

**CITIZENS ADVISORY COMMITTEE**  
**Tuesday July 13, 2021 - 6:00 p.m.**  
**Council Chambers @ Central Point City Hall**

**I. MEETING CALLED TO ORDER**

**II. ROLL CALL/INTRODUCTIONS**

David Painter (chair) Robin Stroh, Carrie Reed, Mike House, John Eaton, Kristy Painter

**III. MINUTES**

Review and approval of April 13, 2021 minutes

**IV. PUBLIC APPEARANCES**

**V. BUSINESS**

A.

**VI. DISCUSSION**

- A. Discussion regarding standards and regulations for Mobile Food Vendors and other vending units, such as food trucks, trailers and carts within the City of Central Point
- B. Consideration of residential zoning code amendments to support housing development in Central Point. File No. ZC-21001.

**VII. MISCELLANEOUS**

- A. Community Development Update

**VIII. ADJOURNMENT**

**City of Central Point  
Citizens Advisory Committee Minutes  
April 13, 2021**

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

**II. ROLL CALL**

Present were: David Painter (chair), Cinda Harmes, Kristy painter, Carrie Reed, Mike House, and John Eaton

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

**III. MINUTES** Cinda Harmes made a motion to approve the minutes of the August 11, 2020 Citizen's Advisory Committee meeting. Mike House seconded the motion. All members said "aye". Motion passed.

**IV. PUBLIC APPEARANCES**

No public appearances

**V. BUSINESS**

**VI. DISCUSSION**

**A. Residential Zoning Code Amendments. Discuss text amendments to residential zoning districts to increase density consistent with the minimum average density, allow duplexes in single family zones, and eliminate barriers to housing.**

David Painter read a statement describing the purpose and duties of the Citizen's Advisory Committee. Tom Humphrey welcomed new members Kristy Paintor and John Eaton.

Planning Director Stephanie Holtey explained in December 2021, the City Council approved the City's first Housing Implementation Plan (HIP). She said the HIP sets forth the City's 5-year strategy for increasing housing supply and affordability. It includes short-term and long-term projects that address a variety of issues that affect the housing situation in Central Point. Since adoption of the HIP, the City has completed an update to its Accessory Dwelling Unit (ADU) regulations and is in the process of amending its Urban Growth Boundary (UGB) to increase its residential land supply. At this time, the City is starting the process of amending its residential

zoning districts to add new housing types, increase residential densities and eliminate identified barriers to housing construction. She stated the City is attempting to make the zoning code easier to use and to make it one chapter instead of 5.

Ms. Holtey said that due to the passing of HB 2001, the City is required to allow duplexes in zoning districts that allow construction of single-family detached housing. Although the City may have clear and objective standards for siting and design, the City may not increase off-street parking. Additionally HB 2001 limits maximum setbacks and specifies that a duplex may be created on a lot even if doing so would exceed the City's existing maximum density standard. The critical question for discussion at this time is what design and development standards may be appropriate to promote neighborhood compatibility.

She reviewed different types of housing, such as cottage clusters, duplexes, triplexes, accessory dwelling units, and zero lot line housing. She explained that before lands in the new UGB expansion areas can be annexed, the City is required to increase its minimum density requirements provide a minimum average density of 7.04 units per acre from now until 2040. The result of this change will be smaller lot sizes and more housing required throughout the City. She said as we make these changes, it would be beneficial to start exploring design and development standards that can foster creation of neighborhoods that are attractive and reflect the community's preferred vision for its future.

There are several factors that are influencing the current housing situation. The proposed code amendments will not resolve all of the issues that affect supply and affordability, but they do aim to address outdated standards needed to help improve the housing situation.

The Committee members discussed the different housing types and expressed approval of making the code more user friendly.

They discussed what other cities have been doing in response to HB2001 and ADU development. They expressed interest in cottage cluster housing and asked who would be responsible to maintain the open space. Mr. Humphrey stated there might be a homeowners association. Ms. Holtey reviewed different configurations of duplexes and ADU's and how they could be designed to be compatible with surrounding neighborhoods. The Committee thought the text amendments were appropriate and well thought out.

