
History

In July of 2018, a fast-moving grass fire started along the Bear Creek Greenway near the east side of Central Point. The wildfire, named the Peninger Fire, started near Jackson County Expo property, burned along the greenway before it rapidly moved east along Peninger, Biddle and Hamrick Roads. The fire

² Rogue Valley Integrated Community Wildfire Protection Plan (2017).

burned approximately 97 acres, singed 3 homes, destroyed 5 outbuildings and damaged another outbuilding³.

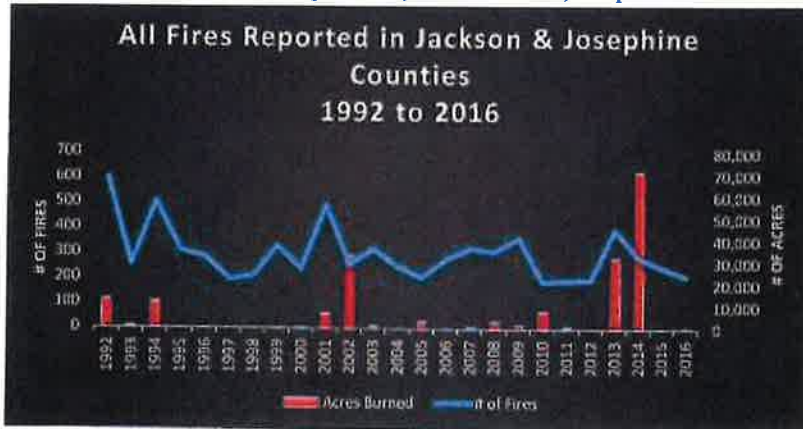
Figure 4-4: Peninger Fire Map



Source: The Wild Coast Compass⁴

Outside Central Point city limits, Jackson County has experienced a large number of wildfires throughout history. As part of the RVIFP, the CWPP examined fire history from 1992-2016 for Jackson and Josephine Counties. Using data from the United States Forest Service (USFS) and Oregon Department of Forestry (ODF), there were an average of 296 wildfires per year, with an average of 7,808 acres burned⁵. As shown in Figure 4-5, the numbers of wildfires ranged from 186 to 598 per year.

Figure 4-5: Wildfires Report in Jackson and Josephine Counties



Source: RVIFP (2017)

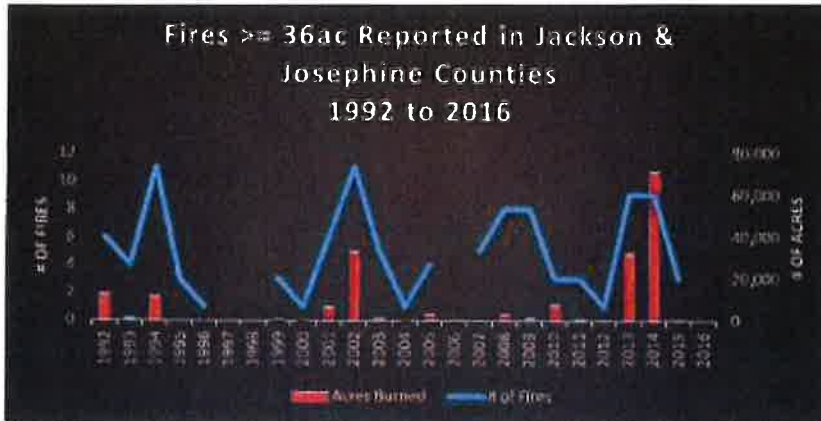
³ Nick Morgan, "Body Found in Burned Area of Central Point Fire," Mail Tribune, 19 July 2018.

⁴ The Wild Coast Compass, www.wildcoastcompass.com

⁵ Rogue Valley Integrated Community Wildfire Protection Plan, (2017).

Despite the large number of fires ignited annually, only a small portion of those reached 36 acres or greater (about 64 fires since 1992) showing that most fires are successfully suppressed after the initial attack. As noted in the 2018 Jackson County NHMP, the majority of fires are started along travel corridors and the edges of urban areas; however, the fires that grow to burn a large number of acres are located near more remote areas (see Figure 4-6).

Figure 4-6: Large Fires (>= 36 acres) Fire Occurrence (1992-2015)



Source: RVIFP (2017)

Probability

According to the 2018 Jackson County NHMP,

Certain conditions must be present for significant interface fires to occur. The most common are hot, dry and windy weather; the inability of fire protection forces to contain or suppress the fire; the occurrence of multiple fires that overwhelm committed resources; and a large fuel load (dense vegetation). Once a fire has started, several conditions influence its behavior, including fuel, topography, weather, drought and development. Many of these conditions are demonstrated across large areas within Jackson County, creating a significant collective risk (2018).⁶

The Advisory Committee assessed the probability of experiencing a wildfire hazard in Central Point a “high” probability, meaning one incident is likely with the next 10-35 years. Based on the available information, the Oregon Natural Hazard Mitigation Plan Regional Risk Assessment supports this probability rating for Central Point. *This rating has increased since the previous NHMP.*

Vulnerability

The Advisory Committee rated Central Point as having a “moderate” vulnerability to wildfire hazard, meaning that between 1-10% of the City’s population or assets would be affected by a major disaster. *This rating is an increase since the previous NHMP.*

⁶ Jackson County Emergency Management, Jackson County Multi-Jurisdictional Natural Hazard Mitigation Plan, 2018

Southern Oregon, including Central Point and the surrounding areas of Jackson County, are identified in the 2015 Oregon NHMP as one of the regions in the state most susceptible to wildfires. This vulnerability assessment is the result of a high percentage of wildland acres subject to fire risk, smaller communities within the WUI, high summer temperatures, rugged terrain and the likelihood of summer thunderstorm activity (Oregon DLCD, 2015)⁷.