**B. Floodplain Regulations Code Amendments. Discuss text amendments to the flood damage prevention regulations to comply with National Flood Insurance Program (NFIP) standards and the Community Rating System (CRS) program requirements.**

Community Planner Justin Gindlesperger said the City's floodplain management program supports community resiliency through preventive and corrective measures. These measures include requirements for zoning, subdivisions, buildings and building codes and the overall floodplain environment. The City participates in the National Flood Insurance Program (NFIP), which has minimum management standards for communities, but the City implements higher standards to promote a stronger community.

He explained participation in the NFIP provides base floodplain management standards and makes federal flood insurance available for all residents and business owners in the community. This is important because 1) flood insurance provides financial protection for at-risk structures; and 2) federal law requires flood insurance as a condition of financing for properties in high risk flood hazard areas. He said the City also participates in the Community Rating System (CRS), which is a

voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the NFIP. In CRS communities, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community's efforts

Participation in the CRS requires documentation, certification and adhering floodplain management standards. In anticipation of the City's upcoming verification visit for the 2020-2021 cycle this fall, the Planning Department is amending the floodplain development regulations for consistency with Federal and State guidance. The primary issue in considering the amendments to the floodplain development regulations is to provide consistency with Federal and State requirements and to identify local policies and actions that can be implemented to reduce flood losses and protect City residents from the dangers of flooding.

The Committee discussed the different streams within the City and how important it was to keep insurance costs down

Mike House made a motion to forward a favorable recommendation to the Planning Commission. John Eaton seconded. All members said "aye".

**C. Discussion regarding standards and regulations for Mobile Food Vendors and other vending units, such as food trucks, trailers and carts within the city of Central Point.**

Mr. Gindlesperger said the Central Point Municipal Code permits the placement and operation of mobile vending Units on private property with the C-4 Commercial Zone as a permitted use and within the C-5 zone as a conditional use, The CPMC does not permit the operation of mobile vending Units within the right-of-way of streets or alleys.

He said the popularity of food trucks, food carts, and mobile vending units has increased in the Rogue Valley throughout the past few years. In the past few months the Planning Department has received several requests to increase the areas within the City that are Available to mobile vending.

While mobile vending units is not defined in CPMC17.08 it is generally accepted that the term includes food trucks, trailers, and carts that are moveable vehicles operating as a temporary use for the purpose of offering ready to eat food for sale. The use of mobile vending units is typically divided into two categories: as temporary uses on private property either individually or as a group or pod, and mobile vending in the right of way, usually in an on street parking zone.

Central Point does not permit mobile vending units within the right or way and applications for units on private property would follow the site plan review process to ensure the site is compatible with the placement of the unit and there are no safety concerns. In the C-5 zone, applications for mobile vending would follow the conditional use permit process and require a public hearing before the Planning Commission. All mobile vending units are required to obtain a business license to operate within City limits and must be licensed by the Jackson County Health Department. The City does not have additional permits or inspections of mobile vending units.

There are currently two mobile vendors operating within City limits, with one located along E Pine Street and one unit located along S. Front Street. The zoning along Front Street does not include mobile vending as permitted uses, units have been permitted along Front Street as temporary uses. In reviewing these requests the Planning Department has considered the locations in regard to proximity to other brick and mortar businesses, access and circulating, business hours, and number of days operating.

The purpose of this discussion is to identify advantages and concerns from expanding the use of mobile vending units in Central Point and discuss additional regulations, standards and permitting processes necessary to ensure safe and appropriate location and operation of teases units.

Despite their popularity, the use of food trucks and other mobile vending units has been limited due to either a lack of specific regulations permitting their use or restrictions on their placement. The American Planning Associating has published guidance for communities interested in expanding the use of mobile vending.

He described what other cities such as Medford and Grants Pass were doing .the Committee discussed their concern regarding competition with the brick and mortar restaurants. They felt food trucks were popular but should be regulated regarding location and hours. They mentioned having them at special events at local parks. They all agreed it would be advantageous to solicit public opinion via social media and the city's newsletter.