Ignition sources are generally concentrated along travel corridors and at the edges of urban areas (RVIFP 2017)⁸. Debris-burning, equipment use and even arson contribute to wildfire ignition sources. Central Point is bound by rural areas on the west and north, there are several travel corridors that connect the City to these areas, and several stream north-south stream corridors, including Bear Creek that accommodates pedestrian traffic – the source of the 2018 Peninger Fire, connect the City to the WUI and sources of wildland fires.

As noted above, metro areas within ¼-mile of wildlands are vulnerable to risks of wildfires. Areas of Central Point within ¼-mile of wildlands, including the Bear Creek Greenway and the “metro edge” are shown in Figure 4-7. There are __ residences within ¼-mile of the Bear Creek Greenway, __ residences within ¼-mile of the “metro edge” along the north and east sides of the City. There are several critical facilities within the wildfire risk area, including the proposed Scenic Fire Station along Scenic Avenue.

Figure 4-7: Central Point Wildfire Risk Areas

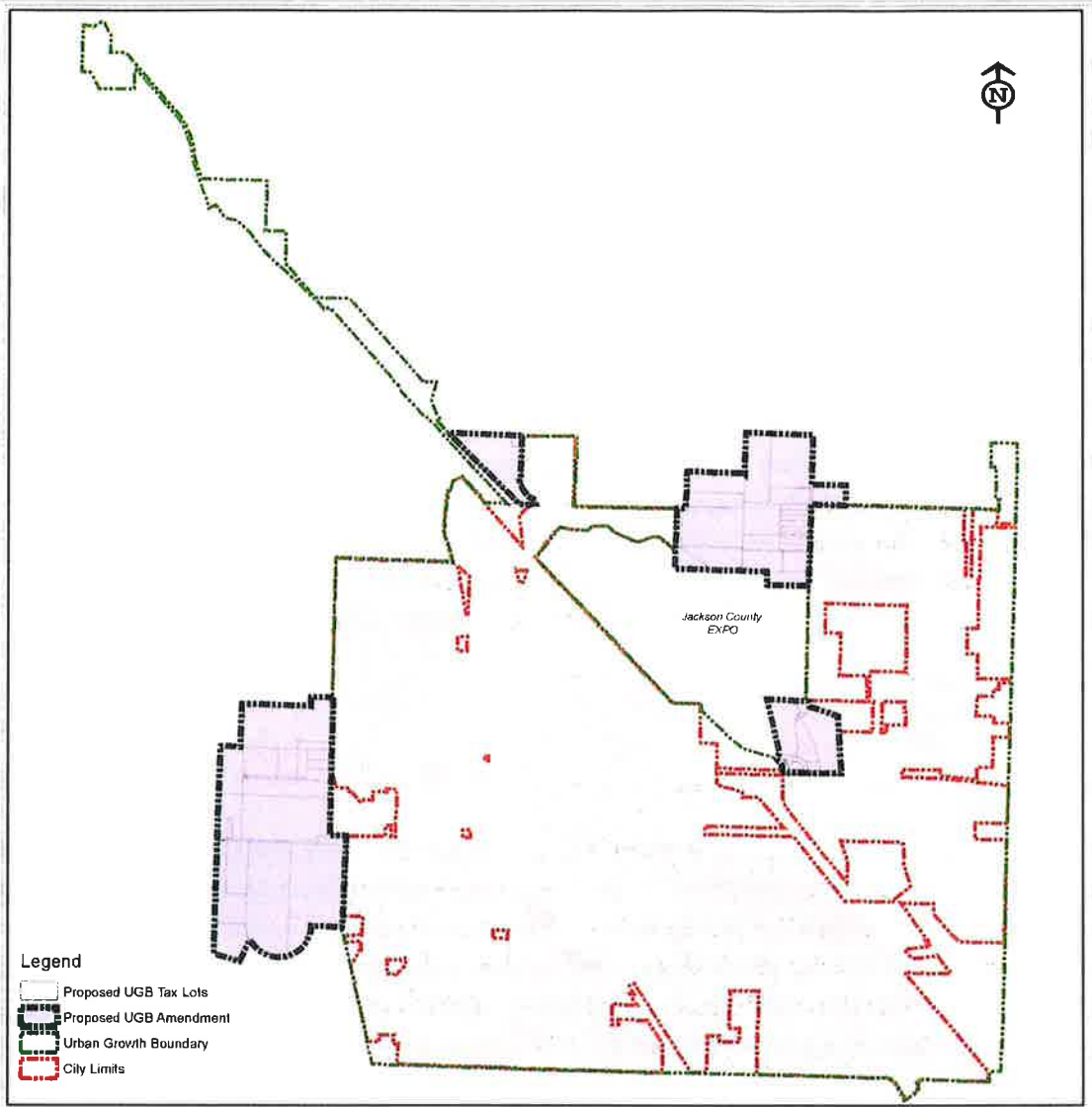
Source: Central Point Planning Department

The expected increase in population necessitates the expansion of City limits, and ultimately, urban-type development and densities into current rural areas. Areas proposed for growth, to the west and north of the current City boundaries (see Figure 4-8), are also areas currently within a certain level of risk for wildfires. While densities will increase in these areas, services and responses, such as access routes, emergency response from the new fire station, and water supplies, will increase commensurately. It is anticipated that the level of risk to wildfires will stay the same in these areas.

⁷ Oregon Department of Land Conservation and Development (DLCD), Oregon Natural Hazards Mitigation Plan, 2015.

⁸ Rogue Valley Integrated Community Wildfire Protection Plan, (2017).