## **VII. MISCELLANEOUS**

## **VIII. ADJOURNMENT**

Carrie Reed made a motion to adjourn. Mike House seconded the motion. All members said "aye". The meeting adjourned at 6:55 p.m.

The foregoing minutes of the April 13, 2021 Citizens Advisory Committee were approved by the Citizens Advisory Committee at its meeting of April 13, 2021.

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Chairman

**MOBILE FOOD VENDORS**



Date: July 13, 2021  
To: Citizen’s Advisory Committee (CAC)  
From: Justin Gindlesperger, AICP, Community Planner II  
Re: Mobile Food Business Code Amendments Discussion

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In response to increased interest from the public in permitting food trucks in Central Point, the Citizens Advisory Committee (CAC) and Planning Commission discussed food trucks and mobile vendors at meetings in April and June, respectively. The meetings were held to evaluate the interest in expanding the use of food trucks and discuss possible regulations for their use within the City.

The discussions at each meeting were generally favorable to expanding the use of food trucks, with members of both boards commenting that properly permitting food trucks and expanding the use can complement existing businesses and attract more visitors – creating more pedestrian traffic and increasing vibrancy downtown. However, there remain concerns on the effects that the expanded use will create.

This memo outlines the major areas of concern and provides information from the attached draft code language that addresses those areas.

**Issues**

**1. Location.**

The main question that arises when discussing permitting food trucks is the question of where should they be permitted: where should food trucks and other vendors be permitted to set up?

The draft code language expands the number of zoning districts to include all areas with commercial zoning, except the TOD – Employment Commercial (EC) zone, and all industrial zones. Properties within the Open Space, Civic and some residential zones may be used when meeting additional requirements.

The draft language also addresses proximity of food trucks to established businesses, other food trucks, and occupied residences.

**2. Hours of Operation.**

Along with location, the hours that a food vendor is able to operate will help make their business successful; however, if the vendor is open for too long it could create a source of conflict. In areas of commercial activity, there is less chance for conflicts but a food vendor near a park or residential development could create a nuisance to adjacent residents and park visitors.

The draft code language permits longer hours of operation in areas that are predominantly commercial and provides limits to vendors that are located within a certain distance of residences to end operation earlier in the evening. This would help reduce noise, traffic and congestion in neighborhoods that are not accustomed to commercial activity.

### **3. Standards for Operations.**

The standards for operating a food truck in City limits are important to provide a safe location for customers and employees and keep the site clean and orderly. The draft code includes standards for parking, signs, trash, and utilities.

#### **Next Steps**

City Staff is requesting the CAC and members of the public to help determine the next steps in the conversation. The purpose of this meeting is to provide a forum for the public to express ideas, provide suggestions, and highlight concerns. If there is continued interest in expanding the areas for food trucks, staff will incorporate comments and suggestions into the draft code amendments.

#### **Enclosure:**

Draft Code Amendments – Mobile Food Businesses



## **Mobile Food Businesses**

### **\_\_\_.010 Purpose.**

The purpose of this chapter is to permit and encourage mobile food businesses within the City of Central Point. Mobile food businesses provide the City with a wider variety of dining options. Mobile food businesses shall comply with all other applicable City ordinances.

Provisions found in this section shall not apply to downtown vendors, vending carts, mobile ice cream vendors, seasonal farm stands, and other temporary merchants or uses that are specifically authorized by this title or other City ordinances.

### **\_\_\_.020 Permit Required.**

#### **A. Business license and fees required.**

1. No mobile food business shall continue in operation unless the holder thereof has paid an annual business regulatory fee and has met all applicable requirements as set forth in section 5.04.120 of this Code.

2. No person or business entity, including a religious or charitable organization, shall operate a mobile food truck in any public, private or restricted space without a permit issued by the City.

B. Separate applications. Separate business license applications may be required for each mobile food business. Separate business license fees shall be required for each mobile food business vehicle operating under one business license.

C. Parks permit. Mobile food businesses that operate in city-owned parks shall be required to obtain a separate permit from the Parks & Public Works Department.