Figure 4-8: Central Point Urban Growth Boundary Amendment



Central Point Urban Growth Boundary Amendment

Proposed UGB Areas

Source: Central Point Planning Department

**ZONE MAP CHANGE FROM EMPLOYMENT COMMERCIAL (TOD) TO
GENERAL COMMERCIAL (TOD)**



STAFF REPORT

January 14, 2020

AGENDA ITEM: Discussion

Consideration of a Zone Map Change application. The zoning is proposed for change from Employment Commercial (TOD) to General Commercial (TOD). The 0.99 acres are located in the western portion of the City's downtown corridor. The Project Site is identified on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. **Applicant:** City of Central Point. File No. CPA-19008. **Approval Criteria:** CPMC 17.10, Zoning Map and Zoning Code Text Amendments; and CPMC 17.65 TOD Districts and Corridors.

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The City is initiating a minor zone map amendment from Employment Commercial (TOD) to General Commercial (TOD). This is proposed in order to comply with the comprehensive plan and to realign the zoning designation with proposed uses. The change will allow the future expansion of the Rogue Creamery, a local business. In consideration of this application, there are three criteria that must be addressed per CPMC 17.10.400:

1. **Comprehensive Plan Compliance.** The current land use plan designation for the property is Commercial, which is designed to accommodate a wide variety of commercial, office, and tourist uses. Per the Comprehensive Plan Land Use Element, the proposed General Commercial (TOD) zoning designation would be consistent with the Commercial classification and abuts properties to the southeast that are planned and zoned the same.
2. **Compatibility with Surrounding Land Uses and Zoning.** The proposed zone map amendment occurs on two (2) lots on the southeastern side of Pine and Haskell Streets. The properties are surrounded by Employment Commercial (TOD) lands to the north and east, General Commercial (TOD) to the south, MMR (TOD) to the west, and Civic to the northwest. This includes 5 adjacent industrial tax lots, 2 residential tax lots, and a civic school building.

The project area is covered with an empty industrial/commercial building as well as a nonconforming apartment that is part of the existing commercial building. Although the proposed zone change will allow for the expansion of the Rogue Creamery within a general commercial district, the character and compatibility between uses as redevelopment occurs will be a function of siting and design per CPMC 17.67, Design Standards- TOD District and TOD Corridor.

3. **Traffic Impacts/Transportation Planning Rule Compliance.** The State Transportation Planning Rule (TPR) in OAR 660-012-0060 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. The Rogue Creamery is currently working with a local engineering group to evaluate the impact the zone change will have on traffic within the vicinity. The Planning Department Supplemental Findings (Attachment "B") will address the transportation impacts once the engineering assessment is completed. In the meantime, department findings are provided for purposes of this discussion.

ISSUES:

There are no issues relative to this application.

ATTACHMENTS:

Attachment "A" – Comprehensive Plan and Zoning Maps

Attachment "B" – Planning Department's Findings

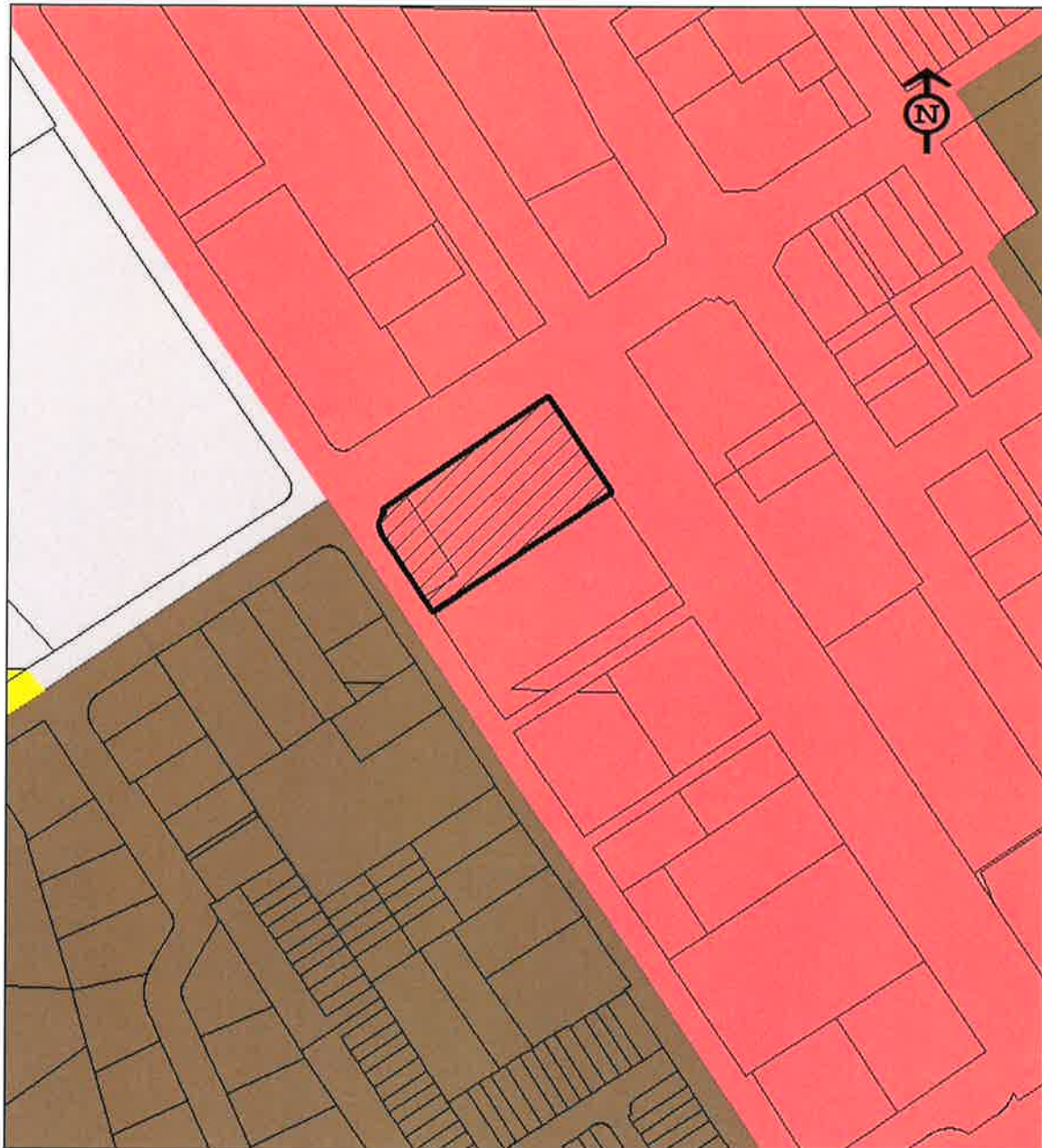
ACTION:

Recommend that staff schedule a public hearing once a traffic analysis is complete and the TPR can be satisfied.

RECOMMENDATION:

Provide planning staff feedback regarding department findings.


Figure 1. Current and Future Comprehensive Plan Map



Current & Future Land Use Designation



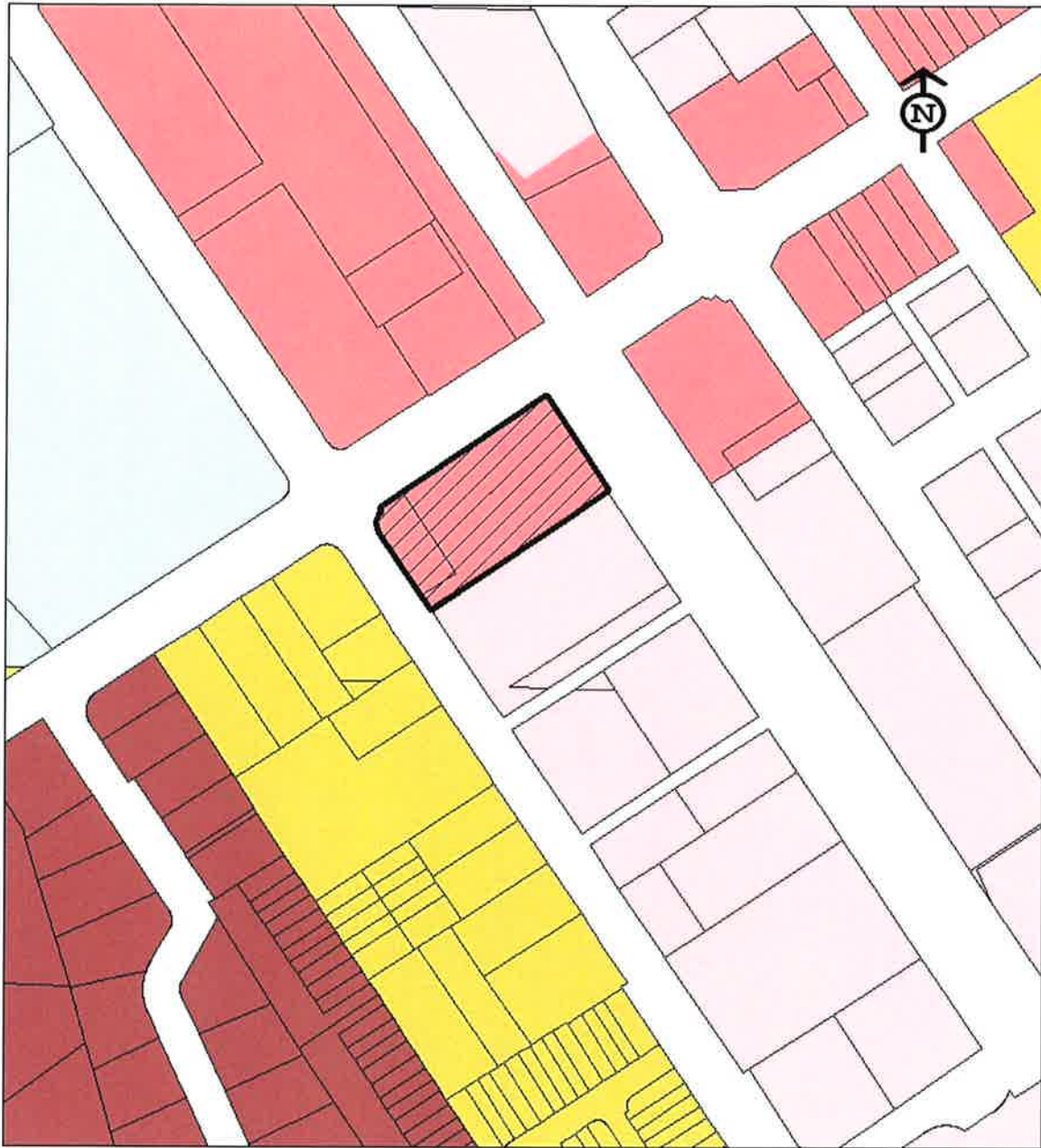
Legend

-  Study Area
-  Taxlots
-  Very Low Density
-  Medium Density
-  High Density
-  Commercial
-  Civic