D. In addition to the permit, all mobile food businesses shall comply with all applicable Jackson County Department of Health requirements.

### **\_\_\_.030 Definitions.**

A. Mobile Food Business.

B. Mobile Food Court.

1. Temporary.

2. Continual.

### **\_\_\_.040 Application and Permit Fees.**

The application and annual permit fees shall be established by resolution of the city council.

### **\_\_\_.050 Permit Application.**

A. Application for a permit to operate a mobile food truck shall be made at the community development department on a form provided. The request for permit shall minimally contain:

1. A completed application;

2. A scale diagram of the area for mobile food business, with dimensions shown;
3. A certificate of insurance and endorsement form; and
4. The location and description of the tables and materials requested to be in the right-of-way. – sidewalk café permit per CPMC 5.10.
5. Requirement for liability?

B. A detailed site plan demonstrating the following is required:

1. The location and orientation of each vendor pad.
2. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.
3. The location of all existing and proposed activities on site.
4. The circulation of all pedestrian and vehicle traffic on the site.

C. Other information shall be provided as required by the community development director to carry out the purpose of this chapter.

**\_\_\_.060 Location Rules and Review Criteria.**

A. Persons selling food or beverages from mobile food businesses may do so by use of private property only, unless the mobile food business has a permit for use of City-owned parks or is part of a special event. Use of private property by mobile food businesses shall be arranged with the real property owner and proof of such property owner authorization shall be required prior to the issuance of a business license.

Mobile food businesses shall not use the public right-of-way unless otherwise allowed by ordinance.

B. Mobile Food Businesses Allowed. The following mobile food businesses are allowed within the City of Central Point:

1. A mobile food business operating as a single vendor on private property or on open space owned by the City or a temporary mobile food court on private property is reviewed as Type I procedure, in accordance with Section 17.05.200.
2. A mobile food business operating as a continual mobile food court is reviewed as a Type II procedure, in accordance with Section 17.05.300.

C. Locations for Use.

1. Mobile food businesses are allowed only within the C-4, C-5, C-N, M-1, M-2, and the TOD G-C, Zones, in accordance with the provisions of this section, except:
  - a. In the TOD – High Mix Residential (HMR) mixed use zone when the first floor of the main building on the property is occupied by commercial uses.
  - b. In residential zones if the primary use of the property is a school or church as a permitted use within that zoning district. Mobile food business must have permission from property owner and comply with all requirements and specifications of this Section.
  - c. On City-owned Open Space (OS) with approved permit from Parks & Public Works for operation in/around city-owned parks. Specific to Don Jones Park, Pfaff Park, Twin Creeks Park, and/or Bohnert Park.
  - d. In the Civic zone with permission from school district to operate on school property, or w/in specified distance to school property.
  
2. Any mobile food business must operate and be located to comply with the following:
  - a. One hundred (100) feet from the front door and/or outdoor dining area of any restaurant, except:
    - i. if the application is submitted with the written consent of the proprietor of such restaurant or shop;
    - ii. The consent shall be on forms deemed appropriate by the Planning Director; and
    - iii. Such waiver shall not exempt the applicant from compliance with the other location and distance restrictions of this section;
  - b. Fifty (50) feet from any permitted mobile food business;
  - c. Fifteen (15) feet from any fire hydrant; and
  - d. Five (5) feet from any driveway, sidewalk, utility box or vault, ADA ramp, or building entrance or exit.

**\_\_\_.\_\_\_.070 Standards of Operation.**

- A. Business activity to be temporary. All business activity related to mobile food businesses shall be of a temporary nature subject to the requirements below:
  1. All vehicles used for mobile food businesses must be removed from public or private property during non-vending hours, unless the mobile food business is part of a continual mobile food court as permitted in subsection J of this Section or is included as part of a special event permit.