0 100 200 400 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019








Figure 2. Current Zone Designation

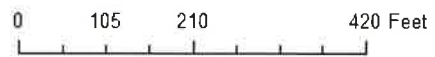


Current Zoning Designation



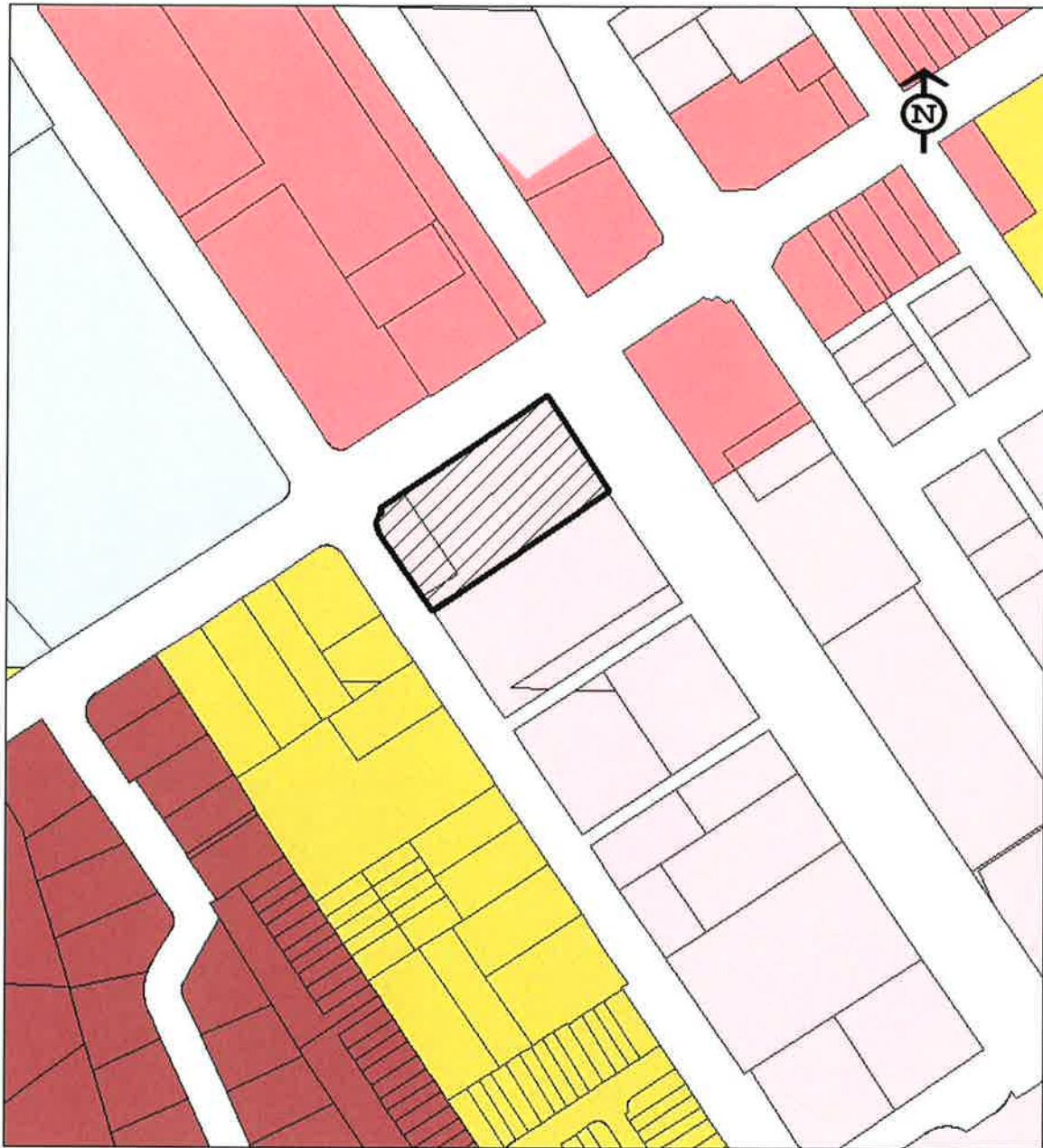
Legend

-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3



Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019








Figure 3. Proposed Zone Designation



Proposed Zoning Designation



Legend

-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3

0 105 210 420 Feet

Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: CPA-19008**

INTRODUCTION

Consideration of a Zoning Map Change of the Project Sites Employment Commercial (TOD) zoning to General Commercial (TOD).

Background:

The proposed minor zone map amendments are in reference to the Project Site located on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. The purpose of the minor zone map change is to comply with the comprehensive plan but also to change the zoning to accommodate planned development. The plans are in place for the expansion of the Rogue Creamery, a local business. Changing the zoning map from Employment Commercial (TOD) to General Commercial (TOD) would help accommodate this growth. An amendment will help the area to be developed appropriately and expand in a way that promotes a walkable pedestrian orientation to the general commercial uses along the western side of the downtown corridor.

These findings are prepared in four (4) parts:

1. Legislative Amendment Procedures (CPMC 17.05.400)
2. Zoning Map and Zoning Text Amendments (CPMC 17.10)
3. City of Central Point Comprehensive Plan
4. Transportation Planning Rule (OAR 660-012-0060(1))

PART 1 –CPMC 17.05.400, QUASI JUDICIAL PROCEDURES

CPMC 17.05.400(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).

***Finding, CPMC 17.05.400(A):** Because the City of Central Point initiated this application to amend the zoning map, a pre-application conference is not required and will not be held.*

***Conclusion, CPMC 17.05.400(A):** Not applicable.*

CPMC 17.05.400(B)(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.

ATTACHMENT "B"

***Finding, CPMC 17.05.400(B)(1):** The proposed zoning map amendment is considered a Minor Amendment per Table 17.05.01 and Section 17.10.300(B). As demonstrated by the Findings for CPMC 17.05.400, the proposed text amendments have been processed in accordance with the timelines and requirements for Type III legislative applications.*

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
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

***Conclusion, CPMC 17.05.400(B)(1):** Consistent.*

CPMC 17.05.400(B)(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.

***Finding, CPMC 17.05.400(B)(2):** The City of Central Point’s application to amend the zoning map relative to the properties off Pine and Haskell Streets includes the application form, findings, required fee, and pre-addressed mailing labels.*

***Conclusion, CPMC 17.05.400(B)(2):** Consistent.*

CPMC 17.05.400(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 two hundred fifty 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 when there is a proposed development abutting or within two hundred fifty feet of an affected 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. At the applicant's discretion, notice may also be provided to the Department of Land Conservation and Development.

Finding, CPMC 17.05.400(C)(1)(a): *The City of Central Point's application includes a mailed Notice of a Type III hearing. All applicable parties will be mailed within the specified timeframe.*

Conclusion, CPMC 17.05.400(C)(1)(a): *Consistent.*

- (b) Content of Notice. Notice of a Type III hearing shall be mailed per this subsection C and shall contain the following information:
 - i. An explanation of the nature of the application and the proposed land use or uses that could be authorized for the property;
 - ii. The applicable criteria and standards from the zoning and subdivision code and comprehensive plan that apply to the application;

ATTACHMENT "B"

- iii. The street address or other easily understood geographical reference to the subject property;
- iv. The date, time, and location of the public hearing;
- v. 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;
- vi. The name of a city representative to contact and the telephone number and email address where additional information on the application may be obtained;
- vii. 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;
- viii. 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;
- ix. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
- x. The following notice:

***Finding CPMC 17.05.400(C)(1)(b):** The content included within the notices conform with CPMC 17.05.400(C). This can be validated within the affidavit of publication.*

***Conclusion CPMC 17.05.400(C)(1)(b):** Consistent.*

- (c) 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.

***Finding CPMC 17.05.400(C)(1)(c):** An affidavit will be published in a newspaper for the proposed zone map amendment, and the DLCDC was notified.*

***Conclusion CPMC 17.05.400(C)(1)(c):** Consistent.*

2. On-Site Posting. Public notice signs shall be posted on the project site for any Type III land use action according to the following:
 - a. Contents of Sign. Notice signs shall include a description of the proposed land use action, the date of the public hearing, and the City of Central Point file number for the proposed land use action.
 - b. Location and Number of Signs. A posted notice sign must be placed on each existing street frontage of the project site. If a frontage is over six hundred feet long, a notice is required for each six hundred feet or fraction thereof. Notice signs must be posted within ten feet of a property line along the street and must be visible to pedestrians and

ATTACHMENT "B"

motorists. Notice signs may not be posted in a public right-of-way unless the land use action specifically pertains to a public right-of-way. If posting must occur in the right-of-way, care should be taken to comply with clear vision area requirements as set forth in Section 17.60.120.

- c. Sign Posting Schedule. The required sign(s) shall be posted not later than twenty-one days prior to the first public hearing date of each body that hears the application. Posted signs shall be removed within ten days following the final decision.
- d. Affidavit of On-Site Posting. The director or designee shall prepare an affidavit of on-site notice posting and the affidavit shall be made part of the file. The affidavit shall state the date that the notice was posted, the number of notices posted and the name of the person(s) who posted the notice.

Finding, CPMC 17.05.400(C)(2): *In accordance with Municipal Code Section 17.05.400(C)(2), notice shall be posted on site concerning the Type III land use action for the zone map amendment.*

Conclusion, CPMC 17.05.400(C)(2): *Consistent.*

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 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.

Finding CPMC 17.05.400(D)(1): *Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

Conclusion CPMC 17.05.400(D)(1): *Consistent.*

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.

Finding CPMC 17.05.400(D)(2): *Continuations of the public hearing will abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(2): *Consistent.*

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 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). 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.

Finding CPMC 17.05.400(D)(3): *If the record is left open for additional evidence or testimony, it shall abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(3): *Consistent.*

4. Participants in a 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:

ATTACHMENT "B"

- 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.

Finding CPMC 17.05.400(D)(4): *Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

Conclusion CPMC 17.05.400(D)(4): *Consistent.*

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:*

ATTACHMENT "B"

- 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.*

Finding CPMC 17.05.400(D)(5): Ex Parte Communications will abide by the rules and regulations of CPMC 17.05.400(D)(5).

Conclusion CPMC 17.05.400(D)(5): Consistent.

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.

Finding CPMC 17.05.400(D)(6): The hearings body will follow rules and regulations within CPMC 17.05.400(D)(6) in regards to presenting and receiving evidence.

Conclusion CPMC 17.05.400(D)(6): Consistent.

CPMC 17.05.400(E).

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;

ATTACHMENT "B"

Finding CPMC 17.05.400(E)(1): At the _____ meeting, the approval of the Type III application was based on standards and criteria in the development code.

Conclusion CPMC 17.05.400(E)(1): Consistent.

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;

Finding CPMC 17.05.400(E)(2): The approval or denial of the findings were based upon the criteria and standards deemed relevant to the decision and as set forth within Municipal Code.

Conclusion CPMC 17.05.400(E)(2): Consistent.

3. Form of Decision. The hearings body shall issue a written 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;

Finding CPMC 17.05.400(E)(3): On _____, 2020, the hearings body issued a written decision containing the findings and conclusions stated in subsection (E)(2) which approved the decision.

Conclusion CPMC 17.05.400(E)(3): Consistent.

4. Decision-Making Time Limits. 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;

Finding CPMC 17.05.400(E)(4): The written decision was filed within the designated 10 day time limit pursuant to CPMC 17.05.400(E)(3).

Conclusion CPMC 17.05.400(E)(4): Consistent.

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.

Finding CPMC 17.05.400(E)(5): *Written notice of decision was mailed to the applicant and to all participants of record within ten days after the hearings body decision pursuant to CPMC 17.05.400(E)(5).*

Conclusion CPMC 17.05.400(E)(5): *Consistent.*

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 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.