2. The mobile food truck shall be occupied by the owner or operator thereof at all times.
  3. No overnight parking is allowed.
  4. The mobile food business shall not have a drive-through.
- B. All mobile food businesses are for the sale of food products and non-alcoholic beverages that are capable of immediate consumption;
1. Retail sale of nonfood items is not permitted;
  2. The performance of professional or personal services for sale shall not be provided from a mobile food business;
  3. Mobile food businesses shall not offer alcoholic beverages, except as licensed by a special event permit or community event permit.
- C. Hours of Operation. Mobile food businesses shall be allowed to engage in their licensed business between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. when located within 150-feet of a residential dwelling. In commercially zoned areas, vendors, solicitors and temporary merchants shall be allowed to engage in their licensed business Monday through Saturday between the hours of six o'clock (6:00) A.M. until three o'clock (3:00) A.M. on the following day.
- D. Parking. The following are minimum parking standards for mobile food businesses:
1. Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business.
  2. Hard surface paving at the vehicular entrance to the mobile food court, for each individual mobile food business, and all vehicular circulation areas is required. Alternatives to asphalt and cement may be approved if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.
  3. All mobile food businesses must at all times be parked in a legal manner. Mobile food business vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses, or in such a manner as to create a traffic hazard.
  4. No mobile food business shall occupy required parking stalls of the primary use.
  5. No mobile food business shall interfere with the internal parking lot circulation.
- E. Signs. No signs shall be used to advertise the conduct of a mobile food business at the premises other than that which is physically attached to the vehicle, except temporary signs authorized by Chapter 15.24. Unsecured menu boards or sidewalk signs are prohibited.

- F. Utilities. Any auxiliary power required for the operation of the mobile food truck shall be self-contained. No use of public or private power sources are allowed without providing written consent from the owner.
1. Connection to a temporary power source is permitted. Extension cords shall be covered or screened to prevent tripping hazards.
  2. Generators on mobile vending carts, trailers and vehicles powered by gasoline are prohibited. Only generators powered by propane are acceptable.
- G. Trash and Recycling. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition and all materials generated from a mobile food business are to be disposed of properly.
1. Containers shall be provided for use of the business patrons.
  2. It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system, gutters of streets, landscape areas, private dumpsters, public trash receptacles.
- H. Fire Extinguisher. A five (5) pound, "K" class, handheld fire extinguisher is required if a heating or cooking appliance is used.
- I. Support equipment and accessories. Support equipment and accessories, other than the generator and the propane tanks, must not extend more than four feet (4') from the edge of the cart, trailer or vehicle in any direction and shall not be placed so as to impede pedestrian traffic.
1. The cooking mechanism of a mobile food business, including BBQ grills must be enclosed and permanently built into the structure of the vehicle.
  2. Umbrellas, canopies or other covers used on mobile businesses must be securely fastened. The open diameter may not exceed nine feet (9'), with a minimum vertical clearance of seven feet eight inches (7'8"), and must not extend more than four feet (4') from the edge of the cart, trailer or vehicle in any direction.
  3. If the mobile food business includes an area for food preparation and/or sale, it must be approved by the Jackson County Health Department.
- J. Amplified Music. The mobile food business shall not include amplified music as part of the use.
- K. Mobile Food Courts. In addition to the standards of this section, mobile food courts are subject to the following:
1. A mobile food court is permitted on private property only, unless the mobile food businesses are part of a special event.

2. A mobile food court is required to be on a parcel of at least two thousand (2,000) square feet in size.
3. No less than two (2) and no more than ten (10) individual mobile food businesses or other authorized vendors are allowed on a parcel.
4. No participating mobile food business or other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid an annual business regulatory fee as set forth in section 5.04.070 of this Code, or its successor section.
5. The vehicle of a mobile food business must remain operable, with tongues and wheels attached and tires inflated. No permanent skirting or base shall be constructed around the mobile food business.
6. A master sign plan shall be submitted for review and approval that provides information relating to permanent signs for the court, as well as individual signs for each business.
7. Lighting. Lighting shall be installed at a continued use mobile food court in accordance with Section 17.75.039(D)(4) of the Code.
8. Restroom access. A mobile food court must provide access to restroom facilities. If unable to provide restrooms, an applicant may enter into an agreement with another property owner to provide restroom access for employees and customers.
9. The following utilities are required for a continued use mobile food court:
  - i. Connection to sanitary sewer lines consistent with applicable state plumbing codes and all wastewater discharged to the sanitary sewer is subject to the requirements of the Rogue Valley Sewer Services.
  - ii. Connection to a site-dedicated master water meter is required. The size, installation, and applicable fees shall be coordinated with the Public Works Department.
  - iii. Private water line extensions from the master water meter to each vendor are required per the Uniform Plumbing Code.
  - iv. Connection to a permanent power source that is located underground. Overhead wires connected to a mobile food business are not permitted.