Finding CPMC 17.05.400(E)(6): *A decision of the hearings body was made official on February 13th, 2020 when it was effectively mailed by the City.*

Conclusion CPMC 17.05.400(E)(6): *Consistent.*

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. 2041 §2, 2017; Ord. 2033 §4, 2017; Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

Finding CPMC 17.05.400(F): *There were no extensions requested during the extension approval period.*

Conclusion CPMC 17.05.400(F): *Consistent.*

PART 2- CPMC 17.10, ZONING MAP AND ZONING CODE TEXT AMENDMENTS

17.10.200 Initiation of amendments.

A proposed amendment to the code or zoning map may be initiated 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).

Finding CPMC 17.10.200: The initiation of amendments was made by the planning commission to the city council.

Conclusion CPMC 17.10.200: Consistent.

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).

Finding CPMC 17.10.300: The proposed zone amendments involve the application of adopted policy instead of the adoption of new policy. The proposed amendments will not have widespread or significant impacts and as such are considered Minor Amendments in accordance with CPMC 17.10.300(B). As evidenced by the Findings in Part 1 of these Findings, the Minor Amendments are quasi-judicial and have been processed in accordance with the Type III procedures set forth in CPMC 17.05.400.

Conclusion CPMC 17.10.300: Consistent.

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:

ATTACHMENT "B"

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

***Finding CPMC 17.10.400(A):** The proposed zone amendment is not considered a major amendment.*

***Conclusion CPMC 17.10.400(A):** Not applicable.*

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

***Finding CPMC 17.10.400(B):** See Part 3 Findings- Central Point Comprehensive Plan.*

***Conclusion CPMC 17.10.400(B):** Consistent.*

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

***Finding CPMC 17.10.400(C):** The proposal is for a zone amendment. The area is currently zoned Employment Commercial, but intends to become General Commercial. Although the property will be going through a zone change, there will be no comprehensive plan map changes. Similarly, the area is within the main downtown corridor and contains adequate public services and transportation infrastructure.*

***Conclusion CPMC 17.10.400(C):** Consistent.*

- 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)).

***Finding CPMC 17.10.400(D):** As demonstrated in Part 5 Findings- Transportation Planning Rule, the proposed text do not significantly affect existing or planned transportation facilities.*

***Conclusion CPMC 17.10.400(D):** Consistent.*

PART 3- CITY OF CENTRAL POINT COMPREHENSIVE PLAN:

The proposed amendments address land use within the project area near Pine and Haskell Streets. Applicable policies in the comprehensive plan include those in the Land Use Element.

Land Use Element

Commercial Goal 1: 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 Goal 1 Finding: *The proposed area currently is along the TOD General Commercial Corridor. By amending the zoning district, it will balance the commercial lands and meet the needs of the local market area by realigning the areas purpose with that of the general vicinity.*

Commercial Goal 1 Conclusion: *Consistent.*

Commercial Goal 2: Continue to pursue implementation of the Downtown and East Pine Street Corridor urban renewal plan.

Commercial Goal 2 Finding: *The proposed zone amendment at the corner of East Pine and Haskell Streets lies within the boundaries of the Downtown and East Pine Street Corridor urban renewal plan. Although the plan does not specifically mention the rezoning of the area as a concern, it does mention economic incentives and projects aimed towards the revitalization of the area. The relevant goal within the Plan states its intent to, "Make the Area attractive for the stabilization, expansion, rehabilitation or redevelopment of existing businesses, industries and housing." By rezoning the property, projects intended for general commercial uses may acquire the land and help redevelop the area.*

Commercial Goal 2 Conclusion: *Consistent.*

Commercial Policy 1: Maintain the zoning of all commercial areas of Central Point as necessary to comply with the Economic Element.

Commercial Policy 1 Finding: *The proposed zone amendment is in compliance with the Economic Element, as well as maintains the zoning of all commercial areas of Central Point. As described in the Economic Element, one of the three exceptionally competitive and growing industries within specialty food manufacturing. Because the property is intended for potential expansion of the Rogue Creamery, this would be considered one of Central Point's outperforming niche markets. The rezoning will create adequate zoning lands for the expansion of this successful industry.*

Commercial Policy 1 Conclusion: *Consistent.*

Commercial Policy 2: Undertake an in-depth study of the downtown business district and develop a comprehensive improvement plan that would include such considerations as traffic circulation and off-street parking, pedestrian and bicycle facilities and access, structural design guidelines, and guidelines for landscaping and signing.

Commercial Policy 2 Finding: *The proposed zone change does not involve, or otherwise affect, the development of an in-depth study of the downtown business district or a comprehensive improvement plan.*

Commercial Policy 2 Conclusion: *Not applicable.*

Commercial Policy 3: Encourage the development of shared commercial parking areas in the downtown area to be carried out by the local businesses with City assistance.

Commercial Policy 3 Finding: *The proposed zone amendment does not involve, or otherwise affect, the encouragement of the development of shared commercial parking areas in the downtown area.*

Commercial Policy 3 Conclusion: *Not applicable.*

Commercial Policy 4: Promote the planned integration of abutting commercial development for the purpose of more efficient customer parking, better design and landscaping, coordinated signing, and increased retail sales.

Commercial Policy 4 Finding: *The proposed zone amendment does not involve, or otherwise affect, the promotion of planned integration of abutting commercial developments.*

Commercial Policy 4 Conclusion: *Not applicable.*

Commercial Policy 5: For that section of Highway 99 between Beall Lane and the High School implement the 99 Corridor Plan to improve the corridor, traffic circulation, and the overall visual and aesthetic character of the area.