**\_\_\_.100 Denial, revocation or suspension of permit.**

- A. The community development director may deny, revoke, or suspend the permit upon finding that any provision of this chapter or condition of approval will be or has been violated.
- B. Upon denial, revocation, or suspension the community development director shall give notice of such action to the applicant or permittee in writing stating the action which has been taken and the reason therefor. The action shall be effective immediately, but the applicant or permittee may make written request, within ten calendar days after the notice is issued, for a hearing by

the city council. Upon hearing the matter, the city council shall render a final decision concerning the permit.

**\_\_\_.\_\_.110 Penalties**

Any violation of this chapter shall be an infraction as defined by Section 1.16.010 and punishable by a fine as set forth in that section. The city manager or his designee is authorized to issue a citation to any person violating the provisions of this chapter. After two infractions, the mobile food business permit shall be revoked for a period of at least one year.

**CODE AMENDMENTS**





## COMMUNITY DEVELOPMENT

Stephanie Holtey, Planning Director | Derek Zwagerman, Building Official  
140 South 3<sup>rd</sup> Street | Central Point, Oregon 97502 | 541.664.3321  
[www.centralpointoregon.gov/planning](http://www.centralpointoregon.gov/planning)

July 13, 2021

TO: Citizen's Advisory Committee  
FROM: Stephanie Holtey, Planning Director  
RE: Residential Zoning Code Amendments (File No. ZC-21001)

The City is preparing draft code amendments to address needed changes in residential land use and development standards. The purpose of the amendments is to:

- Comply with House Bill (HB) 2001;
- Adopt minimum densities required by the Regional Plan;
- Add cottage clusters as a new housing type;
- Add narrow lot single family detached dwellings as a new housing type;
- Eliminate barriers to housing identified in the Housing Implementation Plan (HIP); and,
- Provide a more user-friendly and accessible format.

### HB 2001

HB 2001 requires that cities greater than 10,000 in population allow duplexes in single family zoning districts and limits the off-street parking the City may require. However, the City may impose clear and objective standards to regulate siting and design to promote neighborhood compatibility. Staff is proposing to add the use and apply the same standards as those that apply to single family dwellings in the underlying zones.

### Density

The City is proposing adjustments to minimum densities in residential zoning districts to implement the Regional Plan Element requirement to achieve a minimum average density of 7.04 units per acre through 2040. In addition to increasing land use efficiency, the density changes are needed to allow lands in proposed UGB expansion areas to be annexed. This change was agreed to when the City adopted the Regional Plan Element of the Comprehensive Plan in 2012.

### Housing Implementation Plan

The HIP identifies actions the City can take to promote increased housing supply and affordability. The situation has become more critical in the Rogue Valley during the COVID-19 pandemic and following the fires last summer. The pending UGB amendment will increase the available land supply. However this issue is complex and requires a multi-pronged approach. By

adding new housing types, such as cottage cluster housing, narrow lot single family detached dwellings and duplexes in single-family zones, the City will increase options to increase the housing supply. Identifying and removing regulatory barriers is another strategy being proposed at this time. For example, the R-3 (multifamily) zone requires high density housing developments but limits lot coverage for structures to no more than 50%. This significantly limits feasibility for projects and can be remedied by increasing lot coverage to 70-80%. Although it is recognized that the proposed amendments will not change market forces that are driving up construction cost, increasing housing options and eliminate outdated standards are a good start.

At the July 13<sup>th</sup> meeting, staff will present the draft code changes. At that time staff will request a recommendation from the Citizen's Advisory Committee to the Planning Commission to conduct a public hearing and approve, approve with changes or deny the draft code amendments.