Commercial Policy 5 Finding: *The proposed zone amendment does not involve, or otherwise affect, the implementation of the 99 Corridor Plan to improve the corridor, traffic circulation, and overall visual and aesthetic character of the area of Highway 99 between Beall lane and the High School.*

Commercial Policy 5 Conclusion: *Not applicable.*

PART 4- TRANSPORTATION PLANNING 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:

ATTACHMENT "B"

- 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 Policy: *The proposed zone amendment to the corner of Pine and Haskell Streets from Employment Commercial to General Commercial is minor, and will not change the transportation system in any significant way.*

Conclusion Policy: *Consistent.*

URBAN GROWTH BOUNDARY AMENDMENT

MEMORANDUM



Planning Department

Tom Humphrey, AICP,
Community Development Director

January 14, 2020

To: Citizen's Advisory Committee

From: Stephanie Holtey, Principal Planner

Re: Urban Growth Boundary (UGB) Amendment Update (CPA-19001)

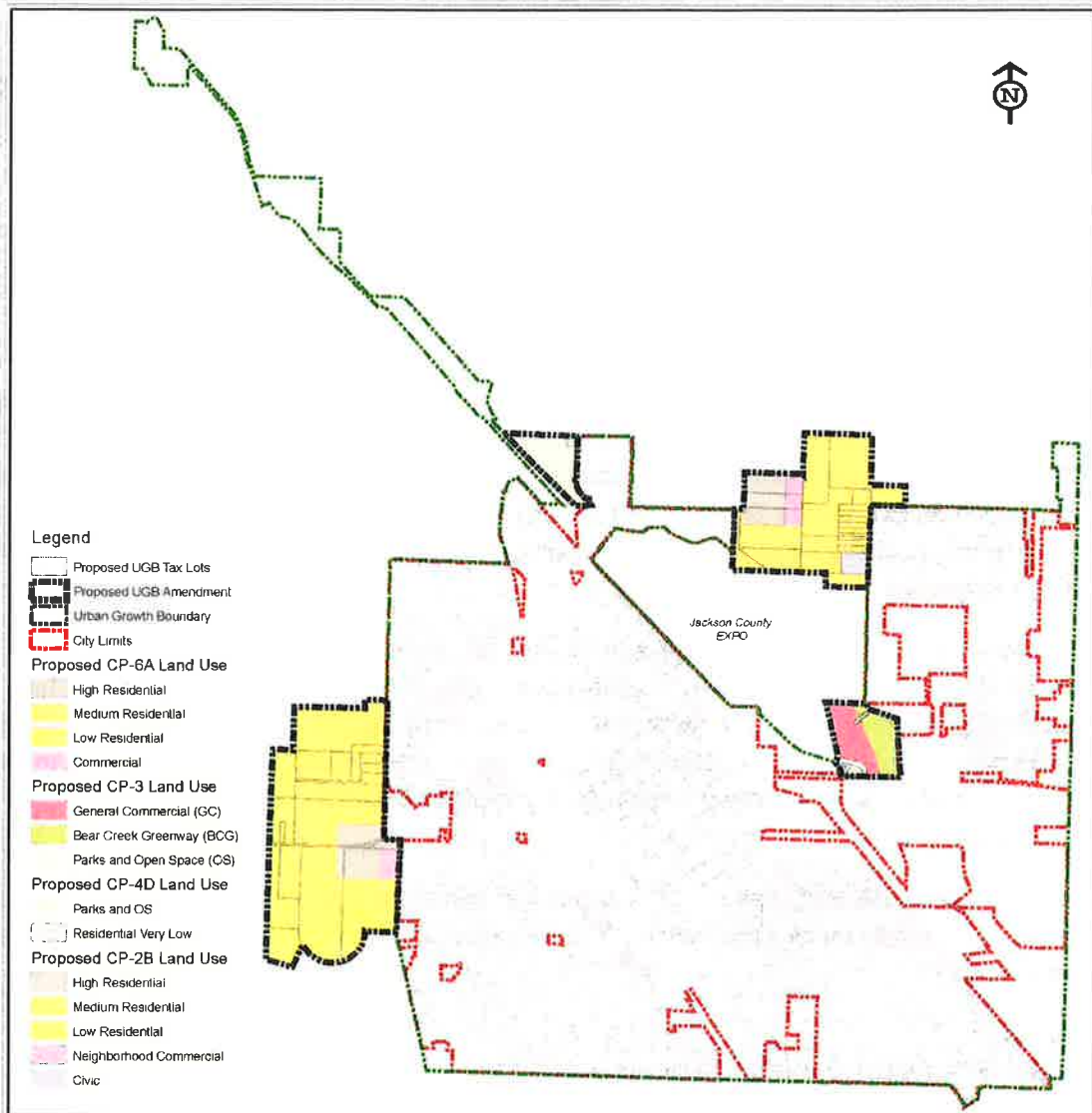
The City is nearing completion of the UGB Amendment application to add 444 acres of land for housing, employment, parks and associated uses. On October 10, 2019, the City Council considered the draft application and unanimously approved a resolution of intent authorizing staff to finalize and submit the application upon completion of a Traffic Impact Analysis (TIA). The purpose of the TIA is to evaluate the impacts of the proposed UGB location on the transportation network with a focus on State, County and major City intersections.

Since that time, staff has been working with a traffic engineer, the Public Works Department, Oregon Department of Transportation and Jackson County to complete the TIA. It is anticipated that this final aspect of the City's application will be finished soon. Upon completion and submittal, the CAC will be tasked with reviewing the application, receiving community input and making a recommendation to the Planning Commission and City Council to approve, approve with modifications or deny the proposed UGB Amendment.

The purpose of the update at the January 14th meeting is to update the CAC on any changes to the project status, review procedures for the UGB meeting(s) and schedule tentative special meeting date(s) for the UGB application.

Attachments:

Attachment "A" – Proposed UGB Amendment Map



Central Point Urban Growth Boundary Amendment

Proposed UGB Land Use